PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 96

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
THIRTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1985-86

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IN THE THIRD SESSION OF THE FORTY-NINTH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

THIRTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 96**

ELEVENTH VOLUME OF SESSION 1985-86

House of Commons

Monday 21 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

Carlisle—Settle Line

1. **Mr. Dalyell** asked the Secretary of State for Transport if he will discuss with the chairman of British Rail the viability of the Carlisle to Settle railway line.

The Minister of State, Department of Transport (Mr. David Mitchell): It would not be appropriate in view of the application for closure.

Mr. Dalyell: Is it not a fact that 80 per cent. of the work that needs to be done is in employment and less than 20 per cent. in materials? What are the real costs, in view of the numbers that would then be employed? Does that not put the preservation of the Ribblehead and other viaducts in a different light?

Mr. Mitchell: The hon. Gentleman has drawn an interesting point to our attention. However, Ministers will have to consider the proposals for closure in a quasi-judicial capacity. It would be quite wrong today for me to give an indication of my view of the hon. Gentleman's point.

Mr. Watson: I appreciate my hon. Friend's position, but is he aware that passenger traffic on that line, using the Settle and Skipton stations, has increased by about 400 per cent. in the 18 years since the line was first suggested for closure? Is my hon. Friend at all perplexed about the fact that a line then considered viable should now be considered uneconomic by British Rail, even though it now carries four times as many people?

Mr. Michell: Of course, that is one of the matters that we will inquire into. My right hon. Friend the Secretary of State has a statutory duty to consider all relevant issues in reaching his decision.

Mr. Straw: Is the Minister aware that an integral part of the closure proposals for the Settle to Carlisle line is the closure of a section of line between Blackburn and Hellifield? Is he further aware that that has been a very popular route for Dalesrail passenger services, and that there is also a connection through to the Settle to Carlisle services? Although we all appreciate the Minister's quasi-judicial position, will he end this farce of an inquiry by saying that he will provide the money to keep those essential services going?

Mr. Mitchell: It is for the inquiry to report on hardship. When it has reported on that, Ministers will consider the reports on hardship and the British Rail closure proposals. We shall look searchingly into it to see whether it stands up financially, and will consider all the other aspects as well. The wider issues will be taken into account by Ministers. However, the inquiry is into hardship, and it would certainly be wrong to stop it.

Sir Hector Monro: Will my hon. Friend bear in mind the line's importance for tourist potential in north-west England and south-west Scotland, particularly with regard to the steam excursion train? Does not British Rail owe some duty to the nation to maintain such splendid viaducts?

Mr. Mitchell: The viaducts involve other matters, such as preservation orders, which are outside the scope of today's question. But of course we understand the tourist potential. I am very enthusiastic about the way in which steam railways can attract a lot of tourist trade. Ministers will have to consider such matters when we have the inquiry's report. However, enthusiastic as I may be about

steam locomotion, it is, regretfully, not something that I shall express a view about before receiving the report and before the decision is made.

Mr. Stott: If my hon. Friend the Member for Carlisle (Mr. Lewis) had been in his place, I am sure that he would have asked the Minister a question, but unfortunately he is not here as he is ill. I fully understand the Secretary of State's quasi-judicial role. In connection with the question of the hon. Member for Skipton and Ripon (Mr. Watson), is the Minister aware that I am advised that the line made a profit of about £1 million last year? We are talking, not about any old railway line, but about one of the most historic, scenic and beautiful lines in the world. I very much hope that the Minister and the Secretary of State will bear those points in mind when they make their decision. The nation is proud of that line and wants to keep it.

Mr. Mitchell: One must recognise that there is a difference between making an operating profit and making sufficient money to be able to maintain the structures in a fit and proper condition. The two are different. However, I must agree with the hon. Gentleman about the scenic nature of the route. I have travelled on it and have climbed all over the Ribblehead viaduct. I am keenly aware of the points that the hon. Gentleman makes, and, of course, they are ones, along with many others, that Ministers will take into account when they come to take their decision.

Tourist Signs

2. **Mr. Greg Knight** asked the Secretary of State for Transport if he intends to introduce more widely the new white and brown tourist attraction signs following the experiments in Kent and Nottinghamshire; and if he will make a statement.

The Parliamentary Under-Secretary of State for Transport (Mr. Peter Bottomley): The experiments were very successful. The system is to be introduced throughout England. Information is now being sent to local authorities and others. Signs to attractions with over 150,000 visitors a year will be allowed on motorways. On other roads there can be lower thresholds. The new scheme will benefit both tourists and attractions.

Mr. Knight: Representing as I do an area of great tourist potential I welcome that reply and my hon. Friend's Department should be congratulated on the speed with which it has dealt with the matter. What implication does his decision have for public expenditure? Who will pay for the new signs?

Mr. Bottomley: I am grateful to my hon. Friend. The experiment was well carried out by the two counties and we are grateful to them. The Department has got on with this and that is generally welcomed. In general, the attraction operators will be paying for the signs. Local authorities can contribute, but we do not expect to see an increase in public expenditure.

Mr. Haynes: The signs are attractive, but where is the Department of Transport's priority? We can travel up the M1 and at junctions 27 and 28 there is no sign at all for Sutton in Ashfield and Kirkby in Ashfield in my constituency? Will the hon. Gentleman consider that matter.

Mr. Bottomley: I am grateful to the hon. Gentleman for his welcome and when I next travel up the motorway I shall see whether I can advertise his constituency and the robust way in which he represents it in the House.

Mr. Key: I welcome my hon. Friend's decision, but will he not go overboard on the standardisation of signs, which might be provided perfectly adequately by local businesses? Will he also note that people want to know about not just tourist sites but village shops in rural areas such as mine?

Mr. Bottomley: I am not sure that we want to advertise every village shop from motorways, but the important point is that we are allowing signs to be put up and paid for by attraction operators, so that both in boosting tourism and in deregulation we are to be congratulated.

Terminal 4, Heathrow

3. **Mr. Forth** asked the Secretary of State for Transport if he will make a statement on the arrangements for security at the new terminal 4 at Heathrow.

The Parliamentary Under-Secretary of State for Transport (Mr. Michael Spicer): I have personally spent a good deal of time on security arrangements at London Heathrow in general and terminal 4 in particular. There can never be 100 per cent. certainty about preventive measures and there will be a need for constant vigilance and, no doubt, future refinements. I am, however, satisfied with the attention given to this matter by the British Airports Authority at Heathrow terminal 4, which is one of the world's most advanced from a security point of view. Security measures at British airports have been further stepped up in the past few days.

Mr. Forth: I am most grateful to my hon. Friend for that reply and I am sure that we found it most reassuring, but he must be aware of the rather horrific stories that have been circulating recently about terminal 4 and the apparently easy access that some people have had to that terminal. Can he reassure the House that those stories will be taken seriously and will be investigated? What steps are being taken to examine baggage, both hand-held and destined for the cargo holds of aeroplanes, to ensure that there will be no repetition of certain disastrous events which have taken place in aircraft around the world?

Mr. Spicer: I can certainly assure my hon. Friend that it is our firm aim to ensure that British airports are as secure in future as they have been in the past. Some of the stories that have arisen, as my hon. Friend has mentioned, have been misplaced. One particular newspaper claimed to have broken security when in fact the journalists had to go through security before they were able to take their pictures.

Mr. Cartwright: Is the Minister aware of reports that security staff at Heathrow are not happy with the operation of machinery, which apparently failed to detect the presence of explosives at the airport last week? What action is he taking on the view of the staff that the only effective method of detection is a thorough hand search?

Mr. Spicer: That point of view can be substantiated in view of the present state of the art. The X-ray facilities have their inadequacies, but the system as a whole worked at Heathrow last week, for which I am grateful, and I am happy to report that to the House.

Mr. Higgins: Is my hon. Friend satisfied that there are adequate facilities for security checks of passenger baggage going into the holds of aircraft? Are those facilities being used by the airlines?

Mr. Spicer: One can never say that one is entirely happy about anything to do with security checks. Both technological and practical procedures are available for dealing with baggage going into the holds of aircraft, and they are used as they apply.

Mrs. Dunwoody: Is it not true that the only reason why the operation at Heathrow last week was successful was that the hand search revealed a discrepancy between the weight and the contents of a passenger's case? Is the Minister seriously suggesting that he is happy with the existing arrangements? If there are not sufficient staff, and if staff are not equipped properly, surely the problem will arise again?

Mr. Spicer: A number of factors led to the detection at Heathrow. I do not think that the House would want me to go into all the details; suffice it to say that detection took place——

Mrs. Dunwoody: El Al.

Mr. Spicer: Of course there are double systems for checking. The hon. Lady mentions El Al, and I can assure the House that other airlines have similar procedures and believe that a similar circumstance could have been detected.

Mr. Dicks: I disagree with my hon. Friend. I believe that security failed at Heathrow and that it was only the additional protection taken by El Al that prevented a disastrous incident. Can my hon. Friend assure me that the commerial viability of the airport will not take precedence over the security and safety of passengers?

Mr. Spicer: I can give my hon. Friend the assurance that he seeks. A permanent balance must be struck between the convenience of passengers and the needs of security. In times of high tension, the need for security must clearly be paramount.

Mr. Tony Banks: In view of the enhanced security needs of Heathrow, will the Minister guarantee that no one-person-operated tube trains will enter the extension area? Will he go further and ask London Regional Transport to put guards in each of the carriages on tube trains entering the airport?

Mr. Spicer: I cannot give the guarantee that the hon. Gentleman seeks. Obviously the security aspects of trains entering the airport will be closely monitored.

London Buses

4. **Mr. Greenway** asked the Secretary of State for Transport if he has any plans to modify the performance objectives he sets for London Buses; and if he will make a statement.

The Secretary of State for Transport (Mr. Nicholas Ridley): I gave London Regional Transport demanding objectives designed to secure better and more efficient public transport services. I am very happy to tell the House that revenue subsidies for LRT this year will be down to £79 million, which is about one third of the level planned by the GLC when it was responsible. This has been achieved without any significant reduction in the quality or any increase in real prices of the services provided.

Mr. Greenway: Will my right hon. Friend congratulate LRT on the improved services that it has provided since it was established following its removal from the auspices of the GLC? However, is my right hon. Friend aware of the delays and consequent frustrations of passengers using buses in heavy traffic? Will he give an assurance that driver-only buses will be used only after exhaustive tests have shown that they will be of benefit to the passengers and will not create further delays?

Mr. Ridley: I shall certainly pass on my hon. Friend's congratulations to the chairman and board of LRT on what has been, by any yardstick, a staggeringly successful performance. LRT already incorporates the effects of congestion into its appraisal of conversion to one-person operation. I also believe that the congestion effects have been much exaggerated, for reasons to do with factors other than congestion, by those opposed to one-person operation.

Mr. Dubs: Is the Secretary of State willing to join any bus queue in Battersea and tell people waiting at that queue that he believes the services are now staggeringly successful? Is it not true that one-person-operated buses are causing delays and frustration and are not a way to keep satisfactory services operating?

Mr. Ridley: There has been practically no alteration in bus services since LRT took over from London Transport. The only alteration has been a 2 per cent. change in services at the margin. If services were wrong before they may well be wrong now, but LRT is improving services to meet customer demand.

Mr. Adley: Does my right hon. Friend agree that the parking and garaging requirements, which are quite properly applied to London Buses in central London, and which it observes, should be applied to all coach operators?

Mr. Ridley: My hon. Friend probably knows that we have been studying the provision of coach stations and possible coach parking sites in central London. Because of the massive increase in the number of long distance and tourist coaches in London, we will take a little longer to get on top of this problem.

Mr. Simon Hughes: Does the Secretary of State plan to alter the objectives as they affect the regularity of bus services and the price for short journeys in areas such as mine, in south-east London, where no alternative form of public transport is available and where, since LRT took over, services have been reduced, as admitted by SELKENT and management, and where local people are demanding more frequent bus services and, on some routes, a reduction in the relative costs?

Mr. Ridley: Perhaps the deregulation of bus services in London would assist in solving the problem referred to by the hon. Gentleman, by allowing other operators to supply any demand not met. Overall, I do not believe bus services have been cut. A slight change has been made to accommodate areas in which there is more demand at the expense of areas in which the demand is less. A future objective will be to reduce the revenue subsidy cost, which this year is estimated at £79 million. It is even possible that

we shall reduce that to zero. Moreover, there will be a saving of £245 million to the hon. Gentleman's constituents, as ratepayers and taxpayers, on what the GLC intended to spend.

Sir John Biggs-Davison: I regularly travel by bus and wonder whether my right hon. Friend does so, too. Will he discourage LRT, at least in central London, from replacing the traditional open platform bus with one-person-operated buses, which deter passengers.?

Mr. Ridley: They also deter violence. Where one-person buses are being operated there is a far better record of safety for bus crews. I believe that it is better to leave the management of London buses to LRT. It is not my role actually to run the operation.

Mr. Stott: Are not words such as "better" "more efficient" and "staggeringly successful" a prostitution of the English language when applied to London Transport? When I am in London I regularly use the buses, and I was late for Committee last week, as were some of my hon. Friends, because I had to wait 40 minutes in a bus queue for the No. 159 bus. Over the past few months the service in London has deteriorated. How can the right hon. Gentleman claim success?

Mr. Ridley: I know that it is galling for the hon. Gentleman that there has been this massive change proving the GLC to be wrong in its forecast of the subsidy that would be necessary. I realise that the increase in investment is unwelcome to him. If he wants me to respond to the complaints in his supplementary question, I shall bring forward the date on which London will be deregulated, so that other operators can come in from the private sector to ensure that the hon. Gentleman arrives on time for his Committees in future.

Mr. Squire: Does my right hon. Friend agree that it is excellent news for ratepayers, taxpayers and everyone who uses buses that about £4 million has been saved under the guidelines by going out to tender while retaining a similar passenger mileage overall on the routes tendered?

Mr. Ridley: My hon. Friend points to an important issue. He will know that 52 routes have so far been put out to tender at a saving of about £2·5 million a year, not £4 million. That is the saving so far, and it is a staggering sum to have been saved on those routes. A further 6 per cent. of total mileage is to be put out to tender in 1986-87.

National Bus Company

5. **Mr. Dixon** asked the Secretary of State for Transport what improvements in customer services he expects from the privatisation of the National Bus Company in seperate sections.

Mr. Ridley: The separate sale of NBC's individual subsidiaries will promote more competition in the bus industry. Deregulation and competition will give operators the freedom and incentive to provide the bus services which best meet the needs of the travelling public.

Mr. Dixon: The Secretary of State must know that unions have already been notified of massive redundancies within the bus service. My constituents have been informed of drastic cuts in bus services in their areas. Many of the warnings given by my right hon. and hon. Friends during consideration of the Transport Bill are now being proved to have been right. Many will find themselves without bus services as the effects of that measure are felt.

Mr. Ridley: The hon. Gentleman may know that the National Bus Company has reduced its work force over the past 10 years from 70,000 to 50,000 because the system of decline and subsidy was allowed to continue. I expect that there will be an increase in employment in the bus industry as demand picks up due to competition. It is time that the Labour party stopped trying to pretend that services which have not been registered will not be run. Labour Members know that stage one is to register commercial services and stage two involves local authorities going out to tender to fill the gaps that they think exist. It is misleading, scaremongering and irresponsible for hon. Members to pretend that stage one is the only stage.

Sir Fergus Montgomery: Will my right hon. Friend say whether there is any evidence that new types of services are being introduced?

Mr. Ridley: Yes, Sir. My hon. Friend will be glad to know that minibuses were first introduced in Exeter as a result of the publication of the Transport Bill. Minibuses are now in Bristol, Bath, Dartmouth, Luton, Shrewsbury, Cheltenham, Taunton and Leicester. They are already greatly increasing patronage and the number of drivers in employment. At the same time, they are showing a much better financial performance than the old, large buses. This is a direct result of the Transport Act, a measure which Labour Members opposed so passionately and wrongly when it was passing through the House.

Mr. Allen McKay: Will the Secretary of State tell Richard Benson, who is one of my constituents, and his fellow travellers — *[Interruption.]* These constituents have discovered that the first bus to operate in the Penistone area will start on its route at 8 am and that the last bus to serve the area will leave at 6 pm. Will the right hon. Gentleman tell Richard Benson how he is to get to work and how others will be able to visit hospitals, for example, when the last bus leaves at 6 pm?

Mr. Ridley: It is clear that the hon. Gentleman's informants are fellow travellers. They are trying to spread alarm and despondency without revealing the full nature of the facts. He knows—if he does not, I am telling him—that the local authority in his constituency has the power and the money to let an operator provide early morning and evening services by means of tender and contract. The hon. Gentleman can explain to his constituents that that is the fact, instead of perpetuating myths that are typical of fellow travellers.

Air Services (Scandinavia)

6. **Mr. McCrindle** asked the Secretary of State for Transport what progress has been made towards the liberalisation of air services to Scandinavia.

Mr. Michael Spicer: We have secured a welcome simplificaton and speeding up of procedures for new routes, but this is only a first step. We want to see real competition on routes to Scandinavia and the lower fares that this would bring. We shall continue to press for this.

Mr. McCrindle: I welcome that reply. What has been the reaction of the Scandinavian authorities to the proposals? Is there a likelihood of liberalisation of services resulting in fare reductions in the near future?

Mr. Spicer: My hon. Friend's question implies that there will not be fare reductions. We are pessimistic about the matter, especially about multiple designation, by which more than one airline is permitted to fly along a particular route. I hope that my hon. Friend's question will be heard in the capital cities of Scandinavia, because we certainly agree that there should be lower fares on these high-fare routes.

Bus Routes (West Yorkshire)

7. **Mr. Waller** asked the Secretary of State for Transport what proportion of existing bus routes have so far been registered under the provisions of the Transport Act 1985 in West Yorkshire.

Mr. David Mitchell: Six hundred and fifteen local services with stopping places in West Yorkshire were registered with the traffic commissioner by 28 February. The figure for current road service licences, which is not directly comparable, is 681. The tendering process should be used to fill these gaps and to supplement commercial services in the evenings and at weekends.

Mr. Waller: Does my hon. Friend recognise the extent to which many people have been needlessly misled into thinking that those routes which have not been registered will disappear? Does he accept that this reflects one of only two possibilities — either there is stunning ignorance by local Labour and alliance politicians about the facts, or a cynical attempt is being made to frighten, alarm and deceive people before next month's local government elections?

Mr. Mitchell: My hon. Friend has hit the target, just as he did yesterday when he completed the charity-sponsored marathon. My hon. Friend is right. The transition works in two stages, the first involving the registration of profitable services, and the second, which is still to come, involving the provision of contract services on socially necessary routes. The people who are frightened by the scandalous campaign run by the Opposition will have the certitude of a contracts service with their county council if they are on a socially necessary route.

Mr. Pike: Does the hon. Gentleman accept that many of the services that run from West Yorkshire into my constituency in Lancashire, which adjoins West Yorkshire, will not be tendered for and maintained? Does the hon. Gentleman agree that that will be another symptom of the reduction in services to the public as a result of the Transport Act 1985?

Mr. Mitchell: No, I do not accept that. That is not the case, and it will be proved in the event not to be so.

Mr. Stott: I absolutely reject the hon. Gentleman's comments that the Opposition have been scaremongering. Is the Minister aware that, of the current routes run in West Yorkshire, only 71 per cent. have been registered with the traffic commissioners, which means that about 30 per cent. remain unregistered? Is the hon. Gentleman further aware that 35 per cent. of evening routes and 50 per cent. of Sunday service routes have been registered? Those are broad averages, because registration ranges from 70 per cent. in Bradford down to 20 per cent. in Wakefield. Will the hon. Gentleman say with absolute assurance that those routes currently run by the passenger transport executive which have not been registered will receive sufficient financial support from the Government even though the county may be subject to rate capping and other financial provisions? Will those routes continue to run?

Mr. Mitchell: Whether those routes will continue to run will be entirely a matter for the local PTE and how it distributes its resources. The West Yorkshire PTE has informed councillors that the commercial network mileage has increased from the 55 per cent. previously assessed to 75 per cent. of current mileage. That is a major justification of the statements by my right hon. Friend the Secretary of State and me, and a condemnation of the Opposition's distortions in recent months and during the passage of the Transport Bill.

"Tourist Coaches in London"

8. **Mr. Adley** asked the Secretary of State for Transport what representations he has received about his Department's publication, "Tourist Coaches in London".

Mr. Peter Bottomley: The first representations are just arriving. Comments are invited by the end of July.

Mr. Adley: I thank my hon. Friend for his reply. Is he aware of the growing aggravation between natives and tourists at the congestion that is being caused by many of those vehicles? What would he say if British Rail decided that, instead of using stations, for which it pays rent and rates, it would park its trains in the streets, regardless of the inconvenience to other travellers? Will my hon. Friend confirm that the Government's policy is to ensure that coach operators obey the laws, meet the cost of parking, and do it now?

Mr. Bottomley: I should be slightly surprised if British Rail banned coaches from coming to railway stations to pick up or drop passengers. The report's proposals are for improving facilities for tourist coaches to include more on and off-street parking, to get better information and— what my hon. Friend asked for — more effective enforcement.

Mr. Tony Banks: No doubt everyone in the House welcomes our visitors from abroad. When can they expect a fair deal from coach operators in London, and when can Londoners expect a fair deal? The Minister has known about the problem for a long time. Why does he not ask his colleagues in the Home Office just to enforce the parking regulations, then perhaps the whole of Westminster bridge will not be clogged up with tourist coaches?

Mr. Bottomley: I do not think that I have heard a clearer condemnation of the activities of the hon. Gentleman in his previous work across the river. I have had my responsibilities for three months, while he had his for five years. I am tackling the problem, and he did not.

Mr. Soames: I congratulate my hon. Friend on this important paper. I warmly welcome the tourists who come to London and the business and prosperity that they bring to the City. However, does he agree that it is important that there should be a definite improvement in the problem this

year, because it is a great bore for the ordinary people of London trying to get from A to B if they are unable to do so because of tourist coaches?

Mr. Bottomley: Yes, Sir.

Mr. Cartwright: Is the Minister aware that his document includes a picture of tourist coaches parked on Westminster bridge? Does he understand that that is now a permament feature of life, winter and summer? Does he realise that having as many as 10 tourist coaches and the odd icecream vendor on Westminster bridge is a major cause of congestion and a potential accident risk? Does he believe that that ought to be encouraged in the way that he seems to be doing?

Mr. Bottomley: The answer to the first part is yes, and to the second is no.

Driving Licences

9. **Mr. Peter Bruinvels** asked the Secretary of State for Transport how many driving licences issued by the Driver and Vehicle Licensing Centre in respect of motor cars were valid at the latest available date.

Mr. Michael Spicer: At the end of February 1986 the Driver and Vehicle Licensing Centre held a total of over 40 million drivers records, of which nearly 30 million relate to holders of current licences. Licences normally allow the holder to drive a range of vehicle types. Therefore, a separate figure of those covering motor cars is not available.

Mr. Bruinvels: A substantial number of people possess driving licences, whether provisional or full. Does my hon. Friend agree that there is now a genuine need to prevent possible abuse when the licence circulates away from the holder of the licence? Therefore, as a matter of urgency, should we not introduce photo identity pass licences so that people can prove that they are entitled to drive and so that the system is not abused or the licence sold on the black market?

Mr. Spicer: We have no evidence that such abuse is widespread. Insistence on a photograph on a driving licence would not square well with the long period driving licence up to the age of 70. We do not think that the British people would welcome a document which smacked of being an identification paper.

Mr. Anderson: Has the Minister noted how infrequently the DVLC now figures in questions on the Order Paper, and when it does as today, it is referred to in a non-critical sense? Is that not some measure of the quality of performance of the centre? Will he give a public commendation to its work?

Mr. Spicer: I am grateful to the hon. Gentleman, who, I think, has the DVLC in or near his constituency. I can confirm that the number of complaints has decreased substantially; certainly it has decreased very substantially compared to the increase in business done by the DVLC. Therefore, I certainly join in the congratulations to that part of government which is is the hon. Gentleman's constituency.

M6 Northern Relief Road

10. **Mr. Gerald Howarth** asked the Secretary of State for Transport if he will set out the timetable for the statutory procedures following his announcement on the preferred route for the proposed M6 northern relief route.

Mr. Peter Bottomley: I hope to publish draft orders for the line of the route in the middle of next year. A public inquiry would follow some months later. The publication of side road and compulsory purchase orders is not expected before 1989.

Mr. Howarth: I thank my hon. Friend and his predecessor for the care with which they have considered the complex issue of the M6 relief route. My constituents have warmly welcomed the non-statutory consultation period offered by the Government, but I am alarmed about the time scale to which my hon. Friend refers. My constituents are becoming concerned about the uncertainty arising from the timing of the procedures. Could my hon. Friend not expedite them, and could he also reconsider——

Mr. Speaker: Briefly.

Mr. Howarth: Will my hon. Friend reconsider the question of compensation and whether it would be possible to offer replacement value?

Mr. Bottomley: It is important for people to have a chance to air their views both in the pre-statutory period and during the statutory procedures. I doubt whether we would have roads as effective as we are now delivering if people were not given a chance to have their questions answered and their views considered.

ATTORNEY-GENERAL

Director of Public Prosecutions

46. **Mr. Dalyell** asked the Attorney-General what steps he takes to satisfy himself that the office of the Director of Public Prosecutions operates efficiently.

The Attorney-General (Sir Michael Havers): In discharge of my statutory duty of superintendence of the Director of Public Prosecutions I frequently meet the Director and senior members of his staff. I receive frequent reports concerning policy issues and issues concerning the efficient management of his Department.

Mr. Dalyell: Does the Attorney-General recollect the serious questions put to him by my hon. Friend the Member for Battersea (Mr. Dubs) and to the Prime Minister and the Home Secretary, on the worrying case of Mr. Gerry Gable? As Mr. Gable, the editor of *Searchlight* magazine, was afforded police protection, why has the DPP's office failed to act?

The Attorney-General: I understand that the editor of *Searchlight* was interviewed by police officers in 1984 in response to an approach from him. However, the facts alleged by the editor did not disclose the commission of any criminal offence. If there is any evidence of a criminal offence, the hon. Gentleman should make it available to the police.

Mr. Gow: How confident is my right hon. and learned Friend that, if it becomes necessary to prepare any further papers in the office of the Director of Public Prosecutions

relating to extraditions from the Republic of Ireland of those required to answer criminal charges in Great Britain, those papers will be prepared in a way that is entirely satisfactory to the authorities in the Republic?

The Attorney-General: As my right hon. Friend the Home Secretary said in his statement, all those documents will now be personally supervised by the Director. In addition, my officials and the officials of the Attorney-General of the Republic have been meeting and are drawing up what is known as a check list—rather like a pilot's check list — which will be used whenever warrants are sought from the Republic.

Mr. Nicholas Brown: In view of the serious nature of the bizarre but detailed allegations contained in the April edition of *Searchlight*, will the Attorney-General make a statement to the House at an appropriate moment? Specifically, will the statement deal with the alleged involvement of an officer of the armed forces and an hon. Member in a plot to intimidate Mr. Gable—or worse?

The Attorney-General: I have not seen the April issue of *Searchlight*. I shall certainly look at it, and I shall write to the hon. Gentleman.

Legal Aid

47. **Mr. Chope** asked the Attorney-General if he will make a statement on the latest progress of the negotiations between the General Council of the Bar and the Lord Chancellor about fees for criminal legal aid.

49. **Mr. Maclennan** asked the Attorney-General what recent steps Her Majesty's Government have taken regarding the remuneration of barristers and solicitors for legal aid work.

50. **Mr. Nicholas Brown** asked the Attorney-General if he will make a statement on the remuneration of the Bar for criminal legal aid work.

The Attorney-General: Discussions between officials and representatives of the Bar on criminal legal aid remuneration are proceeding in accordance with an agreed timetable which provides for a decision by the Lord Chancellor by 16 July. Regulations uprating the current levels of remuneration by approximately 5 per cent. came into operation on 1 April.

Mr. Chope: Is my right hon. and learned Friend able to assure the House that sufficient funds will be available to pay such remuneration as is decided upon as a result of the negotiations? Is he aware that the 1984 figures show that barristers aged between 32 and 37 were earning only £8,700 a year on average? That was the median figure.

The Attorney-General: That is a direct quote from Coopers and Lybrand. The Lord Chancellor's decision whether more funds should be made available will be made in the light of all relevant considerations, including the relevant provisions of the Legal Aid Act 1974, and also in accordance with the statutory requirement that any increase must be met from moneys provided by Parliament and subject to Parliament's control.

Mr. Maclennan: Does the Attorney-General agree that it is relevant to consider that the availability of justice to the less well-off members of our society depends on those people who carry out legal aid work being adequately remunerated?

The Attorney-General: Yes, that is certainly one of the considerations that my noble Friend the Lord Chancellor will have to take into account.

Mr. Nicholas Brown: Following the remarks made by his hon. and learned Friend the Solicitor-General in our debate on legal aid last Tuesday, will the Attorney-General give an assurance that if extra funds are to be found for the remuneration of the Bar, the financial burden of that will not be placed on the consumers of legal services under the legal aid scheme?

The Attorney-General: That must be one of the many matters which my noble Friend the Lord Chancellor will have to consider.

Rape (Prosecutions)

48. **Mr. Greenway** asked the Attorney-General in how many cases involving alleged offences of rape referred to the Director of Public Prosecutions in each of the last five years a decision was made to initiate a prosecution; and if he will make a statement.

The Solicitor-General (Sir Patrick Mayhew): Only certain narrow categories of rape offences are required to be reported to the Director of Public Prosecutions under the Prosecution of Offences Regulations 1978. In the five years 1980 to 1984 the Director himself prosecuted 77, 74, 90, 49 and 34 such persons respectively. He additionally advised chief officers of police in relation to other such offences, but statistics are not available as to the numbers in which prosecution was advised.

Mr. Greenway: Does my hon. and learned Friend agree that the list of statistics has shown that there has been a serious increase in the incidence of rape of women of all ages, including young girls? Does he further agree that there should be more prosecutions for their own sake and as a means of reassuring the public? Will he tell the House what action he is taking to ensure the anonymity of alleged rape victims before charges are brought?

The Solicitor-General: The statistics prove that more offences of rape are being reported, and the criminal statistics are compiled on that basis. However, the question whether there should be more prosecutions has to be a matter for the prosecutor and the prosecuting authorities, according to whether the Attorney-General's guidelines are fulfilled. In response to my hon. Friend's second point about anonymity, the reform of the law relating to anonymity is a matter for my right hon. Friend the Home Secretary, but I acknowledge that the 1976 Act —with which my hon. Friend will be familiar—does not fully represent the recommendations of the Heilbron committee.

Mr. Ryman: I am sure the Solicitor-General recognises that there is widespread concern about rape and murder involving young children. Will he confirm that he is entirely satisfied that the officers conducting inquiries into such cases have immediate access to the office of the Director of Public Prosecutions for advice specifically with regard to the conference taking place today to co-ordinate inquiries into many child murders throughout the country?

The Solicitor-General: The hon. Gentleman has raised an extremely important and sensitive area of criminal law. I can best answer his point by saying that the

staff of the Director of Public Prosecutions are always available to prosecutors and police investigators who have problems that they wish to raise in that connection. It is important that that access should be maintained.

Republic of Ireland

51. **Sir John Biggs-Davison** asked the Attorney-General if he will seek to meet the Attorney-General of the Republic of Ireland to discuss extradition and other matters of common concern.

52. **Mr. Adley** asked the Attorney-General when he last met his counterpart in the Irish Government; and what subjects were discussed.

The Attorney-General: I have no immediate plans to meet the Attorney-General of the Republic of Ireland. I have met him on three occasions this year and last met him on 7 April. Work is proceeding between officials on problems arising in the area of extradition.

Sir John Biggs-Davison: Did the Attorney-General of the Republic of Ireland give my right hon. and learned Friend any idea when the Government of the Republic of Ireland are likely to start applying the European convention on the suppression of terrorism, which they have signed but which is not yet in operation?

The Attorney-General: As I understand it, a final decision has not been taken. However, it is likely that that matter will require legislation in the Dail.

Mr. Adley: Does my right hon. and learned Friend agree that patient co-operation with friendly Governments and the resistance of the temptation to meet terror with terror is the best way to tackle terrorism?

The Attorney-General: The co-operation between my Department and the Department of the Attorney-General of the Republic of Ireland is first class. There are constant meetings between officials and we are making very good progress.

Mr. Campbell-Savours: Will the right hon. and learned Gentleman discuss with the Attorney-General of the Republic the kidnap insurance policies being sold in the City of London by Cassidy Davis, Sedgwicks, and Syndicate No. 702? Is he aware that they make payments to the IRA, and will he stop that? Why will he not accept that he has powers under section 10 of the Prevention of Terrorism (Temporary Provisions) Act to bring a case in the courts and secure a prosecution? Will he now do that and stop equivocating?

The Attorney-General: I take note of what the hon. Gentleman has said.

Mr. Winnick: Would it not be useful if the Attorney-General told critics of the Anglo-Irish agreement that the matters raised today are likely to make more progress if there are good relations between the Republic of Ireland and this country?

The Attorney-General: With regard to my Department—the only one over which I can exercise any control—the relationship is first-class and extremely productive.

OVERSEAS DEVELOPMENT

Sub-Saharan Africa

53. **Mr. Wallace** asked the Secretary of State for Foreign and Commonwealth Affairs whether he has any plans to increase the proportion of aid given to sub-Saharan Africa; and if he will make a statement.

The Minister for Overseas Development (Mr. Timothy Raison): Most of our aid already goes to the poorest countries of the world, but we are giving increasing priority to those countries in sub-Saharan Africa where our aid can be used most effectively. Those countries are also benefiting increasingly from mulitlateral aid programmes, to which we are major contributors.

Mr. Wallace: Is the Minister aware that in the decade up to 1982-83 the value of United Kingdom aid to sub-Saharan Africa decreased in real terms, whereas that of all other EEC countries, of Japan, of OPEC countries and of the United States and Canada increased, in some cases more than tenfold? Does he agree that that is a shameful state of affairs? Has that trend been reversed, and will the right hon. Gentleman assure us that reports today of a grain surplus in certain parts of Africa will not be allowed to instil a false sense of security, because as much help as we can possibly give is still needed?

Mr. Raison: I certainly accept that Africa needs help both in the long term and, in some cases, in the short term, although in other areas of Africa the food supplies overall are completely adequate at present. With regard to our own developmental aid, I believe that we are maintaining a steady rate of assistance on the bilateral side. On the multilateral side, there have been increases and we contribute considerably to them. For example, the recent Lomé 3 agreement provided for a large increase in aid to Africa, and we play our part in that.

Mr. Teddy Taylor: Could not that important programme be extended from Common Market development funds if that organisation did not spend so many hundreds of millions of pounds dumping cheap food on Libya, which certainly makes no contribution to the improvement of welfare in Africa or elsewhere?

Mr. Raison: The Common Market is a very substantial contributor of development aid both through the Lomé convention, to which I have referred, and through food aid, some of which is dubious, but much of which is valuable.

Mr. Barnett: Does the right hon. Gentleman agree that the areas of greatest concern are the semi-arid areas of the African continent? Does he further agree that he might be in a position to send a larger proportion of British aid to those areas where it is desperately needed if the Government had not moved away from the policy set out by my right hon. Friend the Member for Clydesdale (Dame J. Hart) in the 1975 White Paper "More Help for the Poorest" and if the Government had not introduced commercial and industrial considerations into their aid policies?

Mr. Raison: We are, of course, concerned with aid in the semi-arid areas of Africa and I believe that we make a substantial and effective contribution. We also accept

that there should be commercial and political aspects to our aid programme, but, overall, I believe that our programme is marked by a high degree of effectiveness.

54. **Mr. Chapman** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about Her Majesty's Government's decision not to make a contribution to the special fund set up by the international fund for agricultural development to help farmers in Sub-Saharan Africa.

Mr. Raison: A British contribution would be at the expense of our bilateral aid programme. In general, we think it better to help agricultural projects directly and through the voluntary agencies rather than to contribute extra money to IFAD beyond our share of the recent general replenishment.

Mr. Chapman: Even accepting that our aid can be more effectively deployed through a grant system arranged bilaterally than through a loans system arranged by a multilateral agency, does my right hon. Friend agree that there must be a concerted and co-ordinated international approach if we are to help the sub-Saharan countries to develop their agricultural economies and thus give the best possible prospects for removing the scourge of famine?

Mr. Raison: My hon. Friend is right to draw attention to the fact that our aid to poor African countries takes the form of grants, whereas aid through IFAD takes the form of loans. I agree that co-ordination is important. We have stepped up co-ordination recently and, I believe, successfully. We shall continue to do so.

Mr. Deakins: Does not the Minister's answer overlook one simple and important fact, namely, that in sub-Saharan Africa populations are rising rapidly? That alone ought to be enough to make us consider this a special problem requiring a special multilateral solution, such as I have put forward.

Mr. Raison: The hon. Gentleman is right to say that population pressure in parts of Africa is great. He will acknowledge the increase in the scale of assistance that we have provided. I agree, however, that the matter requires continued and, perhaps, increased emphasis.

Aid to Government

55. **Mr. Stuart Holland** asked the Secretary of State for Foreign and Commonwealth Affairs what is his policy on providing aid to Governments who have not reached agreement with the International Monetary Fund on structural adjustment.

Mr. Raison: Our general policy is to make balance of payments support for countries in difficulty conditional upon agreement with the International Monetary Fund. In the absence of such agreement, the level and form of any assistance must depend upon individual circumstances, and in particular on how effectively aid can be used.

Mr. Holland: The Minister will be aware that, in practice, the IMF's structural adjustment terms have proved a formula for deflation, devaluation and the denial of the public sector and social spending. Is he not worried that countries such as Tanzania have very little prospect of development if those IMF conditions are applied? Is this to be a general or universal policy? Will the Minister make an independent evaluation of the real development needs of those countries, or has the ODA simply become an agent of IMF policy?

Mr. Raison: I do not accept the hon. Gentleman's comments. We are absolutely right to support those countries which are prepared to take the steps of policy reform, which are widely accepted as desirable. It is interesting that the recent development committee communiqué stressed the growing commitment of African Governments to policy reform such as the hon. Gentleman talked about.

Mr. Beith: Is the Minister aware that it is often possible for British aid to contribute directly to the welfare of peoples, even when the policies of their Governments on economic or other matters do not meet with our satisfaction?

Mr. Raison: We continue to give aid to countries such as Tanzania, where we have useful programmes. I remain of the view, which is being accepted by an increasing number of African countries, that if we do not have policy reform there will not be any progress but a continuation of the rather depressing record of aid going in without commensurate results coming out.

China

56. **Mr. Charles Wardle** asked the Secretary of State for Foreign and Commonwealth Affairs what plans he has for providing aid to China.

Mr. Raison: We have offered the Chinese Government support under the aid and trade provision to enable banks to make long-term loans at 5 per cent. interest per annum for agreed development projects worth £300 million. In addition, we provided in excess of £2 million for a technical co-operation programme in 1985-86 and we expect to spend more in 1986-87.

Mr. Wardle: I am grateful to my right hon. Friend for that reply. Does he agree that education and manpower training are fundamental to China's development? What are the Government doing to help meet that need?

Mr. Raison: I agree with my hon. Friend. We are running an important English language training programme and funding scholarships, mainly at post-graduate level, to Chinese students in science and technology and assisting the Chinese through British consultancies.

Advancement of Women

57. **Mr. Simon Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs whether his Department has taken any recent initiatives as a result of the United Nations Nairobi conference on the advancement of women.

Mr. Raison: Since the Nairobi conference I have agreed to make a further contribution of £50,000 to the UN fund for women. We shall shortly publish a booklet setting out our policies and activities on women in development. We have also introduced regular training on the role of women in development for ODA officials.

Mr. Hughes: I am grateful to the right hon. Gentleman for that reply. The Foreign Office hosted a conference at the end of February on women as overseas students in the

United Kingdom, and a report has just been produced. What consideration is the Department giving to recommendations in the report, and what is the Department's initial response to them?

Mr. Raison: I shall write to the hon. Gentleman about that.

"Mandate for Change"

58. **Mr. Tom Clarke** asked the Secretary of State for Foreign and Commonwealth Affairs whether he proposes any changes in overseas policy in the light of the consultation document "Mandate for Change" published by the World Commission on Environment and Development, a copy of which has been sent to him; and if he will make a statement.

Mr. Raison: We share the World Commission on Environment and Development's commitment to environmentally sound activities. This is reflected in our own programmes and in the guidance notes and checklists issued to ODA's staff.

Mr. Clarke: Does the Minister agree that this is an extremely important document? Does he futher agree that the environment is just as important for those who live in the Third world as for the rest of us? Will he bear that in mind when he appraises projects?

Mr. Raison: I agree that it is a significant document, although it is only an interim one. We shall consider the final document carefully. The environment is an important aspect of development throughout the world.

Nepal

59. **Mr. Alton** asked the Secretary of State for Foreign and Commonwealth Affairs what is the present level of aid to Nepal; and whether he has any plans to increase it.

Mr. Raison: Expenditure in 1984-85 was approximately £10 million. We expect to continue to spend about the same level of aid, and I have recently agreed to provide nearly £8 million towards the cost of rehabilitation of a section of the east-west highway from Naubise to Mugling.

Mr. Alton: Given that about 77 per cent. of people in Nepal are illiterate, that the average life expectancy is only 45 years of age, and that 150 out of every 1,000 children die at childbirth, does the Minister not think that £10 million is pretty inadequate? Following the recent visit to Nepal by his right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs, has the Minister agreed to make more funds available for those areas of need?

Mr. Raison: There are many pressures on our aid programme, but within it I believe that the amount that we have allocated to Nepal is very respectable. I also believe that the quality of the work that we are doing there is valuable and well appreciated by the people of Nepal.

Primary Health Care

3.30 pm

The Secretary of State for Social Services (Mr. Norman Fowler): With permission, Mr. Speaker, I should like to make a statement about primary health care services.

These are the services provided outside hospital by family doctors, dentists, pharmacists and opticians and by the community nursing and other related services. They have never been comprehensively reviewed in the 40 years since the 1946 National Health Service Act, yet they account for nearly a third of total spending on the health service and over 1 million people use the services every day.

The Government are now carrying out a comprehensive review of primary health care. With my right hon. Friends the Secretaries of State for Wales, Northern Ireland and Scotland, I am today publishing a discussion document which will form the basis for extensive consultations throughout the country. The Government's main objectives are to raise standards of care and to make services more responsive to the needs of the public. The document we are publishing discusses a number of ways of achieving those objectives.

So far as family doctors are concerned, the introduction of a good practice allowance would reward both those doctors providing the highest standards of care and provide an incentive to others. This is in line with proposals made by the Royal College of General Practitioners. An allowance on these lines might recognise such features as the range of services provided, including preventive activities; the doctor's personal availability to his patients; and the achievement of particular targets for the levels of services such as vaccination.

The Government also believe that the public are entitled to more information about the different types of services that doctors provide, to enable patients to make better choices when seeking a general practitioner. Together with arrangements that would make it easier for patients to change doctors, this would further help to raise standards and make the services more responsive to the needs of the public. This process would be assisted if—as is also discussed in the document—more emphasis was placed on capitation payments in the doctor's remuneration system, so as to increase the financial value to the doctor of the individual patient.

Among other proposed changes is a new flexible retirement system which would mean that, as now, doctors could retire at 60 but with a compulsory retirement age of 70. It is also proposed to end the 24-hour retirement rule where doctors are able to retire and rejoin the Health Service 24 hours later, collect a lump sum payment and in some cases draw both pension and pay in full.

One effect of these changes would be in inner cities, where there is a disproportionately high number of elderly doctors. Although there is some outstanding work already done there, it is particularly important to raise standards in inner cities. This will entail attracting some younger doctors, and to help achieve this the discussion document suggests the possibilites of providing financial incentives within the remuneration system; of adjusting the allowances paid to doctors for practice premises in order to compensate for the higher cost of accommodation in inner cities; and of experimenting with different forms of contract.

As regards dental services, the discussion document outlines ways in which patients could be more sure of getting the full range of National Health Service treatment. To help patients choose their dentist it suggests that the restrictions on advertising might be further relaxed and to improve value for money the Government will act upon the recommendations of the committee which they set up to consider the problem of unnecessary dental treatment. The discussion document also examines ways in which greater emphasis could be placed on preventive measures, and it outlines retirement arrangements similar to those discussed for doctors.

The Government also believe that pharmacists could and should play a larger part in the provision of comprehensive primary care services. The Nuffield Foundation recently published the report of an inquiry which shows some of the ways this can be achieved. Much has changed since the pharmacist's main function was to make up medicines himself, and he should now be enabled to make better use of his skills in advising patients and doctors on the use of medicines.

Among other matters dealt with in the document are ways of improving the procedures for dealing with complaints against family practitioners and the extension of informal conciliation arrangements for dealing with less serious complaints. The document also proposes an independent study of the quality of primary care services in England, initially in one or two areas.

I am also publishing today the report of a review of community nursing services in England carried out by a team led by Mrs. Julia Cumberlege, chairman of Brighton health authority. Among the matters about which the team has made recommendations are the establishment of neighbourhood nursing services, ways of making better use of nursing skills, and the training of community nurses.

The Government intend that there should now be wide consultation on the discussion document and the Cumberlege report, taking account also of documents published by other bodies such as the Royal College of General Practitioners and the Nuffield Foundation. We want to hear the views of all those who are interested in raising the standards of primary care whether as providers or users of the service. To carry forward the review, Ministers will be holding a series of consultation meetings not only in London but in several major cities such as Birmingham, Manchester and Newcastle. We will invite to these meetings professional bodies such as the British Medical Association, the British Dental Association and the Pharmaceutical Society. We also want to take evidence from voluntary organisations, the statutory Health Service agencies, and organisations concerned with the interests of consumers.

These proposals have been put forward for discussion and the consultations will last until the end of the year. Therefore, at this stage, final decisions have not been taken. Many of the primary health care services are already provided to a high standard, but the Government believe that further improvements are possible. It is for this reason that we have embarked on the first overall review of these services for 40 years.

Mr. Frank Dobson (Holborn and St. Pancras): Clearly, everyone will need to consider carefully the details contained in the 150 pages of the Government's proposals, but everyone should bear in mind that the original exercise was designed to save money. In July 1982, the Government announced the Binder Hamlyn inquiry, to look into the control of expenditure and the possibility of operating cash limits. In April 1984 the Secretary of State, no doubt disturbed by the still secret recommendations of Binder Hamlyn, decided to play for time and publish a Green Paper. He certainly played for time fairly effectively, because it has taken him nearly two years to produce it. During the gestation period, all sorts of wild tales emanating from official leaks by Ministers appeared in the newspapers. Open advertising of doctors' services, the promotion of private primary care on American lines and charges by doctors for more expensive services have all been canvassed. Fortunately, none of them appear in full frontal form in the Green Paper. The Government have backed away from the consequences of their own ideology.

We welcome some of the proposals, especially those intended to provide patients with more information and greater choice. The proposals closely reflect the ones that we made in Committee on the Social Security Bill. While most people receive good service from primary care, there are parts of the country and groups and individuals which do not. The least satisfactory services are concentrated in inner-city areas, in some very rural areas and in rundown areas of heavy industry which combine the worst characteristics of both. The Green Paper pays scarcely any regard to the health problems in rural areas. They will be made worse by the Government's damaging attack on rural transport. There is little mention of rundown industrial areas.

The Green Paper refers to the problem of the inner cities, but only promises more of the same. That has not been good enough. Few of the Acheson report's 114 recommendations have been implemented. The last Government initiative has provided less than an average of £17,000 a year to the beneficiary authorities that were supposed to gain so much from the Government's initiative.

The Government are right to seek an increase in the pharmaceutical profession's involvement in day-to-day health care, but it pays no heed to the inherent conflict between objective professional advice and making money out of the sale of drugs. Government supporters of the idea of more across-the-counter sales of drugs should also remember that that proposal transfers the cost from the National Health Service to the patient. That, no doubt, is why the Treasury likes the idea.

We welcome the report of the community nursing review. Perhaps the Secretary of State could tell us why, in his blue document, he is not seeking the view of the public on its proposals for nurse practitioners and a limited degree of prescribing by nurses.

The proposals on dentistry seem unlikely to counteract the soaring cost of dental treatment and the gradual disappearance of the NHS dental service. The Labour party believes that general standards of primary care should be brought up to the standard of the best. We believe that everyone in primary care should in future play a much greater role in promoting good health by a team approach. The Labour party believes that family practitioner committees, or whoever succeeds to their functions, should take on the positive role of monitoring the health of their area and making and implementing positive plans to improve it.

Finally, we believe that, whatever changes are made in primary care and whatever response is made by the professions involved, the general health of our people will not be improved until we have a Government dedicated to eliminating poverty and unemployment, to improving safety and health at work and to providing decent housing and healthy food at prices that all people can afford. Unless the Secretary of State can tell the House that he will be able to achieve all those aims, most of his propositions will have little impact on the health of the worst off and the least healthy people in our community.

Mr. Fowler: I think that the hon. Gentleman was scratching around in his response. His reaction had a lot to do with what is not contained in the discussion document but did not have a great deal to do with what it contains. As far as I could understand the hon. Gentleman's general point, it is that he is disappointed that the proposals are so reasonable. I think that he basically welcomes our proposals. We in turn welcome the report that the Labour party now accepts the principle of the selected list and also the principle of prescription charges. It is a very sensible move on its part.

As for the specific points, such as they were, that the hon. Gentleman raised, the hon. Gentleman will be aware that resources for primary care have increased under this Government by about 24 per cent. in real terms. In other words, the cost of the family practitioner service is now about £4 billion, compared with £2 billion in 1979-80. There has been a significant increase in the number of doctors, from 26,000 to 29,000. There has also been a significant increase in the number of dentists, from 14,200 to 16,500.

I share entirely the view—so does the document—that there is a special need in the inner cities for high-quality services. We have already allocated more resources to the inner cities. I believe that our proposals for the inner cities will continue that improvement. At the same time, we want to achieve better services for rural areas.

I think the hon. Member has misunderstood what the Cumberlege committee report said about community nursing. The committee had proposed that nurses should be given better opportunities to use their knowledge and skills in the treatment of patients. We welcome that and wish to consult on that proposal.

The purpose of the document is to improve standards in the Health Service; that is the Government's intention.

Mr. Robert McCrindle (Brentwood and Ongar): It has become unjustifiably difficult and cumbersome to transfer from one doctor to another. Does the Secretary of State agree that, if there are proposals to make that easier on the basis of adjusting the remuneration package of a doctor and the advertising of alternative services, that will be widely welcomed by the public.

Mr. Fowler: Yes, I think it will. Changing one's doctor is already reasonably straightforward, and proposals which we have set out will make it even easier. The principle we have tried to set out in the document is that the public have the right to maximum information about the general practitioner who treats them.

Mr. David Alton (Liverpool, Mossley Hill): Has the Secretary of State resiled from earlier undertakings to publish the Binder Hamlyn report? The consultative process will not take place until 1987, does this mean that the Government have no intention of legislating in the lifetime of this Parliament? Has the Secretary of State finally buried his proposal to cash-limit the family practitioner service?

Mr. Fowler: We do not make proposals on cash-limiting the family practitioner service. The discussion document makes it clear that, currently, it is difficult to control many of the factors which determine expenditure.

The Binder Hamlyn report was received in July 1983. It seems to me that the debate has moved on from that, and the report's recommendations have been taken into account in preparing the discussion document. We do not see any point in publishing the Binder Hamlyn report in addition to the discussion document.

Following consultation and discussion, we want to have direct negotiations with the professions. There is the prospect of either legislation or a White Paper. I cannot say when that legislation will come, but I think the hon. Member would be unwise to assume that legislation could not come in the lifetime of the Government.

Mr. Roger Sims (Chiselhurst): Is my right hon. Friend aware that, unlike the sour grapes of the Labour party, there is a warm welcome on the Conservative Benches for the discussion document—not least, for the concept of a career structure for GPs? The document also places emphasis on the importance of the patient as a consumer.

Will my right hon. Friend expand on his comments on the increased role that he sees for pharmacists? Assuming that professionals will be able to take part in the consultations, through their professional bodies, what method will be open to the ordinary patient, who may not be a member of a consumer body, to put forward his own views on the document?

Mr. Fowler: On the second point, we will be issuing a special leaflet which will set out a summary of the proposals. This is being published today with the consultation document. The leaflets will be made available to any of the public who are interested and want to take part in the consultation exercise.

We want pharmacists to have an extended role along the lines proposed in the report of the Nuffield Foundation. We want pharmacists to play a greater part in advising the public on their health care as well as doing the traditional things such as supervising the dispensing. Such dispensing could be done in a different way. We will take evidence fom the profession on this, but I believe that it is in line with what the profession wants.

Mr. Kevin Barron (Rother Valley): I welcome parts of the Minister's statement, but in addition to talking about the need for services to meet people's needs, will he have discussions with his ministerial colleagues on what they can do to improve public access to primary health care in the form of health centres and doctors' surgeries? As a result of the abolition of South Yorkshire county council, bus fares in the county have increased this month by 250 per cent.; that limits the public's access to primary health care, because they lack the necessary funds.

Mr. Fowler: The hon. Gentleman takes me back to my last job as Secretary of State for Transport. The increased opportunities for new forms of transport provided by the Transport Act will not in any way militate against the developments that we all want to see in primary health care.

Mr. Roy Galley (Halifax): My right hon. Friend's statement will be greatly welcomed by many in the Health Service, but do his proposals for a good practice allowance and a capitation element in remuneration amount to a root and branch reform of the present complex and haphazard system of doctors' remuneration, or is he about to miss a great opportunity? Will he be abolishing all the various additions that are now part of the remuneration calculations, which most people assume are an integral part of a GP's job, and inserting instead a basic payment with, in addition, a good practice allowance on the ground of merit and a capitation allowance for the amount of work done?

Mr. Fowler: The proposals are a development of proposals by the Royal College of General Practitioners. The good practice allowance is an entitlement that will be based on a combination of objective measures such as the GP's availability to the public, immunisation, certain rates, the range of services and a performance review. Other general practitioners will have the responsibility for that. In addition, there will be increased emphasis on capitation fees. At present, a large proportion of a GP's income comes from allowances. About one third comes from capitation fees. We want to change both those factors, and that is fundamental to the proposals.

Mr. Allan Rogers (Rhondda): Does the Secretary of State accept that his remarks and proposals will be treated very cynically by Opposition Members, especially as, since 1981, there has been a cut of more than 20 per cent. in the number of people being trained for a nursing career in Wales? The loss of 700 people in that sector will lead to a diminution in primary health care in Wales. When will the right hon. Gentleman stop making hypocritical proposals and get down to funding the NHS instead of cutting it?

Mr. Fowler: The hon. Gentleman had better get his facts right. I do not know whether he was in the Chamber to listen to the statement——

Mr. Rogers: I was

Mr. Fowler: —but, as I said, the number employed in the NHS has increased. As I have said, under this Government the number of doctors has increased by 11 per cent. and the number of dentists has increased by 16 per cent. Those are the figures. They mean a better service for the public, and that is what the Government want.

Mr. Robin Maxwell-Hyslop (Tiverton): When my right hon. Friend looks at average and inner-city conditions will he ensure that he does not draw any wrong conclusions about the needs of rural areas? In particular, will he bear in mind the importance of the dispensing practice in enabling people to get to work instead of wasting working time trying to reach a chemist? When doctors who are not in dispensing practices visit a patient who is ill, they have to provide the drugs free, because they have no means of recovering payment for drugs that they take with them and then leave with a patient.

Mr. Fowler: I entirely agree with my hon. Friend's general point. We are trying to concentrate on the inner

[Mr. Fowler]

cities, but I hope to have meetings in some of the rural areas in order to gain an insight into their problems. We want to develop those services in the same way. I agree about the importance of general practitioners and dispensing.

Mr. Roland Boyes (Houghton and Washington): Will the Secretary of State amplify the part of his statement which says:

"The Government also believe that the public are entitled to more information about the different types of services"

and so on? To some of us that smells of advertising. Is that so? Many of us are worried that people may choose a doctor on the basis of the quality of advertising rather than on the quality of service delivered. In other words, some doctors may be able to spend more money on advertising than others. Will there be come controls over the information given? Will somebody monitor and control the amount of advertising that a doctor could use?

Mr. Fowler: Obviously, it will be open for ranges of organisations to put forward their views on how far the process should go and some will probably seek to have rather wider advertising than is possible at the moment. The discussion document puts forward the case for more information—a move already taking place within the profession. That is being considered by the General Medical Council, but, as I have said before, the general principle that we are trying to put forward here is that the public have a right to the maximum information about the services which different general practitioners make available. Practice leaflets and so on will make clear to the public.

Mr. Tim Rathbone (Lewes): Will my right hon. Friend accept from the Conservative Benches contratulations on the study? May we have some elucidation of whether he is considering that the carrot of incentives and the discipline of increased choice will be matched by providing general practitioners with more comparability information so that they may assess and improve their performance in order to match that of others? Will pharmacists' numbers be guarded in my right hon. Friend's reassessment of their role, since it is worrying that their numbers are being depleted in many areas? Will the community nursing services be given greater responsibilities, particularly for preventive medicine?

Mr. Fowler: On the last point, I hope that will be one of the effects of the Cumberlege report. General practitioners who already act as trainers under the vocational training scheme inside the Health Service for general practice will carry out performance reviews of their colleagues. At least, that is one way to go about it. Legislation is already before the House on numbers of pharmacists. At the moment there is a right to NHS dispensing. Basically we are setting out a way in which pharmacists in rural areas can be protected. However, we do not want an over-provision of pharmacists, as we perhaps have at the moment, in our shopping centres and the rest.

Mr. Charles Kennedy (Ross, Cromarty and Skye): Will the Secretary of State accept that the publication of this long-awaited and long-overdue report is welcome, not least because he has clearly rejected some of the wilder notions entertained by the former Minister for Health and has gone for some of the saner counsels of the Royal College of General Practitioners instead? In accepting the importance of primary care and the strain upon existing hospital services, which can be somewhat reduced by a greater emphasis on primary care, will the Secretary of State also concede that that will mean considerably more money and pump priming in both urban and rural areas? What attention will he give to providing the additional resources which are implicit in his statement this afternoon? Will he also accept that an expanding role for the community pharmacist is welcome and that there are those of us on this side of the House who reject completely the nonsense which was spoken by the Labour Opposition spokesman, the hon. Member for Holborn and St. Pancras (Mr. Dobson)—*[Interruption.]* I would not go to the hon. Members for Houghton and Washington (Mr. Boyes), for Hackney, South and Shoreditch (Mr. Sedgemore) and for Rother Valley (Mr. Brown) for health care—who appears incapable of recognising that a chemist can distinguish between profit and the health and well-being of a patient.

Mr. Fowler: I entirely agree with the hon. Gentleman's last point. Resources generally rose to £4 billion in 1984-85, which was a real increase of 24 per cent. Some of the proposals will cost money; others will mean improved value for money or will lead to savings. The overall effect will depend on the outcome of the consultations.

One impact of better primary care on hospital services, especially in inner cities, will be in accident and emergency departments that are presently operating general practices because of the inadequacies in the general practice system. If we can improve general practice, that will be a tremendous plus for the hospital service.

Sir Hector Monro (Dumfries): I welcome this initiative, along with the great increase in resources provided by the Government. I wish to emphasise the rural aspect. Does my right hon. Friend agree that distance, small numbers and the remoteness of pharmacies and hospitals aggravate the problem of the country areas? Are not the people living there entitled to as good a service as those living in urban areas? Will he give careful thought to that?

Mr. Fowler: Yes, I certainly will. My hon. Friend's comments are absolutely right. We want the development of general practice and family practitioner services, not only in cities and towns but in country areas.

Dr. Norman A. Godman (Greenock and Port Glasgow): Does not the right hon. Gentleman agree that far too many former patients of psychiatric and mental hospitals live out their lives in appalling circumstances? What is the likelihood of an expansion of the community psychiatric nursing services in England, Wales and Scotland in the near future?

Mr. Fowler: Those services have already expanded, but I am the last to deny that further improvements are necessary. I hope that we can put forward proposals that go a little wider than this document to help that position, which I readily recognise.

Mr. Tim Yeo (Suffolk, South): Does my right hon. Friend agree that the ultimate success of any detailed

proposals that result from the discussion document will depend, at least in part, on their acceptability to the many different people who provide the services?

Can my right hon. Friend therefore give us a detailed assurance that the consultation process will be widespread — I was glad to hear him mention voluntary organisations—and will take account even of the views of individual practitioners?

Mr. Fowler: We have given sufficient time for the consultation process and, as I have have tried to make clear, the Government intend to hold public meetings not only in London and cities such as Birmingham and Manchester, but in country areas. That will provide a genuine consultation that will add to the effect and the worth of the proposals.

Mr. Andrew Faulds (Warley, East): Is the right hon. Gentleman aware that many of us hear of many cases where the patient suffers more from the treatment than from the original ailment? When he talks of a procedure for examining complaints against general practitioners, does he envisage the setting up of a medical ombudsman?

Mr. Fowler: We envisage simplifying the statutory procedure for complaints. The discussion document proposes to expand the time limit for complaints so that no artificial time span will be placed on the time allowed; it also proposes that oral complaints should be accepted, whereas currently the requirement is for written complaints. We are prepared to listen to any arguments or suggestions on that matter.

Mr. Roger Freeman (Kettering): I welcome my right hon. Friend's statement and also his proposal to seek the views of those in authority at local level. Can he assure us that he will take into account specifically the comments of the community health councils, family practitioner committees and district health authorities on the way in which care in the community policies are being implemented and the areas in which they need to be strengthened?

Mr. Fowler: I can give my hon. Friend complete assurance on that point; we shall consult all those organisations.

Mrs. Ann Clwyd (Cynon Valley): The Secretary of State said that he is concentrating on inner-city areas. Does he agree that the problem of deprivation associated with those areas are also to be found in the older industrial communities of Britain, such as the south Wales valleys? Does he acknowledge that they need the same level of increased resources as the inner-city areas, as they both suffer the same problems of unemployment, bad housing and bad environment?

May I seek some clarification of the role of the community health councils? I am glad that, at long last, the right hon. Gentleman has taken on board some of the suggestions made by the Royal Commission on the National Health Service in 1979. What does he intend to do to strengthen the role of the councils, which represent the views of the consumer to the health authority? Should they not be given more resources and more teeth? I should like to hear proposals to that effect.

Mr. Fowler: For the purposes of this exercise, the community health councils are free to give evidence—I am sure they will — to the Government on primary health care. They are in an especially good position to do so, and I would welcome their contributions.

On the hon. Lady's first point, I understand that there is nothing unique about the problems of inner cities. I have made it clear that we are seeking a policy that will bring improvements throughout the country. However, I want to recognise the position of the inner cities with their high proportion of elderly doctors, difficult working conditions and need for good premises. It is right to concentrate to some extent upon those undoubted problems.

Mr. Jerry Hayes (Harlow): Most of my constituents will welcome the Green Paper announced this afternoon —[HON. MEMBERS: "How do you know?"] Because, over the years, many of them have written to me to complain about a small minority of doctors who, quite frankly, are too old, too rude and too incompetent to do their jobs. My constituents, together with many other constituents, hope that the Green Paper will provide proper redress.

Mr. Fowler: We should also take into account the fact that family practitioner and family health care services in Britain are probably better developed than in most other European countries. The document is intended to improve even further the standards of care provided.

Mr. Tam Dalyell (Linlithgow): Are not the Secretary of State and the Under-Secretary of State for Scotland— to whom I have addressed questions on dental care— concerned that dentists often have to make decisions not on the basis of clinical judgment but on their assessment of what patients not covered by insurance are likely to pay, up to £115?

What on earth is all this in paragraph 5 of chapter 4 about companies having to take over certain dental responsibilities? It states:

"The Government would welcome discussions on the balance of advantage between these two points of view."

What does the right hon. Gentleman think about that?

Mr. Fowler: Currently, there are restrictions on the setting up of dental businesses that make it impossible to have under one roof a general practitioner, a dentist, an optician and a pharmacist. It might be for the convenience of the public if that restriction were taken away, so that all those services could be provided in an integrated way under one roof. That is the purpose of the proposals, and that is why we want to hear the views of the public.

Mr. Michael Stern (Bristol, North-West): May I congratulate my right hon. Friend on his generally welcome statement, and especially on the part that dealt with the increasing problem of the aging practitioners? He referred to them especially in relation to inner-city areas, but does he agree that the problem occurs just as frequently in aging outer-city estates? Can he confirm that, in the light of consultation, he will not restrict his view to the classic inner city?

Mr. Fowler: My hon. Friend is correct. I recognise that the problem of elderly doctors is not confined to inner cities. Our latest information is that there are 515 practising doctors in their seventies, 74 in their eighties and two in their nineties.

We think that the present arrangements are out of date. They were brought forward at a time when the idea was to enable elderly doctors to continue in practice. That is not so relevant today.

Mr. John Ryman (Blyth Valley): What does the Minister think about the reorganisation of ambulance services? Is he aware that in Northumberland absolute chaos has been created by the relatively recent arrival of the new chief ambulance officer, who has murdered the ambulance service throughout the north-east?

Mr. Fowler: Clearly, we want the best possible ambulance service but, with great respect to the hon. Gentleman, this matter has nothing to do with the proposals announced this afternoon.

Mr. Eric Forth (Mid-Worcestershire): All members of the Conservative party will share the emphasis my right hon. Friend is placing on improved quality of service; this is what the people want, above all else. We do not share the paranoia of Labour Members about information and advertising. Does my hon. Friend agree that all the information possible given to consumers about all kinds of medical services must be of benefit to practitioners and to patients and potential patients?

Mr. Fowler: That is clearly right. We have tried to write this document from the point of view of a member of the public. We believe that people have a right to the maximum amount of information possible, and what we have set out in the document takes us towards that goal.

Mr. Alfred Dubs (Battersea): Does the Secretary of State agree that the health of people in the community depends on a combination of services provided by the National Health Service and by local authorities? No amount of administrative organisation, even if for the better, will make up for the continuing cuts in local authority social services, as such cuts damage the very people the right hon. Gentleman seeks to help. In addition, will he say, as he has not mentioned local authority services this afternoon, whether his discussion paper will allow proposals which might suggest a change in the balance between the services provided by local authorities and those provided by the National Health Service?

Mr. Fowler: That matter would certainly be open to argument. Social services have improved and the resources committed to personal social services have increased. The Cumberlege report on community nursing is crucial if we are to provide a better community care service that I agree with the hon. Gentleman is needed.

Mr. Peter Bruinvels (Leicester, East): Although I welcome my right hon. Friend's statement and look forward to advertising, will he consider the problems of the inner city of Leicester, where, because of high rates and non-rate capping, many surgeries are no longer available to my constituents because doctors cannot afford to continue to run their practices and also to pay those exorbitant rates? Will he also look at the problem of doctors who cannot afford, because of the rates, to buy houses in the city of Leicester?

Mr. Fowler: I will certainly examine the need for good premises. We intend to review the payment level for premises in inner-city areas. There is a need for new premises, rather than providing, as has too often happened in inner-city areas, lock-up premises. To make that possible, we intend to increase financial help to general practitioners practising in inner cities.

Mr. Frank Dobson (Holborn and St. Pancras): Will the Secretary of State guarantee that the proposals he is making for incentives and greater rewards for better doctors—which we support in principle—will not result in the rewards and the better doctors being concentrated in those parts of the country in which people are healthier and better of?

Mr. Fowler: The whole purpose of the paper and the good practice allowance is to improve the standards of general practice and of general practitioners throughout the country. We clearly want to improve standards in inner-city areas, but we equally want to improve them in other areas, notably country areas.

Libya (Butter Deal)

4.15 pm

Mr. Tony Marlow (Northampton, North): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the secret butter deal between Brussels and Libya."

Although there are different views in the House on the use of United Kingdom bases, the whole House acknowledges that Libya is a terrorist state that initiates and co-ordinates acts of international terrorism. There is common ground that action should be taken to coerce Libya into refraining from such deeds. Indeed, the Leader of the Opposition argued eloquently for such policies last Wednesday. Such discussion focused on a joint European approach, both as a sensible step in itself and also as a means of reducing the risk of further military action. My right hon. Friend the Foreign Secretary has crossed the Channel today to persuade his European colleagues to introduce the necessary measures.

How is it then that the bureaucrats — the civil servants—in Brussels, in direct conflict with the efforts of the Community's political leadership, are empowered to launch and carry through this grotesque and shady deal? A quantity of 4,500 tonnes of butter is to be spirited to Libya at a cost to Libyans of 8p per half-pound packet. What of our own poor and of the starving in the Third world? Beef and milk powder are also being included in this sordid trade. A sum of £7 million of European money will be stuffed into Gaddafi's pocket as a down payment for future terrorist outrages. How many extra deaths will this money buy?

These questions need answers urgently. Can this decision be reversed and the shipments stopped, or do the bureaucrats have complete discretion in this supremely political field? How is it that such a deal was hatched in secret? At what stage was the Council informed, if it was informed at all? At what stage can it make a political impact? Can we prevent our produce from joining this absurd traffic, or is the situation that, while we can control British bases, we have no control over the destiny of subsidised British butter and British beef? Is the decision legal? I understand that the Community is empowered to send subsidised products to some states, but is it empowered to send them to Libya?

There is a need for an urgent debate, first, so that this House can use its power and influence in an attempt to prevent this cargo from being dispatched or, if dispatched, from reaching its destination. There is also a more fundamental reason for an early debate. On Wednesday, we are to consider a Bill whereby the House surrenders yet more power to European institutions. Surely we should sort out the present constitutional nonsenses before we embark on a course of further largesse with Britain's sovereignty.

Mr. Speaker: The hon. Member for Northampton, North (Mr. Marlow) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the secret butter deal between Brussels and Libya."

I have listened carefully to what the hon. Member has said, but I regret that I do not consider that the matter he has raised is appropriate for discussion under Standing Order No. 10. I therefore cannot submit his application to the House. However, I hope that he may have other occasions on which he can raise the matter.

STATUTORY INSTRUMENTS

Mr. Speaker: By leave of the House, I will put together the two motions relating to statutory instruments.

Ordered,

That the draft Dental Auxiliaries Regulations 1986 be referred to a Standing Committee on Statutory Instruments, &c.

That the Social Security (Contributions, Re-rating) Consequential Amendment Regulations 1986 (S.I. 1986, No. 198) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Neubert.]*

Opposition Day

[11TH ALLOTTED DAY] [FIRST PART]

Education

4.19 pm

Mr. Clement Freud (Cambridgeshire, North-East): I beg to move,

That this House is of the opinion that, in view of the widespread lack of confidence in Her Majesty's Government's education policies, the salary of the Secretary of State for Education and Science should be reduced by £1,000.

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

Mr. Freud: I am pleased to see the Secretary of State for Education and Science in his place, though I am sorry to hear through the usual channels that he has decided not to speak in this debate,, I very much hope that he will change his decision, because this is quite specifically a censure motion on what he has done since he has held office.

Mr. Ian Gow (Eastbourne): In view of the quality of the spokesmen on the alliance Benches this afternoon, the hon. Gentleman should understand that he is lucky indeed that a Minister of State and an Under-Secretary of State are to contribute to the debate. It is great arrogance on the part of the Liberal party to suggest that my right hon. Friend the Secretary of State should reply to a debate on a motion moved by the hon. Member for Cambridgeshire, North-East (Mr. Freud).

Mr. Freud: One is well aware of the sour grapes of ex-Ministers who intervene before hon. Members have had time to begin to make their speeches. I am deeply conscious of the fact that the Secretary of State is in his place, and I am grateful for it. I hope that he will decide before the end of the debate to intervene as this is specifically a debate about his office.

It is sad that when the Opposition allow the alliance to initiate a debate it tends to be on a day when the European elections are taking place, or, as today, on Her Majesty's 60th birthday. That sadness is compounded when a Minister makes a statement and there is a Standing Order No. 10 application, which mean that an important debate will be restricted to a little more than two and a half hours. I shall be briefer than I had intended to be originally so that as many Members as possible may participate in the debate.

The motion follows the arcane rules of the House in that rather than dismissing Ministers we try to reduce their salary as a manifestation of discontent. I should not like it to be thought that in seeking a reduction of £1,000 from the Secretary of State's salary we are 96 per cent. satisfied with his work. If there is to be some justification for the reduction of £1,000, it should be understood that it is the minimum sum that all teachers feel that they should have deservedly added to their salaries and which, thanks to the monetarist policies of the Secretary of State, they are not receiving.

I found the reaction to the motion interesting. The Labour party, whose critical motions we steadily support. met it with silence. It seems that it considers party political isolationism to be more important than national educational needs. I hope that it will vote in favour of the motion as my colleagues and I have steadily voted for its on education. The Labour party and the alliance have been pretty united to date in condemning what is happening in education.

Mr. David Sumberg (Bury, South) *rose*——

Mr. Freud: I shall not give way now. I must get on with my speech.

The Government claim to be beginning to think about starting to consider looking at the possibilities; their amendment lacks any sort of genuine direction. This Government have been seven and a half years in office and it is disappointing that only now are they starting to consider education needs.

If it is thought that the Government are beginning to change their spots, it might be sensible to remind the House that an announcement is in the pipeline—it will be made this week or next week — concerning a £263,000 project to survey parental involvement in primary schools. I am entirely in favour of such a survey, but it is typical of this Administration that they choose to finance a survey when the money could be used to train 1,000 people, to finance a substantial pilot programme or to fund a cost-benefit analysis. However, the Government continue to finance surveys, and there has been survey after survey. I have nothing against the National Foundation for Educational Research, which will carry out the survey. It just continues to be a disappointing way in which to spend substantial sums from the education budget.

We had high hopes in 1979. The right hon. Lady was the first person to become Prime Minister after having been Secretary of State for Education and Science. We had high hopes too when the Secretary of State was appointed. We considered him to have genuine concern for education and our hopes were boosted by his memorable speech at Sheffield, which suggested thought and commitment. Unfortunately, our high hopes have not borne fruit, as everyone involved in education will accept.

I do not believe that it is right to take random statistics and use such figures to frame an indictment of the Secretary of State, but the education budget as a proportion of GDP has fallen from over 13 per cent. in 1974 to just over 10 per cent. now. That is a genuine indictment. The proportion of GDP is the one that is important.

Mr. Alan Howarth (Stratford-on-Avon) *rose*——

Mr. Tony Marlow (Northampton, North) *rose*——

Mr. Freud: I shall not give way. Hon. Members will have time to make their own speeches.

The graduate entrant to the teaching profession was paid £3,714 when this Government came into office and he is paid £6,252 now. A graduate entrant to the police force was paid £3,247 when the Government came into office; he is paid £8,442 now. So the graduate entrant to the police who was paid £500 less than the graduate entering the teaching profession is now paid £2,200 more, and that figure does not take London weighting into account. Nor do the figures take account of the substantial overtime provision for those in the police force. There is virtually no such provision for teachers.

It is right to compare the police force and teachers because as the leader of the Liberal party, my right hon.

Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel), said, by reducing spending on school books we ensure that more must be spent on law and order. There is a connection between education and hooliganism whether we like it nor not and it is right that that is borne in mind. The relationship between teaching and policing is not merely that of relative pay levels but involves political priorities and synthesis. We are talking about the same children, the same communities and the same democracy. The same money will be spent on educating children or on making good the damage that they do.

The first and most damning charge against the Secretary of State is his lack of leadership. He has failed to fight his corner in Cabinet over resources for education, and he has failed to fulfil the promises that he made in his Sheffield speech. The second charge in the indictment is his incompetence and insensitivity. Let us consider the teachers' dispute and the teachers' request for a 7 per cent. increase. The Secretary of State said that there was no question of the Government giving them that increase but within days of making that statement the Secretary of State voted in support of giving judges and other senior civil servants substantial salary increases on the basis of the recommendations of the Top Salaries Review Body. It was that which infuriated teachers as much as anything else.

Student financial support is another example. The Secretary of State cancelled the inquiry into that support and followed this by abdicating his responsibility to the DHSS, which knows nothing of students and understands nothing of their needs. It has carried out no research into the welfare or support of students and when we ask it questions about availability of student jobs it tells us that no research has been undertaken on that issue. Yet the DHSS now has financial responsibility for student support.

On the subject of incompetence, it is fair to bring up the corporal punishment legislation. If this were not a serious debate, one would say that the Government's attitude smacks of major incompetence. But this might be a good time for the Minister to tell the House of the prospects for introducing that ill-conceived measure which was properly thrown out by the other place.

On the subject of insensitivity, it is proper to refer to school reorganisation and the average delay of 14 months before announcing a verdict. And, even when the verdict is announced, there is no explanation and no recognition of the costs to local authorities when proposals are rejected. Now there is a new trend of rejecting proposals affecting grammar schools, even when, like Stroud, they are supported by local Tories and the schools take between 30 per cent. and 40 per cent. of the catchment.

Another justified charge against the Government concerns the failure to respond to new demands on the service. What prevents the formation of a merged Department of Education and Training, in favour of which both sides of the House have so much to say? By providing financial support for 16 to 19-year-olds — I accept implementation would cost a great deal — we could establish a framework. We know what happened with public lending rights; there was no money to pay authors, but the concept of PLR was right, and it was introduced. I hope that, by the same token, the concept of paying 16 to 19-year-olds to stay in education will be accepted as right. We should not make it financially attractive for 16 to 19-year-olds to sign on the unemployment register rather than remain in education. Perpetuating the 21-hour rule does such great harm, is insensitive and plumb wrong.

My next charge concerns destruction of the partnership — despite the rhetoric of "Better Schools" — between Government, teachers, local education authorities, parents and pupils. Thanks to the Secretary of State, they have been isolated and effectively set against each other by neglect, or perhaps deliberate calculation. The Government have shown that they are either unwilling or unable to work with their partners.

The Secretary of State tells us that he has no power. We say that the power of a good Secretary of State is the power to lead, to inspire and to make the partnership work to create a climate in which partnership can flourish. I am afraid that the Secretary of State has been discredited. In fact the biggest ovation at the conference of the National Association of Schoolmasters Union of Women Teachers occurred when a delegate made that point.

The breakdown has two consequences. The most serious is that, although the Secretary of State has a duty to the maintained sector of education, everything he has done has caused the flourishing of the private sector. Every hamfisted intervention, every setting aside of Her Majesty's Inspectorate's strictures has boosted applications to get out of the maintained sector. No matter the cost, people put down the names of their children for education in the private sector. The success of the private schools is bought at the cost of the state schools. They suffer from the teachers' dispute, and the introduction of GCSE and A/S levels. It must be clear to every Government Front Bencher that A/S levels vastly benefit those children who can be educated in the private sector, which has the ability and finance to provide the relevant education which cannot be found at other than the largest comprehensive schools, certainly cannot be provided by those schools in my constituency.

Consequently, there are increasing calls for the abandonment of the partnership. They come from the Right wing of the Conservative party, which prefers to bypass the democratic process with the dishonest rhetoric of freedom of choice which it offers under the shorthand of "vouchers". The calls come also from the centralisers, who argue that the Department of Education and Science should step in where the partnership has failed to deliver. We oppose both moves. Vouchers offer opportunities to a selected few rather than standards for the many. As the Minister of State has said a number of times, they are "practically hopeless".

The Minister of State, Department of Education and Science (Mr. Chris Patten): Nonsense. I said it once.

Mr. Freud: The hon. Gentleman might only have said it once. It has been repeated, and, if I may say so, once is enough.

Centralisation offers no suggestion that the Department of Education and Science would be any better at providing the service. The Department cannot escape the charge of unaccountability. The vouchers idea is a smokescreen to cover the lack of direction and achievement in the past seven years and the lack of valid and convincing responses to Government critics. The idea has nothing to offer. As my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) has said, there are no gimmicky solutions to the problems of providing better education. It is easy to dream up new schemes, such as Crown schools, or to advocate vouchers, but that is political escapism, designed only to fill a gap in the next election manifesto.

Mr. Marlow: What would the hon. Gentleman do about ILEA?

Mr. Freud: If the hon. Gentleman will wait, I shall tell him exactly what I would do.

The alliance believes in partnership. It is not a case of everything being rosy before 1979 or of plucking dates from the sky and saying, "It went bad then" or "It was good then." I do not believe that simply putting more money in will rectify the problems or that the old partnership is fully adequate to meet today's needs. We in the alliance are uniquely qualified to speak of partnership in education, not just because of our political organisation but because of our roots in local government and belief in people—their rights and abilities.

It is strange that, if there is a crisis in education, nothing is done, but, if there is a crisis in almost any other branch of life, the Government bail us out. In 1978, when there was a major flood in the Fens, central Government said, "Spend 1p of your rate money and we shall give you 75 per cent. of all the extra expenditure." Crises and disasters in education are identified by Her Majesty's Inspectorate, that most professional body. The crises of high truancy, poor achievement, misery among teachers and despair among parents can be solved only by a local education authority. However, if the local education authority spends money alleviating a disaster, it is penalised and fined for doing its job. Rate capping they call it.

Mr. Barry Henderson (Fife, North-East): The hon. Gentleman has raised a serious matter. Does he agree that a problem arises when we have a remote control system operated by the Department of Education and Science in England through local education authorities? If education authorities choose to spend their money on what some of us might think are less essential matters, which are not part of their education duty, it is difficult to say that they do not have enough money to undertake properly activities for which they have a clear statutory duty.

Mr. Freud: I have considerable sympathy with that view. There is no simple answer, but it is wrong for a local authority which does its duty to be painted with the same brush as those local authorities that exceed all normal standards. I am not saying that there is a simple solution. I am saying that there is a virtual breakdown in the partnership which should exist between central and local government, let alone teachers, pupils and parents.

I promised the hon. Member for Northampton, North (Mr. Marlow) that I would give a brief list of the alliance's priorities in education. We would return more autonomy to local government and we would institute an education ombudsman, or ombudswoman, who would listen to genuine complaints which, at the moment, have no route whereby they can be heard or brought to the attention of an independent arbiter. We would open access to educational records. We would provide training for parent-governors and, with the devolution of more decision-making, would involve individual schools. That is currently being done in Cambridgeshire where we have tried an independent financial system for schools so that headmasters can make their own decisions. At the moment that may not be totally accepted or work brilliantly but it is an innovation which I think is genuinely appreciated and can be built upon.

We believe strongly in fixed term headships. I think it is right that the head teacher should not be secure until retirement. We believe in having pupil members on governing bodies and we believe that working with parents should be included in initial teacher training. We believe that teacher's pay should be linked to their conditions of service. I know that on that issue I have the consent of the Conservative party, even if I do not have the consent of the Labour party. We should use HMIs not just as inspectors but consultants. What they say and recommend should have more clout than currently. By using central Government money for specific purposes rather than asking the local education authorities to bid for their own money and, above all, by respecting local government, one would renew the partnership which used to exist. Henry Morris, the director of education for Cambridgeshire, said very tellingly in the 1930s that every dictator realises how obstructive to power is local government and every dictator abolishes it.

I do not like what is happening now, with more power going to central Government or the Crown schools being brought in as if, all over this country, we do not have enough schools of proven excellence in the public sector of education.

Mr. Marlow *rose*——

Mr. Freud: I am coming to the end of my speech.

I would like to put new life into the partnership by putting more stress on community education, which is currently regarded in some Conservative circles as slightly more dangerous than the Campaign for Nuclear Disarmament. I believe that community education can start to meet the legitimate demands of an increasingly aging and leisured society. I saw examples of community education in Coventry the other day where the school is open for 24 hours a day and the cleaners come in late at night. The school is open for further and higher education, for vocational teaching, for games and for meetings, which are able to take place at low rentals. We should involve members of a community in a school, treat people as more mature and responsible and recognise that the value of a service is a consequence of the stake that the people put in it. I have always felt that involvement in all sectors of education was essential to make the public responsible. Even in primary schools, to have the children vote on what sort of sweets they have in the school shop or the location of the telephone box gives them an identity with a school which stops them——

Mr. Sumberg: While the hon. Gentleman is running through the shopping list of alliance policies, will he tell us whether it is correct that the alliance would phase out the assisted places scheme? Will he also confirm that he will attack the charitable status of the independent sector? I would like to make it clear to my electors, who might think about voting for the alliance and whose children attend private and independent schools, exactly what they are voting for.

Mr. Freud: I am pleased to answer the hon. Gentleman. We would certainly phase out the assisted places scheme. It seems absolutely wrong, especially for the Secretary of State for Education and Science, to give up on the education of academically talented children. It is right that there are children of academic ability who should move from one school to another. However, we totally reject the notion that the only schools to which they should move are those in the private sector of education.

The alliance would look at charitable status again. I do not see that there is anything charitable about Eton or Harrow. I think that it is proper to have a yardstick and to give charitable status to institutions which do an element of charitable work. We would say that a school could have charitable status if its shows that it deserves it and shows that it does something for the community which will allow education for those who cannot pay, for example, perhaps a minimum number of scholarships in a school. Certainly it is wrong for the community to suffer a shortage of rate payments and tax payments so that an elitist body can go on being elitist.

Mr. Robert Key (Salisbury) *rose*——

Mr. Freud: With great respect to the hon. Gentleman, I am sure that he will make his own speech.

I ask the Secretary of State to remember that education should not merely be a consequence of good government but that good government should be a consequence of good education. Currently, we have neither.

4.46 pm

The Minister of State, Department of Education and Science (Mr. Chris Patten): I beg to move, to leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the education policies being pursued by Her Majesty's Government, which are beginning to tackle the urgent need to raise and sustain educational standards at all levels of ability, to create a wider range of opportunities for young people, and to enable the education system to make its full and proper contribution to national life.".

I welcome the opportunity for this debate. However, I am not sure that I thought the speech of the hon. Member for Cambridgeshire, North-East (Mr. Freud) was worth a grand. He seemed to nail his colours to almost every fence going. I shall return to that shortly. I also welcome the interest which at least some Liberal and Social Democratic Members are taking in education this week. Normally, as the House knows, they leave these matters to the hon. Member for Cambridgeshire, North-East who labours manfully on his own. However, with the local elections in prospect and with the growing salience of education as a political issue, the hon. Gentleman finds himself with at least a few of his hon. Friends here to sustain him today, but none of his right hon. Friends. I am sure that he finds that extremely gratifying. It seems to me that it is another example of the potency of Dr. Gallup.

Sir Russell Johnston (Inverness, Nairn and Lochaber): I am sure that on reflection the hon. Gentleman will concede that that is a wholly bogus point. We cannot produce every single one of our members at every debate any more than he can.

Mr. Patten: We are pleased to see at least some of the hon. Friends of the hon. Member for Cambridgeshire, North-East. We are sorry not to see the leader of the Liberal party or the leader of the Social Democratic party.

Mr. David Alton (Liverpool, Mossley Hill): Where is the Prime Minister?

Mr. Patten: This is the finest hour of the hon. Member for Cambridgeshire, North-East. This is the charge of the light brigade. We are sorry not to see here the leaders of the Liberal party or of the Social Democratic party for reasons which I shall seek to adduce shortly.

Mr. James Wallace (Orkney and Shetland) *rose*——

Mr. Patten: I shall give way later.

I should like to concentrate mainly on schools and my hon. Friend the Parliamentary Under-Secretary of State will speak mostly about higher education when he replies to the debate.

I want to take as my text the speech given by the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) at Ruskin college in October 1976. The hon. Member for Berwick-upon-Tweed (Mr. Beith) is nodding. The right hon. Gentleman was the leader of the Government which the hon. Gentleman and his hon. Friends so assiduously supported. I shall take it as a text for three reasons. First, it set out an admirably bipartisan agenda for the reform of education. Secondly, it launched what the right hon. Gentleman described as the great debate. Thirdly, the present Government have spent the past seven years taking action on a number of the matters that the right hon. Gentleman talked about in that speech. We have turned into reality a number of the aspirations that he referred to then.

I should like to quote three sentences from the Ruskin college speech which, in my judgment, should enable us to sweep aside some of the partisan clutter that normally dominates debates such as this.

"I fear that those whose only answer to these problems is to call for more money will be disappointed."

Expenditure per pupil was 14·5 per cent. lower at that time than it is today. The right hon. Gentleman continued:

"But that surely cannot be the end of the matter. There is a challenge to us all in these days and a challenge in education is to examine its priorities and to secure as high efficiency as possible by the skilful use of existing resources."

That is a salutary reminder — the hon. Member for Cambridgeshire, North-East touched on the point and then backed off—that any serious debate on education should contain more than a drab recitation of rival statistics. There is no mechanistic relationship between the level of expenditure on education and the output of our schools. If there were, life would be a great deal easier and the standards set in ILEA schools would be second to none. Nor is there any evidence to relate variations in local education authority expenditure to variations in achievement levels.

On the other hand, I accept that the admirable objectives that we set out in our White Paper "Better Schools"—for example, the hoped-for spread of TVEI from the pilot stage to a wider range of schools—will need more investment per pupil. We have achieved that. We have been investing more per pupil. I am surprised that the Opposition parties rest their arguments on education so much on expenditure levels, although I concede that the Opposition now tend to mix that argument with the sanctimonious argument that we are entirely wrong to add up the cost of their promises—and not only in the case of education. The Opposition suggest that that cost would not be very high and that we could do it all for the cost of the return fare to Brighton.

Resting on spending levels is not a comfortable posture for the Opposition. Let us get the figures out of the way and turn to more serious matters. Expenditure per pupil is now higher than ever. It has risen by about 18 per cent. since the Government came to office. In January 1980 there were 18·7 pupils per teacher; now there are 17·8. Expenditure on books and equipment has risen in real terms by about 8 per cent. per pupil. There has also been

[Mr. Patten]

a smaller increase in expenditure in real terms on repairs and maintenance. The average real salary of a teacher today is £800 more than it was when Labour left office.

Mr. Tam Dalyell (Linlithgow) *rose——*

Mr. Patten: The right hon. Member for Cardiff, South and Penarth made his speech at Ruskin college in a year when the value of teachers' pay fell in present-day terms by over £1,000. Those were the high days of inflation under the Labour Government. I suppose that a teacher might have stayed slightly ahead of the game if he had been paid in gold bars or cocoa futures.

The figures do not suggest — and I understate the point—that everyone in education has all the resources he wants. As I go from local education authority to local education authority, that is not my experience. The figures do not demonstrate that we are making the best use of our money. They do not dispose of some of the arguments to which I shall now turn. However, they certainly dispose of the proposition that education is suffering from a ludicrous shortage of resources and that everything could be put right if we simply spent a little more. Those propositions are 18 carat nonsense.

Mr. Andrew F. Bennett (Denton and Reddish): Will the Minister accept that since 1979 the Government have reduced educational expenditure in real terms by about £2·5 billion? Many economies of scale were made during the 1970s, and it is not reasonable for the Government now to expect economies of contraction too. It costs as much to heat a classroom if there are 20 pupils in it as it does if there are 30.

Mr. Patten: That is a strong argument for getting rid of surplus places — which we are anxious to do as rapidly as possible. I am surprised that the hon. Member for Cambridgeshire, North-East did not concede that the number of pupils in our schools has fallen by about 12 per cent. in the past six or seven years.

Mr. Dalyell: I have asked the hon. Gentleman about the difficult subject of physics teachers. Has he read the leading article in the *New Scientist* of 10 April entitled "Money for New Rope" in which it is stated that

"in a number of schools, below sixth form level, there may well be no physics teachers in the foreseeable future"?

Mr. Patten: I have not read that article, but I will do so. I will take up the hon. Gentleman's point later on.

In his Ruskin speech, the right hon. Gentleman identified a number of educational issues which had to be tackled. He talked about the relationship between parents and education and between the world of work and the world of school. He talked about the curriculum, examinations and teachers. I should like briefly to deal with that agenda.

Our Education Act 1980—I must pay tribute to my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle) who laid many of the foundations on which we have built — did much to increase parental influence on, and involvement in, children's education. The Bill at present in another place, which we hope will shortly come to this House, takes that process a good deal further. I trust that we can rely on the unremitting and unstinting support of the alliance parties in taking that legislation to the statute book, despite reports of recent speeches by the right hon. Member for Plymouth, Devonport (Dr. Owen), whose interest in education has not survived until this debate. I do not know whether the right hon. Gentleman was talking for himself or for the alliance. However, he lauded parent power and local autonomy. They were in while, in his view, central control was out. I mean no disrespect to the right hon. Gentleman, and I am sorry that he is not here. In view of his recent interest in education, I would have expected him to be here.

Mr. Alton: Where is the Prime Minister?

Mr. Patten: It is not the Prime Minister's motion.

I must say that I have always found the "power to the people" side of the right hon. Gentleman's personality less convincing than the "power to Dr. Owen" side. The right hon. Gentleman talked about parent power and local automony. Then — the hon. Member for Cambridgeshire, North-East exhibited a similar form of schizophrenia — he advocated giving Her Majesty's inspectors the power to recommend school closures, and providing central funds to set up new schools.

As an innocent bystander I think that there is a contradiction in those propositions. They are perhaps, another example of tough and tender out riding. Whatever the conundrums or paradoxes, I am pleased that we can count on the support of the Liberal and Social Democratic parties when we put on the statute book that legislation which takes parent power and parental influence much further.

The right hon. Member for Cardiff, South and Penarth continued in his famous speech at Ruskin college to consider the relationship between work and education and the relevance of the curricula. The Government have acted on those points. We have established much closer links between education and the business world through schemes such as young enterprise, the school curriculum industry project and the understanding British industry project. We have promoted economic awareness as part of the school curriculum and we have brought non-advanced further education closer together with local industry and the Manpower Services Commission. We have placed more emphasis in schools on the application of knowledge and we have encouraged the growth of craft design and technology. Technical and practical learning have been stimulated through a number of pilot schemes like the technical and vocational education initiative in which 100,000 pupils will be involved at a cost of some £250 million. As I said earlier, we are considering the extension of that project so that all secondary school pupils can benefit from the lessons that we have learned.

As the House will know, the Government have been setting the pace in the use of computers in schools. We have invested almost £40 million in the past five years on information technology.

The right hon. Member for Cardiff, South and Penarth continued in his speech to discuss curricula. Despite all the difficulties and turmoils, the Government have worked for agreement with teachers and local education authorities about the type of curricula that we should have in our schools which we believe should be broad, balanced, relevant and differentiated. We have also been working for agreement on the different parts of the curricula. We began by publishing our proposals which have been discussed and are now in their final form on the teaching of science for five to 16-year-olds, and we shall shortly be producing——

Mr. Dalyell: What about physics teachers?

Mr. Patten: I shall come to the hon. Gentleman's point in a moment.

We shall shortly be producing proposals on modern languages as part of the curriculum. The Government's main purpose is to try to ensure that 80 to 90 per cent. of our school leavers aged 16 are brought up to and beyond the level now achieved by 50 per cent. of pupils in a range of subjects—that is approximately CSE grade 4.

My right hon. Friend the Secretary of State for Education and Science has shown a great concern for the lower achievers in our schools. The lower achievers' programme aims to discover and spread a curriculum which will interest and involve that worrying minority who are now getting very little from their secondary schooling.

The right hon. Member for Cardiff, South and Penarth also raised the problems about the examination system. He was specifically concerned about less academic students who remain at school beyond the age of 16. He proposed that there should be more discussion about 16-plus examinations and about other examinations, and he told us that Mrs. Shirley Williams would consider those problems. We have acted. We have introduced or are proposing to introduce A/S levels to broaden the base of the curriculum in sixth forms, and I do not accept what the hon. Member for Cambridgeshire, North-East said about that earlier.

The Government have introduced the certificate of pre-vocational education with the new sixth formers, about whom the right hon. Member for Cardiff, South and Penarth was concerned, in mind. As the House will know, we are conducting a review of vocational qualifications which will soon reach fruition and this year we are starting the GCSE, which is the most significant reform of 16-plus examinations for 20 years.

We had an opportunity to debate the GCSE last week and all hon. Members who took part in that debate regarded it as useful and constructive. I do not want to traverse in this debate the ground that we covered then. I shall, however, make four brief points. First, the preparations for the GCSE are literally unprecedented. Secondly, we have tried to respond to every legitimate professional concern. For example, we have considered resources and training in that connection. Thirdly, I repeat what I said last week, that postponement for a year is not an option. We could not stand down the boards and groups and require them to produce some makeshift GCE and CSE examinations in 1988 with machinery which, in many cases, has already been dismantled, and at the same time tell them that they must get on with the job of introducing GCSE the following year. A postponement would lead to a protracted delay against a background of chaos. My fourth point is that we are always ready to discuss with teachers associations, examining groups or local authority associations professional concerns about the introduction of the GCSE. We want to ensure that the GCSE examination is the success that it needs and deserves to be.

Mr. A. J. Beith (Berwick-upon-Tweed): If everything is going as smoothly as the Minister so blandly suggests, why does he believe that the secondary heads and the Parent Teachers Associations are so anxious as to call on him to postpone the examination? Does he realise that that anxiety extends far beyond the teacher organisations and is now so widespread that he cannot blandly dismiss it, as he has tried to do?

Mr. Patten: I was not trying to be bland. If the hon. Gentleman had had the opportunity of listening to our debate last week he could not have accused the Government of blandness. We are anxious to do all that we reasonably can to ensure that the GCSE examination is introduced smoothly. I had the opportunity of addressing the Secondary Heads Association conference yesterday and I have spoken to other professional bodies. I recognise their anxieties and a number of their concerns are related to the last argument I wish to make regarding teachers.

The final piece of the jigsaw concerns teachers. I accept that a fair and sensible deal with the teachers would greatly improve the climate for the introduction of the GCSE. That is behind many of the anxieties expressed at present. If we do not get such a deal, much more than the GCSE will unfortunately be threatened. That underlines the importance of achieving a deal in the summer.

I have said before, and am glad to repeat myself, that without good and highly trained, highly motivated teachers our other objectives for education are as sand in the wind. Because we are concerned about training, we have, with the help of the Council for the Accreditation of Teacher Education, been attempting to improve standards in initial teacher training. We have done much to improve and develop in-service training because we are concerned about better quality teaching. The Government want to see better paid teachers, a better career structure and improved promotion prospects with better rewards for skills in short supply.

In response to the hon. Member for Linlithgow (Mr. Dalyell), I believe that until we achieve those objctives it will be extremely difficult to deal with the serious skill shortages that he mentioned. Once we begin to deal with those problems there are many other imaginative and radical proposals that the Government could discuss with industry for dealing with the shortages that have been evident for too many years but are especially acute today.

We must establish a clear link between what teachers are paid and what they are paid to do. Teachers cannot argue on the one hand that it is impossible to define what they do in a contractual sense because it is all a matter of good will and on the other hand argue that that good will can be withdrawn at considerable damage to schools at no cost to themselves, whenever they so wish. The teachers cannot have both those propositions. That is the nub of the argument and the main reason why we have suffered such a wretched year, and that is the issue we cannot run away from. It is ludicrous to suppose that that has only been a problem for the past two years.

We hear a great deal about "back to Houghton". The problem goes back to Houghton and Lord Houghton made that point recently. I cannot quote him directly, but in essence he said that it was not just salary scales that were written on the banner of Houghton. He said that his report, as well as dealing with money, was an attempt to establish and define professionalism. The teachers received the money but we have never managed to achieve the other side of the bargain. That is what we must achieve now.

The past year has been wretched partly because the discussions which were taking place in the autumn of 1984 had the plug pulled on them by the National Union of Teachers. The discussions were held to bring together pay, duties and conditions of service. If those discussions had been successful, we would not have had to endure the turmoil and aggravation of the past 12 months.

[Mr. Patten]

ACAS, with the employers and with representatives of the majority of teachers, is now attempting once again to resolve this issue which has been with us for so long. If we are to achieve a deal that is fair to teachers, fair to taxpayers, fair to ratepayers, fair to employers, fair to parents and, above all, fair to children, it must link pay and duties once and for all.

Mr. Marlow: I hope that my hon. Friend is right and that that will come about, to the great satisfaction of the teaching profession, but how will it resolve the problem of inner city schools, especially those under the ILEA, in which a great deal more money is spent per pupil but the results are much worse than elsewhere? What plan has my hon. Friend to deal with that?

Mr. Patten: I emphasise again that the key to education quality and standards everywhere is good teachers. My hon. Friend is being very persuasive, tempting me to take a walk down one or two boulevards into which I perhaps should not stray, not least in the interests of others wishing to take part in the debate. I hope that there will be other opportunities to deal with the point that he raises, as it must be of particular concern to many of us that one of the disadvantages faced by some children in inner city areas is the attitude of a minority of teachers and of some members of the education authorities in those areas.

The agenda set out by the right hon. Member for Cardiff, South and Penarth 10 years ago was extremely sensible and I am delighted that we have been able to act on it. It is perhaps presumptuous to say "we". The main credit for what has been achieved in relation to the curriculum, teacher training, links between industry and education, parent power, examination reform and the drive to raise the quality of education in all schools to the level achieved in the best should undoubtedly go to my right hon. Friend the Secretary of State, who has carried through a major programme of reforms which will work through into higher standards of state education for the next 10 or 20 years. Other changes which have been discussed in the past few weeks may need to be contemplated to ensure that the partnership on which the education system is and continues to be based works as well as we all wish. I am sure that the Opposition will wish to contribute to that discussion.

Today, however, we have to deal with the motion on the Order Paper. In the past few years, my right hon. Friend the Secretary of State has had to endure more than his share of slings and arrows and has borne those tribulations with more forbearance and civility than most of us could muster. Compared with all that, today's preposterous motion is but a minor irritant. Nevertheless, I am sure that I speak for my right hon. and hon. Friends in saying that I resent its appearance on the Order Paper and invite the House to throw it out.

5.14 pm

Mr. Giles Radice (Durham, North): I congratulate the hon. Member for Cambridgeshire, North-East (Mr. Freud) on his speech. I am glad that it was made by the hon. Gentleman and not by the leader of the Liberal party as originally advertised. Unlike his leader, the hon. Gentleman has always shown an interest in education matters. However, despite the glorification of local government, he ignored the record of the Liberals in the Isle of Wight and glossed over the split between the Liberals and Social Democrats on loans. It is perhaps a pity that more SDP Members are not present today. Nevertheless, I congratulate the hon. Gentleman on his speech and assure him that Labour Members will vote for the motion today.

I, too, am disappointed that the Secretary of State will not be answering the debate. Perhaps he is so enthusiastic about cutting public spending as to support a cut in his own salary. Be that as it may, I welcome this opportunity to debate education matters as there is a growing awareness of the vital importance of education not only for individual life chances and self-development but for the survival of this country. As we move towards a knowledge-based economy, it becomes ever clearer that our future will increasingly depend on human capital in terms of the intelligence, information and creativity of our people. It is equally clear that the best way to develop that capital is to invest carefully and effectively in education and training. It is clear, too, that in today's and tomorrow's world the prizes will go not to nations prepared to educate only their elites but to those which give good quality education to all their citizens.

It is therefore all the more disturbing that, according to a number of recent studies, we are less well educated and less well trained than many of our main competitors. Only one third of the work force in Britain holds recognised qualifications equivalent to O-levels, compared with two thirds in West Germany and Japan and almost 80 per cent. in the United States. Britain is also well down the league table in providing education and training opportunities for young people. In 1983, 64 per cent. of the 16 to 18 age group received such provision, compared with 84 per cent. in West Germany, 79 per cent. in the United States and the Netherlands and 73 per cent. in Japan. A much smaller proportion—12 per cent.—of the relevant age group has qualifications at degree level compared with 22 per cent. in the United States and 24 per cent. in Japan. Moreover, the proportion of adults receiving training or enjoying continuing education is much smaller than in a number of other advanced countries. Relatively speaking, Britain is a badly educated and badly trained nation.

Mr. Alan Howarth: Does the hon. Gentleman share my anxiety that in ILEA schools, which are permanently dominated by the Labour party and the National Union of Teachers, pupils with the lowest ability suffer most and achieve the worst examination results?

Mr. Radice: The hon. Gentleman may be unaware that the programme of reform that ILEA is putting through has been welcomed by the Secretary of State. I refer to the Hargreaves report and the follow-up to that, which was directed precisely at below-average and average achievers. Perhaps the hon. Gentleman and I should wait until 8 May for the verdict of the electors on what ILEA has done so far and is planning to do in the future.

It is against the background of relative educational backwardness and what is needed to equip ourselves for the future that we have to judge the Government's performance. The plain truth is that they have a miserable record. It is widely recognised even by members and supporters of the Government that the Conservatives have failed on education. Our schools do not have the level of resources for the job that we are asking them to do. Even

the Secretary of State has admitted that teachers are underpaid, as has the Minister of State. For the past few years, Her Majesty's inspectors — the Secretary of State's own advisers — have been warning the Government about the shortage of teachers in key areas, to which reference has been made today, the inadequate supply of books and equipment and the bad state of repair and maintenance of too many of our schools.

The most significant and worrying paragraph in the recent HMI report, paragraph 89, said:

"While most LEAs appear to have held or slightly improved the overall levels of their provision for schools, the baselines of some of that provision are such that it seems unlikely that present levels will be sufficient to enable schools to respond successfully to the national and local calls for improvements in pupils' achievements and in the curriculum."

Mr. Eric Bolton, the chief inspector of schools, underlined that in a recent speech when he warned that, unless schools receive sufficient resources, the changes that are being demanded cannot be implemented. He went on to say that, while money was not the only answer—I agree with the Minister about that—it is a vital part of the solution. I did not hear that from the Minister today, although I shall quote him when he appears to recognise that money is important.

Mr. Eric Bolton said that the TVEI had shown what could be done when teachers are given adequate resources and time. That is instructive. In his recent speech to the Assistant Masters and Mistresses Association conference, the Minister said:

"The demands on schools are increasing, and there is a need for more resources per pupil and a further limited improvement in the pupil-teacher ratio if they are all to be met."

I hope that the Secretary of State will argue for that in Cabinet.

We also have a crisis of morale. We all know that, for more than a year, most children's education has been disrupted in some way, leaving pupils uncertain, parents anxious and teachers demoralised and alienated. Too many of our schools now exist in an atmosphere of crisis, as I know from personal experience.

The Minister referred to the reforms which the Government have heralded, but many have come to nothing while others have petered out in bickering and dispute. It is interesting that the amendment does not boast of the Government's educational achievements but speaks of their "beginning to tackle" educational standards.

Mr. Andrew F. Bennett: After seven years.

Mr. Radice: Indeed. I accept that educational reform takes time, but that is going too far. Under the Conservatives, the United Kingdom is about the only major Western European country which has cut resources going to higher education. The consequences are well known. Since 1981, 12,000 well qualified students have been turned away from our universities each year and 6,000 jobs have been lost in universities. In the next three years, cuts equivalent to the closure of a medium-sized university every year are to be imposed on the university sector. It is reported that Sir Peter Swinnerton-Dyer, the chairman of the University Grants Committee, has warned that three universities may have to be closed. I hope that the Minister will comment on that. Perhaps he would care to deny it.

Polytechnics and other institutions of higher education have rightly been praised for their contribution to the provision of more opportunities for quality higher education, yet they face the possibility of a 3 per cent. cut in 1987-88. The National Advisory Body secretariat has told public sector institutions that, if the unit of resource is to be maintained, the institutions will have to exclude more than 9,000 students and close whole departments, including engineering and science departments. The Secretary of State rightly keeps going on about maintaining standards, but he cannot have it both ways. He must provide the money. Despite the lip service which the Government pay to its importance, resources for continuing education have also been reduced significantly.

Bearing in mind the Government's poor record, the crisis in our schools and cuts in higher education, it is hardly surprising that education has become such an important issue. Voters believe that education should have top priority. They want the Government to get a grip on things. Above all, they want a return to calm and stability in schools.

The Government's reaction to mounting popular discontent has hardly been reassuring. It is no exaggeration to say that the Government have been running around in a state bordering on panic. The Prime Minister, apparently oblivious of the fact that the Government have been in power for more than seven years, is reported to have declared that something must be done about education.

The Foreign Secretary, on one of his few sorties into domestic politics, told eager listeners on the "Today" programme:

"Education is the most important part of the national agenda still calling for action".

The Secretary of State for Energy, in one of his messages —as usual, it was in code—implied that more ought to be spent on education. There is, of course, the reactionary tendency. It is not as well represented today as usual, although I see one member of it present. Encouraged by the Prime Minister, it has dusted off several old ideas— yesterday's solutions to today's and tomorrow's problems.

We have been told that the answer to raising standards for all pupils is the introduction of vouchers, despite the Secretary of State's conclusion that they are not practical. A return to direct grant schools has been mentioned, as has more selection and even the introduction of what are apparently called Crown schools, which borrow the prestige of Her Majesty to support selection. I hope that most parents will fail to see what those notions have to do with the education of their children. Indeed, they will find those notions irrelevant.

I have never questioned the Secretary of State's sincerity and integrity. On behalf of the Labour party, I have supported him when I thought that he was right. However, for some time past, I have thought that it would be better for education if he resigned. He has clearly lost the support of parents and of teachers. He has said that he will retire at the end of this Parliament, but there is speculation that he will go in the autumn. I do not believe that, when parents are so concerned, schools are in such crisis and education is a top priority, we can afford a lame duck Secretary of State. We have had the unedifying spectacle of Ministers almost daily putting in applications for the job. The hon. Member for Bath (Mr. Patten) is never off the screen.

Mr. Alex Fletcher (Edinburgh, Central): Off the streets, or the screens?

Mr. Radice: I am not sure about the streets. Bearing in mind his electoral prospects in Bath, he is probably on the streets as well. I have seen the hon. Member for Brent, North (Dr. Boyson), at whose name the hon. Member for Bath is said to pale according to one newspaper, spending quite a lot of time in the House of Commons recently.

Mr. Fletcher: Shock.

Mr. Radice: I do not think that the hon. Gentleman's name has been mentioned, but many have. Tomorrow, *The Guardian* is running a punter's guide to the 11 runners so far. Such speculation and rumour is not good for education and the only way in which it can be ended is by the Secretary of State deciding that enough is enough. It would be in the best interests of education if the uncertainty about the Secretary of State's job was rapidly brought to an end. I have therefore to repeat my call for the Secretary of State to resign.

Changing the helmsman alone is not enough. If we are to equip ourselves adequately for the future and to meet the challenge that I have described, which I believe is widely accepted, the Government will have to change their education policy. We shall have to widen educational opportunity, to improve standards and to invest more in education.

The main aim of educational policy should be to open up opportunities for quality education throughout life. Every three and four-year-old should have the chance of a place at a nursery school or in a nursery class. Every child should have the opportunity of being taught in adequately resourced comprehensive, primary and secondary schools, and in classes small enough to allow for individual attention. Every 16-year-old should have the right to two years of high quality education and training with adequate financial support. Every adult should have the right to benefit from a period of education and training, and we ought to open up higher education to a much wider group than ever before.

We must also introduce measures that will address this Government's neglect of quality and standards. This must include smaller classes, particularly for younger children; an adequate supply of books and equipment; well maintained and well ordered schools; access to a broad and balanced curriculum; an assessment system that encourages success rather than highlights failure; a real partnership between home and school; a local ombudsman for parent complaints; and a decently paid, well trained and highly competent teaching profession.

Mr. Chris Patten: How much?

Mr. Radice: How much more does the hon. Gentleman think ought to be spent in order to ensure that the demands on schools are met? He does not say how much.

Mr. Patten *rose*——

Mr. Radice: The fact is that neither "Better Schools", the White Paper produced by the right hon. Gentleman nor the Minister of State himself has costed his proposals. He is giving the electorate a lot of promises for the future while having failed in the past. If his promises are to be carried out, a substantial amount of extra money will have to be spent on education. We acknowledge that, but the Government are not honest enough to do so.

Mr. David Madel (Bedfordshire, South-West): Will the hon. Gentleman give way?

Mr. Radice: Not at the moment. I should like to comment on the progress of the ACAS talks, because they are important. I hope that they succeed, because, as the Minister said, unless we can settle the teachers question, we shall not get further progress in our schools. I hope that those talks succeed, but if they are to do so it is clear that the NUT — the majority union — will have to be included. I am absolutely certain about that. I am also certain that more resources will have to be provided to back the ACAS talks. If they are not, I do not believe that we shall eventually get a deal.

Mr. Madel: Is it not a fact that the NUT will not agree to the 1985 deal and that it was in a minority? If the hon. Gentleman wants the ACAS talks to succeed, he should urge the NUT to be more reasonable and not to adopt an attitude that will make it run foul not only of the Labour-controlled employers but also of the other unions.

Mr. Radice: The hon. Gentleman probably does not know that I have spent the last four days trying to bring both sides together — [HON. MEMBERS: "It was a failure."] I would not talk about failure on that score, given the mess that the Conservatives have made of this whole teachers question over the last two years, which has disrupted our schools.

Mr. Chris Patten: I am grateful to the hon. Gentleman for being so generous in giving way. Will he clarify another important point? Is it the view of the Labour party that a deal must include duties as well as pay? I understand that that is part of the Labour party's position north of the border. Is it the Labour party's position south of the border as well?

Mr. Radice: I have said that we must first tackle the pay issue. Once we have done so, I believe that it will be easier to introduce the whole issue of duties — [HON. MEMBERS: "They can be brought together."] That may well be so, but that depends on the amount with which the Secretary of State is prepared to back the deal. If he continues to say that the sum should be only £400 million at the end of the fourth year — which he calls £1·2 billion—I doubt whether he will achieve the results that he is looking for.

If opportunity is to be increased and quality improved, we shall need to increase spending on education. I am not ashamed to say that, because education is expensive. Since the Conservative Government came to power, the share of education as a percentage of total public spending has declined from 11·8 per cent. in 1978-79 to 10·8 per cent. in 1985-86. A sign of the Government's priorities is that in 1985-86 we are spending £3·7 billion more on defence than on education, whereas in 1978-79 we were spending £260 million more on education than on defence.

It is true that, despite cuts in educational spending—which the Minister of State has admitted have taken place —and because of a school population which is declining sharply by nearly 1 million, the Government are able to claim that spending per pupil is now significantly higher than in 1979. That is true, but instead of using the leeway of falling rolls to repair the glaring inadequacies of provision and the necessary investment in improved standards which the chief inspector says are so important, the Government have imposed tight restrictions on educational spending. Indeed, under this Government, spending on education has often been thought of as a

luxury item which, as with higher education, can be cut without damage to the future. No wonder that the voters are now demanding a higher priority for education!

From now on we should regard spending on education not as a consumption item that can safely be cut but as a prudent, long-term investment without which our future is likely to become increasingly bleak. We should also decide here and now that education should be top priority. It is of vital importance, not only for personal development and improved life chances but also for the future economic and social health of our society.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. There is less than an hour to go before the winding-up speeches begin. I therefore appeal for short contributions.

5.38 pm

Mr. J. F. Pawsey (Rugby and Kenilworth): It would seem that the alliance has now discovered education, as it had earlier discovered the environment, and perhaps we might look forward to a considerably better attendance at our debates in future than we have seen in the past. I exclude from that comment the hon. Member for Cambridgeshire, North-East (Mr. Freud). His attendance at our debates is exemplary. Indeed, his attendance is as regular as "All-Bran".

While the conversion of the alliance to education may be a little late, it is, none the less, welcome, and it seemed to be signalled in a recent speech by the right hon. Member for Plymouth, Devonport (Dr. Owen) when he said that if the case for investing in higher education is strong, any such favourable treatment has an obligation to ensure greater efficiency in the use of extra resources. That seems to be a long-winded way of saying that the alliance requires value for money in education. There is nothing wrong with that. Indeed, that argument has been advanced by Conservative Members for years.

In the same speech, the right hon. Gentleman went on to say:

"Universities and polytechnics would set up student aid offices which would receive funds—decided by the institution from the sum of the research and teaching allocations—for various forms of student support on an income-related basis."

When one strips away all the jargon one sees that the right hon. Gentleman is calling for some sort of means test for student support. In the same speech he said:

"this income-related basis could include remission of fees and maintenance grants; it could include subsidies for the interest charges and bank loans arranged through the institution which might even go into the loans itself."

I am not certain whether the right hon. Gentleman is arguing for a full-blooded student loan approach, or for some sort of halfway house. It is unfortunate that he and the leader of the Liberal party are not in the House to answer for themselves and to clarify points of this sort. I should like to concentrate on schools.

Mr. Henderson: Was that the same speech in which the right hon. Gentleman advocated what is essentially a free enterprise economy between the universities in competing for students?

Mr. Pawsey: I can tell my hon. Friend that indeed it was. In 1976 the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) introduced what was described as the "great debate on education." Therefore, we can take it on his authority, and he was the Prime Minister at the time, that all was not well with the education system. That has been recognised by Conservative Members in a series of measures introduced by the Government since we came into office in 1979. As was said previously, we now have the best ever pupil-teacher ratio and the highest ever level of per capita spending. As the hon. Member for Durham, North (Mr. Radice) said, that, admittedly, is as a result of falling rolls.

Almost the first act of the incoming Administration in 1979 was to repeal the Education Act 1976 which removed choice from local authorities, attacked grammar schools and sought to introduce comprehensive education. The author of the Education Act 1976 was Shirley Williams who was Secretary of State for Education in a Socialist Government. At that time she seemed to be rather more Socialist than Democrat. It is significant that the right hon. Member for Plymouth, Devonport (Dr. Owen) was part of that same Administration. Now the right hon. Gentleman argues for more parental choice. How does he reconcile that newly discovered position with the provisions of the Education Act 1976 which he then supported? It is indeed sad that the right hon. Gentleman is not in the House. I do not say that he is two-faced, but it seems that, once again, the alliance is facing two ways.

Despite the exaggerated rhetoric of Opposition Members, much has been done over the past seven years. Parents now have more choice in selecting schools, and teacher training has been overhauled to ensure that teachers receive a training more relevant to the classroom. On Thursday we debated the introduction of a new examination—the GCSE. It was demanded by teacher unions to replace the CSE and the GCE.

Despite the propaganda, as my hon. Friend the Minister of State said, no previous examination has been so thoroughly prepared. It is not preparation that is lacking but goodwill. The real problem is not lack of syllabuses, lack of training, lack of time or lack of funds, but a lack of goodwill, and that is the problem that we have to face. The reason for that lack of goodwill is not hard to find. Understandably, teachers are worried about pay and conditions, and teachers are to education what the engine is to the car.

We should not forget that my right hon. Friend has secured from the Treasury £1·25 billion of extra funding, not for schools or for books, but for teachers' pay. That money will be available to teachers over four years and when it is accepted will do much to restore teacher morale. However, the four-year time scale is too long and the financial benefit should be concentrated in a shorter period with a higher level of what the insurance companies call "front loading". Hand in hand with those improved and substantial benefits should go real appraisal. Not all teachers should be in the profession and we should make it easier for a small minority of teachers to leave.

Teachers hold the key to improved education and to higher standards, and it is of the utmost importance that we restore the morale of the teaching profession and make it abundantly clear to teachers that what they do is necessary, worth while and most important to society. No one would disagree that the overwhelming majority of teachers do a difficult job and do it well, and that a teacher's job is a great deal more than free periods and long holidays. A teacher's job is stressful and demanding, and, while there may be substantial job satisfaction, that in itself is not enough and a greater appreciation of the teacher's work is necessary. For too long they have been allowed to believe that theirs is almost a second-rate

[Mr. Pawsey]

profession that is unsung and unappreciated. That impression must be corrected as a prerequisite to any improvement in education.

The Education Bill that is currently in another place is proof of the importance that the Government attach to education. That Bill will reform governing bodies and allow a greater measure of parental involvement. That should be widely welcomed on both sides of the House and should also be welcomed by parents and members of the teaching profession. The Bill will do a great deal to improve standards and to improve the quality of education, because the majority of parents know best what is right for their own children. More parents on governing bodies will ensure that more time is spent on the core curriculum and less on peripheral subjects, such as peace studies. Parents will call for more discipline in schools and demand the teaching of subjects that are relevant to jobs and to work.

The Bill will require local education authorities to appraise the performance of the teaching force and will make further improvements to in-service training by the provision of special and specific grants for that purpose. All those measures underline the Government's commitment to education. I support the imaginative concept of Crown schools which was unfairly criticised by the Opposition. However, I should like to make one caveat by asking that they become centres for technical studies as well as for the more academic subjects. The Crown schools could be a way forward in concentrating technical and academic talent.

Mr. Beith: Did the hon. Gentleman not listen to the cautionary words by his hon. Friend the Minister of State who said that the argument about defending good grammar schools is largely dead and buried and that no one will bring back the old grammar schools?

Mr. Pawsey: It is nice to welcome the hon. Gentleman to the debate. We are not calling for the return of the old grammar schools. I will settle for the concept offered by my right hon. Friend of Crown schools, provided that they concentrate talent on either technical or academic subjects. Those schools will become centres of excellence and people will accept them as a useful and imaginative step. Some hon. Members have spoken about funding, but more money does not automatically mean better standards. The National Council for Educational Standards published a pamphlet today that deals with a point raised by my hon. Friend the Member for Northampton, North (Mr. Marlow). That pamphlet shows that the Inner London education authority examination results are worse than the results in secondary modern schools. It says:

"Examination results for secondary school pupils in the Inner London Education Authority (ILEA) are worse than for pupils at secondary modern schools".

It goes on to say:

MORE MONEY FOR WORSE RESULTS

ILEA pupils aged 11 are up to the national average. By 16, their exam results are 30% below the national average even though ILEA spends 40% more per pupil than most councils. On average, O-level passes per pupil in ILEA schools are about 40% below the average for pupils in all schools in England; about 25% below the average for pupils at comprehensive schools in socially deprived areas; about 15% below the average for pupils at secondary modern schools."

Those figures are an indictment of the high spending lobby and underline yet again that it is critical for funds to be used effectively.

Value for money is not just a pious hope; it is an absolute necessity. The problem is not so much the lack of funds as the lack of proper application of those funds. More money is not the answer. More money equals greater waste, to the disadvantage of the taxpayer and the children.

The Government want to provide a much wider measure of choice for parents and for children. That choice must not be between just the state sector and the private sector. We want to improve the quality and the standard of state education. That is where the overwhelming majority of children are educated. I know that the present Secretary of State for Education and Science is committed to that ideal. The judgment of history will be to his advantage. The alliance motion is ill-considered and biased and should be thrown out.

5.50 pm

Mr. Martin Flannery (Sheffield, Hillsborough): If one believed the stuff to which we have just listened, it would indeed be a lyrical world. One could almost set parts of the speech of the hon. Member for Rugby and Kenilworth (Mr. Pawsey) to music. The amendment standing in the name of the Prime Minister — [HON. MEMBERS: "Where is she?"] She is probably with the Queen. It is hardly conceivable that the Government could include such bland, offensive effrontery in this amendment. It says that the Government

"are beginning to tackle the urgent need to raise and sustain educational standards at all levels of ability".

That need is all the more urgent after what has happened during the last six and a half years since this Government came to power.

The amendment then says that the Government are beginning

"to create a wider range of opportunities for young people".

How can the Government say that, after what they have done to the youth of this country? Nearly all of them are out of work. Furthermore, student grants have been cut so much that even those dead Benches rose to the attack last year and forced the Secretary of State for Education and Science to alter his plans.

The amendment also says that the Government are beginning

"to enable the education system to make its full and proper contribution to national life."

Ye Gods! When the hon. Member for Rugby and Kenilworth referred to the National Council for Educational Standards, he was referring to the Black Paperites, who have launched on behalf of the Tory party the most dreadful offensive against state education that those of us who spent a lifetime in education have ever seen.

Mr. Pawsey: Will the hon. Gentleman give way?

Mr. Flannery: No, I want to make my speech. I listened to the hon. Gentleman without intervening. He must sit down and be a good boy.

When I mix that amalgam in the Government's amendment with the arrogance of practically every sentence spoken by the Minister of State, it would be childish to expect us to treat it in a civilised way. In the opinion of the Opposition, education begins at birth and it continues until we die. However, there is no recognition of that fact on the Government Benches. The state

education service has never known such a sustained and brutal onslaught as it has suffered during the last six and a half years.

It is almost unbelievable that the Government say that they have carried out reforms. The Secretary of State will be remembered in the history of education as having deformed practically everything that has been done for education throughout the years. He has not reformed education. He has succeeded in uniting the teaching profession. It opposes his attack on education, and the struggle continues.

The Government should not believe that the struggle is at an end. Never before in the history of this country has a middle-class group of people been so determined to fight in defence of the education system. Never before has the struggle continued for a year and a half in Scotland, where a resounding victory was won because the Labour authorities stood side by side with the Educational Institute of Scotland.

Parents and children, students and lecturers, teachers and tutors do not know where they stand with this Government and with this Secretary of State. That is why I, who find it hard to say such things, wish, in the name of heaven, that he would go. I hope that he will take with him the rest of the Government, after what they have done to the education system.

The Secretary of State for Education and Science has managed to unify the teaching profession in a way that the Opposition could not do. There is a hiccup in the struggle, but hon. Members should not be fooled. This struggle, the longest in the history of the teaching profession, will continue.

Teachers' wages are pitifully inadequate. They get less after training for four years than a young policeman in uniform gets after three months. What kind of an attitude is that to adopt towards the teaching profession? [HON. MEMBERS: "You have got that wrong."] That is the reality. The teaching profession is embittered and angry. Never before has it been so embittered and angry, and this fact should be laid at the door of the Secretary of State.

The general certificate of secondary education is in jeopardy, due to this Secretary of State and this Government. Teachers have fought for years to unify the general certificate of education and the certificate of secondary education. For years they fought against this Government in an attempt to get rid of them. Finally, the Government capitulated, but then they dealt with the teaching profession in such a way as to rouse it to fight against what is happening to education. Therefore, the Government, not the teachers, are holding up the ambition of teachers and parents that the GCSE should be introduced.

Our schools are unprepared and unpainted, and in many areas they are falling down. Schools are closing not because of the lack of pupils but because they are in such a mess. When the Secretary of State came to Sheffield his only comment about those schools — he said it, Mr. Deputy Speaker, not I—was that they were "crummy". Sheffield will never forgive him for that, never mind his Sheffield speech. He had rate-capped Sheffield. Sheffield could not provide proper schools for its children, but he had the nerve to condemn those schools.

I raised that point with the Secretary of State on more than one occasion during the Select Committee proceedings. He said that Sheffield should make up the difference. I pointed out to him that in the more salubrious areas wealthy parents could provide a great deal of money for the schools and that therefore their capitation allowance is three times greater than that which is provided for schools to which the children of working people go. There is a great deal of unemployment in the areas surrounding those schools.

I asked the Secretary of State about unemployment. I told him that parents who are unemployed do not have money to give the schools. His answer once again—it was a recent answer — was that the local education authority should give them the money. But he has rate-capped Sheffield. He knows that the local education authority cannot make up the money. While, therefore, the children of wealthy parents get all the books and allowances that they need, the vast majority of our children are suffering because of this Government's actions.

The Government have introduced the ethos of the market place into our education system. Monetarism has been introduced into education, as though education can be bought and sold easily by one person at a time who has vouchers. The drive to privatise our schools continues.

Education has moved towards the centre of the political stage because the majority of the British people feel that it is under serious attack. They feel that the attack against state education is so brutal that they must enter the arena and defend an education system that has been built up patiently over hundreds of years. It is now a major electoral issue. At every meeting where we make speeches, or indeed where the Conservatives make speeches, education is now raised.

The situation is bedevilled and the crisis deepened by constant statements by almost anybody on the Tory Benches. The ideas which are put forward by Tory Members are like sparks coming from an ampere. Such ideas persist for a few days but are so backward that they are thrown out. However, no less a person than the Prime Minister brings the ideas back or, if she does not do so, the Minister does. The voucher system has been thrown out by everybody over and over again but, a year ago, the Prime Minister came back and said that she would still like a voucher system. The Minister finally had to admit that, although he liked the voucher system, it was impracticable. However, even after the Minister had said that, the Prime Minister returned once again and said that she would like a voucher system. People therefore realise that elitism is the main aim of the Tory party. The Tory party hates the profound success of our schools under comprehensive education.

Nearly 90 per cent. of our children are taking examinations which, some years ago, they had no chance of passing. The examination results of the vast majority of our children are better than they have ever been in the history of British education. I have heard the attacks on ILEA but the silly figures used mean nothing because ILEA covers an inner-city area with more problems than the general areas of cities. ILEA's starting point in the education of our children is a difficult one. ILEA needs special funds, as do the inner-city areas of the great cities.

What are some of the so-called ideas which have been sparked off by the Prime Minister and the Minister? They have put forward a totally unworkable and discredited voucher scheme. The chairman of the Tory party — a major figure in the advancement of mankind — wants Crown schools. I do not know what Crown schools are or what an uncrowned school is, and I wonder whether the

[Mr. Flannery]

Tories can tell us. Of course they will not. A Crown school is a school which would be centrally funded to become part of excellence. The school, having received more funds than anyone else, could be something to be boasted about. It runs hand in hand with the idea of bringing back direct grant schools and introducing direct grant primary schools. What an idea! All these useless ideas mean nothing but the ethos of the market place. The ideas are so backward that they are unbelievable.

The Tories want to extend the assisted places scheme — another piece of elitism. The education of our children has been curbed by funds being cut, but some of the funds would be stolen from the state system to be given to the Government's nominees in the private system. Money would be taken from the already depleted exchequer of education and handed to people in the private sector who already have plenty of money.

The Government's only object seems to be to get rid of the state education system. They will not be allowed to do so because, standing guard over it, are not only parents who are Labour voters but parents who are Tory and Liberal voters. They all want the system of comprehensive education to continue. They recognise that it has its weaknesses but want them discussed in a proper democratic manner and want the system strengthened, instead of the nonsense introduced by the Government.

The Government's ideas have one thing in common —they are not merely destructive but aimed to strike a blow at the education system from which it will not recover. All these ideas hark back to the bad old days so beloved by the Tory leadership—the so-called Victorian values of the Prime Minister. The Prime Minister loves Victorian values. She would love the teachers to return to payment by results from the register which was abolished at the beginning of the century. If she received payment by results from the Cabinet, they would all disappear tonight.

We have to struggle patiently, and fight hard, for good education. Of course, some teachers are not up to the mark, but some hon. Members, some dentists and some engineers are also not up to the mark. That is the reality of life. That cannot be ruled out of order.

The Government also want to pay teachers Victorian wages. They wish to pay as little as they can and yet talk about the quality of education and improvements in education. If money is not forthcoming for the education system, it is idle nonesense to talk of increasing the quality of education. The quality of education demands more money for teachers' wages, more money for books and money to paint the schools. More money is also needed for repairs and to build new schools. It is no good talking about posing money against the teachers. The two go hand in hand. If teachers are paid properly — and they are fighting to be paid properly—we shall not have recourse to Dotheboys hall and Mr. Squeers.

The Government do not want what we are fighting for. They pay for private education for their children. They are not concerned about their children because they are safely ensconced in places into which money is poured — money that is taken from working people.

A large section of the population now see the Government for precisely what they are. The polls show that parents, and the vast majority of LEAs and political parties, will not tolerate what is happening to our education system.

When I heard of the new name coming in to take the place of the Secretary of state when he goes it sounded like the Hammer house of horror. It sounded appalling. I would be shocked beyond measure if the present Minister of State became the Secretary of State. I have heard some of the Minister's speeches and he would be far worse than the present Secretary of State, or indeed previous Secretaries of State. I hope that somewhere on the Conservative Benches there may be someone with some compassion for the children of our country but I doubt it.

The Secretary of State should go, and he should go now. He has wreaked havoc in the education system for long enough. He should not be allowed to do so for another year or 18 months. If the polls are right, I hope you lot go with him.

6.7 pm

Mr. David Madel (Bedfordshire, South-West): The hon. Member for Sheffield, Hillsborough (Mr. Flannery) has had a good blaze away at the Government and these Benches. I did not hear him say much about the teachers' pay dispute which has dominated the proceedings of the past 12 months, but I should like to say a few words about it.

I welcome the fact that ACAS, at long last, is involved in the dispute. Some of us advocated that ACAS should have been involved last June. At that time, ACAS was ready to intervene with a panel of experts to try to help. If the ACAS panel can steer a way out of the problems, ACAS must then become part of the future pay structure. That new approach will have to be institutionalised, because we cannot go back to the old Burnham system which led us to the present difficulties.

ACAS has said that, as well as the unions, individual teachers and groups of teachers can put their views to the panel. I hope the teachers will not simply rely on their union's point of view. The way is now clear for individual teachers — they said a lot to us as Back-Bench Conservatives about how their dispute should be solved —to put their views to the ACAS panel.

Management allowances should be built into the system of teachers' pay. This would pay them for non-teaching duties. The Government are keen to improve good practice on homework. The blunt truth is that, in many homes, it is impossible for children to do their homework—many should do their homework at school. That would inevitably require supervision and such management duties of teachers could be built into the pay which they would receive.

On 16 January 1986, in an article in *The Times* about management and improving quality, my right hon. Friend the Secretary of State asked:

"'Does your firm positively encourage staff to go back to college to keep in front of the technologies'".

The question that should be asked is, does a school positively encourage teachers to go into industry for a short time to find out more of what industry wants? If we could build into the system a policy whereby it is regular practice for teachers to have a sabbatical in industry it would be another way in which their pay could be improved.

With the fall in inflation, the way ought to be clear for ACAS to obtain a three-year deal on teachers' pay. We do not want an annual row. The present economic conditions

would enable us to move towards a three-year pay deal. The future of the education service desperately requires peace and stability in the teaching profession. I cannot think of any organisation better than ACAS to help steer the parties out of the present impasse.

The Government have a very useful legislative power in the Education (Grants and Awards) Act 1984 to strengthen the curriculum in specific subjects. I sometimes wish that the Government would draw more attention to the power that they have wisely taken. With the popularity of TVEI and with certain subjects becoming more popular, the Government may need to extend that power. There is an advantage in that for teachers, and they should seize it. Given the new specific subjects that are more popular, and the existing subjects, such as modern languages, that need to be strengthened, the extra money available through education support grants would have an implication for transfer of manpower. Teachers should not turn down that opportunity.

I share the hope of my hon. Friend the Minister of State that the GCSE will start on schedule. With continuous assessment built into the new system and with the Government's correct emphasis on more practical work, there will be yet another opportunity for teachers. Numbers will have to increase to ensure that the GCSE functions properly. The practical side will also mean more staff. That, therefore, represents an opportunity for teachers, and carries with it expenditure implications that the Government are no doubt aware of. Incidentally, I commend the work of British School Technology in helping local education authorities to overcome staff shortages and to update their equipment and resources cost-effectively. It has been going only 18 months, but I am sure that the Government will continue to support that valuable work.

I turn to the partnership between Government, local education authorities and parents. Much is said about parental involvement but one must first have parental interest in what is going on. It should be the norm that the cost of running each school, with the salaries, books, equipment, heating, lighting and so on, is automatically made available to parents. They should not have to go and get the information. The local education authority should ensure that parents know exactly what is going on. The Government rightly say that they have done much through the Education Act 1980, and have given parents more choice. But that Act should be applied more enthusiastically. If it was, some schools would close because parents would vote with their feet. It still worries me that education authorities do not remind parents sufficiently strongly that under that Act there are choices and an appeal system. If parents were reminded more, some of the problems of falling rolls might be more easily overcome.

Parental interest will start to disappear if there are endless upheavals in the way that the education system is organised. We should have a firmer commitment to improving what we already have. Particular attention should be paid to the growing popularity of sixth-form colleges. That, of course, carries implications for school sixth forms. We must remember, too, the growing problem for schools of educating children when many more of them come from single-parent families. I cannot go into the detail now, but we all know the special problems that that brings.

The Government have pressed for higher standards and greater opportunities, and that carries with it expenditure implications. It is not the other way round. Pressure for more spending comes because the very things that the Government believe in and are doing imply an inevitable increase in expenditure. For example, as standards in schools increase as the Government want, the expenditure implications for science subjects are inevitable. The Government rightly say that the unemployed should use the education service for retraining, but that carries a spending implication. The same is true of adult education.

In Saturday's edition of *The Times* I noticed two interesting statements. The first says:

"Ministers are expected to agree to give universities more money to prevent closures."

Many of us would heartily agree with that. The article continues:

"The Government is clearly worried about education spending. Mr. John MacGregor, Chief Secretary to the Treasury, told officials last week that education was now one of the top priorities for ministers and the Conservative Party. The clear implication is that it must not be cut further."

If the Government continue to get out of things that they should get out of—such as the gas, telephone and motor car industries—they will be free to concentrate on the very things that Governments do best, such as education.

My right hon. Friend the Secretary of State has been a good political friend to my right hon. Friend the Chancellor of the Exchequer in the general Cabinet effort to keep state spending reasonable. But in 1986 there should be some reciprocity. Reciprocity from my right hon. Friend the Chancellor of the Exchequer would be of great benefit to the education service.

6.16 pm

Mr. D. E. Thomas (Meirionnydd Nant Conwy): The hon. Member for Bedfordshire, South (Mr. Madel) and I worked together during the last Parliament on the Select Committee on Education, Science and Arts, and I know of his commitment to education policy. I hope that the Government listened to his plea for the continuing centrality of public sector education provision. However, I have my doubts about that.

Those of us who have been involved in education and education policy were not surprised when the Minister of State took a text from the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan). Those of us concerned with education policy were dismayed by that famous Ruskin speech. It was the beginning of the instrumentalist approach to education policy. It was the beginning of the narrowing of the curriculum base. It was the beginning of considering education in narrow economistic terms. It was the beginning of the end of the broad-based liberal, humanistic curriculum in our schools. Consequently, as happened so often under that Labour Government, the foundation stones of Thatcherism were laid. Indeed, some of the ideological bases of Thatcherism were laid down by that Government. I say that more in sorrow than in anger, looking at what has happened since.

In this short debate, it is essential to take account of the immediate issues facing us and of the industrial dispute going on in our schools. I hope to do that before the end of my remarks, but first I shall take up the Ruskin approach —if not the Ruskin content—of the Minister of State. We should question the Government's insistence on an employment-led curriculum. The Government argue that in a rapidly changing technological society we need a curriculum that enables pupils to adapt to it. But they also argue that the curriculum must be determined by

[Mr. D. E. Thomas]

employers and by the needs of industry on a very short-term assessment of those needs. That is contradictory. Surely a relevant education for a rapidly changing society must be broad-based. The curriculum should emphasise not only the technical skills but the key social skills, as well as an understanding of the very complex nature of our society. That can be provided only through a broad-based curriculum in our schools and through continuing educational provision, for which we have already heard such a strong appeal.

That approach is very different from the reintroduction of the concept of the secondary modern school through MSC intervention in our schools and the TVEI programme, which apparently represent the Government's approach. An emphasis on enterprise culture might be welcomed. But such an emphasis must ensure that all kids understand it and understand that it is not something that involves de-skilling. Indeed, many of us fear that that will be the result of the Government's continuing intervention at the 14-plus level through the restoration of secondary modern education via the back door.

As we look at the Government's intervention we see the need to redress the balance to see relevance—again, one of the Government's key words—in terms of a social relevance, not in terms of blaming the education system for the failures of the British economy, as so many Government spokespersons seem to be doing. The idea that education is the cause of the failures of society is nothing new for those of us who have studied the sociology and history of education. Whenever there is social crisis, the education system is always attacked as the cause of —or at least for not being sufficiently active in solving —that particular crisis.

The speech of the right hon. Member for Cardiff, South and Penarth was a typical example of the castigating of education for the economic and social failures and crisis under his Government.

Mr. Chris Patten: Read it.

Mr. Thomas: I read it carefully and I have read analyses of it and I understand the role of the speech within the education policy of Labourism which was perpetrated by that right hon. Gentleman, and as the beginnings of the surrender of the Labour movement's education policy to Black Paper thinking. I hope that those days are over but there is a continuing argument over an education policy based upon notions of equality and broad curriculum, which we need to deploy. I know that the Minister does not like that because he wants to inherit the mantle of the Black Paperists but there are those of us in the House whose commitment to education is a commitment to a broad-based curriculum, not to an instrumental curriculum, who would accept many of the arguments about the need for an enterprise culture but who would regard that as being part of a broad-based curriculum, not a replacement for it.

In our education debates we need to reiterate the basic values of education policy which my hon. Friend the Member for Sheffield, Hillsborough (Mr. Flannery) put over so forcibly. The approaches of the Schools Council and the "Practical Curriculum" document are still the most relevant — again, I know, that is not acceptable to Conservative Members — with an emphasis upon the acquisition of knowledge, skills and practical abilities; the development of qualities of mind, body, spirit, feeling and imagination; the appreciation of human achievement; the acquiring and understanding of social skills, values and beliefs; the preparation of pupils for adult life at home, at work, at leisure and at large as consumers and citizens; and finally, and most importantly, to develop a sense of self-respect and capacity to live as independent self-motivated adults and the ability to function as contributing members of co-operative groups. Those were the aims laid down in the "Practical Curriculum" and quoted in detail in the Warnock report. Those aims apply to the whole of our curriculum and should continue to apply. Those who seek to narrow the curriculum are de-skilling our pupils and narrowing their education and employment opportunities in later life.

When the captains of industry are asked what they need of education policy, that, in my experience, reveals at best an ill-informed approach and at worst a narrow view of the kind of people that they expect to come to them. There is a lack of understanding of the way in which a broad-based education curriculum can contribute to the training of the work force and the skilling of a broader society.

The Minister made the point that a fair and sensible deal for teachers was the key to resolving the present impasse in the education service. He must understand that what the teachers have been involved in, and the NUT in particular, has been an attempt to defend the professional integrity of teaching against the attack on it by the Government, not merely in their ideological attack on the curriculum, to which I have referred, but also in their attack on the professional integrity of teachers through the low pay, and their attack on the very notion of their ability as professionals, which is behind the assessment approach.

The assessment approach is not about good or bad teachers; it is about undermining the professionalism and independence of the teaching profession. So too is the Government's drive to centralise education. I remember well when I first came to the House the bleating from the shire counties against the abolition of the direct grant schools and the spreading of comprehensive education under the previous Labour Government. The policy of comprehensivisation was attacked by the shire counties because it was an intervention in local democracy; an interference with the rights of local authorities. Now we hear the Minister, in Cardiff of all places, making his famous "yob" speech in which he attacked the notion of a local education service and threatened local education authorities with a central state takeover. [HON MEMBERS: "Read it."] Of course I have read it. I read all his utterances avidly. That is typical of the Government's approach, as is their centralist assessment of teachers.

I want to express my anxiety, not just about the Government's approach to the exclusion of the NUT from the ACAS talks, but about the approach of the Labour-controlled authorities. Here again I am afraid that I must say that some of the Labourism which appeared in the speech of the right hon. Member for Cardiff, South and Penarth at Ruskin still survives in some Labour-controlled education authorities. It is appalling that through possible collusion—I do not know through which channels—the Labour-led employers put pressure on ACAS to prevent the NUT from taking part in the current talks. Clearly, without the inclusion of that major trade union in the teaching profession there can be no settlement. That must be recognised by the Labour-controlled authorities, the

Government and ACAS. There must be open talks on an open agenda, including the NUT, if there is to be an end to the present dispute.

In reality the dispute continues. Many members of unions other than the NUT are equally alienated, although officially they are supposed to have resumed so-called normal duties, but the deal that ACAS offered in January did not change the low pay of the teaching profession. There was no attempt to bring about relative parity. As long as we have a level of pay that is inadequate given the emphasis we all place on education in our society, there will be no solution to the present dispute. There is more pressure on the teaching service now from all directions. There is more need for in-service training and the development of professional skills. Surely, at this time more than at any other, we need a recognition in the level of pay of the quality of service being provided for our society by teachers.

Therefore, I make a plea to the Labour-led authorities on the Burnham committee to ensure that the NUT is allowed to the table in the talks with ACAS.

Mr. Andrew F. Bennett: As I understand it, the employers at a meeting today have made proposals for further talks with the NUT on that point.

Mr. Thomas: I am deeply pleased if that is the case and I hope that that reflects a change of heart on the part of the Labour-controlled education authorities.

The dispute that has brought about deep divisions within the teaching profession and the education service during the past one and a half years is a result of the attack on the education service by the Government. There has been a defence of that service by the teaching unions, and I want to pay tribute to the teachers who have defended it. They are defending not only their own professionalism, but the values of education and the sort of values that we need in our education service if we are to maintain a broad-based provision for future society.

6.30 pm

Mr. Alex Fletcher (Edinburgh, Central): This is the first occasion for some time that I have attended an education debate. There has been a clear contrast between the wholly unfounded accusations of the Opposition, especially the hon. Member for Sheffield, Hillsborough (Mr. Flannery), and the clear and precise answers and the resolution behind the Government's approach portrayed by my hon. Friend the Minister.

I fully support the amendment standing in the name of my right hon. Friend the Prime Minister. The Government are tackling the long-standing problems in our schools—the curricula, examinations, teacher training and motivation and methods of assessing the performance of teachers. The Minister and Conservative Members must repeat over and over again, to the country at large, the achievements of our Government in education.

I am tempted to talk about some of the achievements in our schools in Scotland, not least the introduction of the standard grade, which is not narrowing the syllabus or the examination possibilities but providing better choice for pupils in line with their ability. Every pupil in Scottish schools will, as part of a compulsory core curriculum, study arithmetic, English and science, and will be assessed according to his ability in each subject.

I wish today to talk especially about higher education and especially about student grants. I well understand the Government's desire to bring the United Kingdom more into line with the systems in other countries. My generation depended almost entirely on parental support and part-time student jobs. Today, our grant system is one of the most generous in the world. However, the expectation of state financial support is also now at its highest in education, as it is in other areas. Most people expect grants to meet the full cost of university and college life. Others believe—and this constantly surprises me—that students should not have to find part-time jobs to make ends meet. With unemployment being so high, it is not difficult for students to claim that there are not many part-time jobs available. However, I believe that that depends on the area. For example, in Edinburgh there are many part-time jobs available for students.

Nevertheless, we cannot simply brush aside those high expectations or, indeed, the Government's obligations that many people, including Conservatives, believe we must continue to meet.

Because of the difficulties with student finance, I recently attended a meeting of the principals of the two universities and the various colleges in Edinburgh. The principals, whose opinions I greatly respect, earnestly believe that many of their students are suffering hardship. As a result of that meeting, I received a letter from the student accommodation service, which the principals had asked it to prepare, referring to student finances. There is not time for me to read much of it to the House, but one interesting part states:

> "The Royal Bank of Scotland and the Bank of Scotland have indicated that up to 30 per cent. of their student account holders are overdrawn at any one time, and clearly with 25 per cent. to 30 per cent. being overdrawn at any one time the absolute number of students going into debt with the banks over the course of their university career is much greater."

The encouraging point is that many students are prepared to incur bank loans or overdrafts to enable them to meet their university obligations. But—and this is the view of the principals—other students, perhaps because of background or home life, do not have the capacity to take advantage of bank financing. The principals believe that the Government should provide a loan scheme to encourage those students, many of whom are suffering serious hardship, to top up their grants with loans.

The students are falling between two stools — the Department of Health and Social Security and the Department of Education and Science. I should like the DES to take on responsibility for all student finance with the DHSS coming out of the act. No matter how closely Departments work, true love departmentally in Whitehall is never so deep that the customers of the service are not likely to suffer to some extent as Departments quite naturally try to reduce their expenditure.

I plead with my right hon and hon. Friends to look again at student financing and to consider bringing forward a scheme, perhaps of mixed grants and loans, so that student finance can be put on a more sound footing than at present. I hope that we can look forward to the day when DHSS support will come out of the system altogether.

6.35 pm

Mr. A. J. Beith (Berwick-upon-Tweed): Before replying to the debate on behalf of the alliance, I wish to declare an interest as an adviser to the Association of University Teachers.

The hon. Member for Edinburgh, Central (Mr. Fletcher) added a Scottish dimension to the debate.

[Mr. A. J. Beith]

Several of my Scottish hon. Friends have been present during the debate because, of course, the Secretary of State's baleful influence is not confined to England and Wales—it extends into Scotland both directly in relation to higher education and indirectly through the length of time that it took to reach a settlement in Scotland because of the pressures emanating from England and the attempts to hold off a settlement.

There have been a number of valuable and interesting contributions to the debate. I am grateful to the hon. Member for Durham, North (Mr. Radice) for his strong support of our criticisms. The hon. Member for Rugby and Kenilworth (Mr. Pawsey) is somewhat of a wolf in sheep's clothing—he purports to support the Government while all the time urging them to adopt more and more of the sort of Right-wing policies that in the past have been condemned by the Minister.

The hon. Member for Sheffield, Hillsborough (Mr. Flannery) made a characteristic and vigorous attack on the Government. I found it unusually difficult to find a point of disagreement with him. The hon. Member for Bedfordshire, South-West (Mr. Madel) underlined the public expenditure needs of education, and made an appropriate reference to the need to spend the money wisely and sensibly. The hon. Member for Meirionnydd Nant Conwy (Mr. Thomas) spoke about the philosophical issues, and it would have been nice to have had more time to reflect upon them, but the debate has been, unfortunately, compressed.

A notable absence in the debate was a contribution from the Secretary of State, who has been present throughout. The right hon. Gentleman is never wanting in courtesy. It is extraordinary that he should have been silenced—I know not by whom. He has set aside time to be present at the debate, but has been stopped from saying anything in defence of himself. I cannot believe that that is his choice, as it would be too much out of character. He has been compelled to silence.

There was a wonderful picture in one of our newspapers showing the way in which he conducted himself during the last election. He attended election meetings, savouring the arguments as he always does, seizing the microphone and setting out among the audience asking them questions and engaging in debate. He was described as looking like a cross between Socrates and Des O'Connor. He would have relished that role today, but he now looks more like Diogenes with the barrel firmly nailed down as someone seeks to prevent him from playing any useful part in our proceedings.

Instead, today we had the contribution of the Minister of State who, interestingly, took as his text of the day not anything said by the Secretary of State but the speech of the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan). I think that he was a little frightened of taking anything from the Secretary of State as his text.

When the hon. Gentleman and I were co-operating on literary enterprises, especially the financially unprofitable ones, he said in a book about the Tory case:

> "Education has been at the heart of the political and ideological debate in the last 15 or 20 years. There has been change and confusion, and there are many on the Left, and a few on the libertarian Right, who are keen to see another period of upheaval. This could not possibly be to the advantage of our education system."

There are no doubts about to whom he was referring, because he then spoke about

> "those who are more representative of the Liberal than the Tory strain in modern Conservatism, like Sir Keith Joseph"

That is the type of posture that he has always cultivated.

At present, I think he sees himself hoping to emerge eventually as Secretary of State for Education rather as a sort of Juan Carlos when the generalissimo goes. Having been tutored under the former regime, he comes out with education as safe in his hands as democracy is in the hands of the estimable monarch, whom we look forward to greeting in this country later this week. But he will not be able to keep education safe in his hands. He is really rather like Baby Doc taking over from Papa Doc, already attaching himself, as he did in his Cardiff speech, to some of the more lunatic notions favoured on the Right of his own party, such as Crown schools and central control—the possibility of looking at what is wrong with the education system and taking over the parts that are not going well centrally.

One valuable group of the centrally provided part of the education system is Her Majesty's inspectors of education, but the Government have failed to respond to their steady criticisms of what under-financing is doing to key parts of the education system. I know of no evidence anywhere to suggest that the taking over by the Department of Education and Science of anything currently done by local government would result in any net benefit.

Since my hon. Friend the Member for Cambridgeshire, North-East (Mr. Freud) concentrated on the schools issue, I will refer to higher education. A series of cuts in higher education began in 1981 when there was the famous trio of measures hitting Aston, Bradford and Salford. The cuts varied between 31 per cent. and 44 per cent. and hit at the very technological area of our higher education system which the Government had claimed to favour improving.

Universities generally have continued to face a 1½ per cent. cut per year in real terms in funding. The chairman of the University Grants Committee has pointed out that the cuts threaten the closure of three or four universities. I understand the trend of his argument. He does not want constant under-funding to result in a general lowering of standards; that is why the stark option of closure is raised. As the Secretary of State said about the proposals of the National Advisory Body, he may also say that in this case the statements are inaccurate—that they are rubbish. How else is the system to respond to the steady reduction in crucial funding? What has happened over recent years is that under-funding of the university sector has led to a slack in student numbers being taken up by the polytechnics, but at the price of a 25 per cent. worsening in the staff-student ratio and a 20 per cent. reduction in financing per student. The Council for National Academic Awards has warned that if this policy continues it will not be able to sustain at acceptable levels the quality of courses it evaluates.

Mr. Henderson *rose*——

Mr. Beith: I will not give way, as I am restricted in time and have given the Minister an undertaking of the time at which I shall sit down.

It is apparent from the NAB letter that two polytechnics will lose their engineering courses, with Wolverhampton losing all its courses and Sunderland losing its civil engineering course. Two polytechnics will lost their modern language programmes, an area in which we

desperately need a more systematically directed kind of teaching to meet the needs of exporting industries and other international areas. Several further education colleges will lose all their advanced work, and many mergers are being requested.

It is a very depressing picture, and at the same time an opportunity is being wasted. A 14 per cent. reduction in demand for higher education is predicted by 1996. An opportunity therefore existed to expand lifelong education and to widen the opportunity of people to get back into education through the higher education system, something which, I understand, industry very much wants. At the same time there has been the demoralising of university teachers, whose salaries are down by 24 per cent. from the 1979 level. The measures on overseas students have cut off from this country many students from the poorest countries who are most in need of our help.

The hon. Member for Bath (Mr. Patten) said in 1983 that he thought cuts affecting overseas students had gone too far, yet the situation has worsened. There is also the reduction in the real value of the grant for students. Travel allowances have been cut and the housing benefit and supplementary benefit have been reduced. In the present economic climate, no alternative is available to students to supplement their income, because jobs are simply not available.

The main charges against the Secretary of State are that he has failed to achieve even his own objectives, such as strengthening the numbers of good teachers and removing inadequate teachers from the system, and increasing the emphasis on technology and science. Other goals which the rest of us did not want but which the right hon. Gentleman wanted have also not been achieved, such as the loan system, except by the back door in that case by student overdrafts, a matter referred to by the hon. Member for Edinburgh, Central. There was also the case for increased parental contribution, on which the Secretary of State was defeated.

So he has not achieved his own objectives. He has failed to provide leadership. I often feel that he thinks he is or wishes he was the Chancellor. If the Chancellor does not impose sufficient cuts on his Budget, the right hon. Gentleman pleads for more cuts, rather than fighting for what the education system needs. He has entirely lost the confidence of all those involved in education, at the levels of higher education, further education, the schools, and the GCSE. The Government's amendment says that the Government are only beginning to address the issues involved, yet they have been in government for seven years.

One thing that can be said about the Secretary of State is that he has never been unwilling to recognise when he has been wrong. In one case, he even said that he had been something of a semi-Socialist because of his consent to levels of public expenditure. He admitted that he was wrong in the direction given on tower blocks and that scale of housing. He admitted that he was wrong over National Health Service reorganisation, when he produced the vast, cumbersome and undemocratic reorganisation that he has been dismantling ever since. It is now time that he admitted that he has been wrong on education. How long must we wait for this? How long must the education system linger under the difficulties that it now faces?

The right hon. Gentleman enjoys a great deal of respect and affection in this House, but it is for his qualities as a debater, polemicist and advancer of ideas, qualities that he has not been allowed to demonstrate today. For those qualities, and not for qualities of leadership or for inspiring confidence in the education system, he is respected in this House. I do not seek to detract in any way from the respect in which he is held, but that is not respect for the special qualities presently required if our education system is to recover.

The hon. Member for Bath was very much out of touch with the real anger that exists about the present state of education. The Secretary of State must recognise that the system needs new confidence and leadership. It is a mark of wisdom to know when the time has come to hand over to someone else. I hope that the Secretary of State will show that wisdom and in the meantime I invite the House to reject the Government's complacent amendment and support our motion.

6.48 pm

The Parliamentary Under-Secretary of State for Education and Science (Mr. George Walden): As my hon. Friend the Minister of State said at the beginning of the debate, the Government welcome this short debate proposed by the alliance. Education is a major Government priority, and we are gratified to see the alliance following us on to this ground, as in so many other areas, albeit in a rather limping, wary and halting way. The hon. Member for Durham, North (Mr. Radice), with his usual curious emphasis on materialism, accused my right hon. Friend of being a monetarist, but the hon. Member for Durham, North talks of nothing but money. Nothing illustrates so well the decline of interest by the Labour party in educational standards, as the Minister of State so rightly pointed out, as the speech of the hon. Member for Durham, North.

We then had the usual stuff about cuts in higher education, with no mention of the fact that the total number of people in higher education in this country is at a record high, with 80,000 more students now than when we came to office in 1979. No mention at all was made of the age participation index, yet no debate on this subject would be complete without such a reference. Both the API and the qualified participation index are at record levels; both have increased remarkably since the Government came to office. Not surprisingly, the hon. Member for Durham, North also tried to revive last week's dead hare about so-called cuts in polytechnics. We need say no more about that, because a similar hare was set running several months ago when it was said that there would be cuts of either 18,000 or 20,000—perhaps the exact figure does not matter. There are now to be cuts of 10,000. I make it clear that the Government have made no such proposals.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. Walden: No, I shall not. I do not have enough time to allow the hon. Gentleman to intervene.

The National Advisory Body committee has not made any such recommendations to the Government.

Fortunately, as relief from all that, we had a typically incisive speech from my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey). My only complaint about his speech is that my hon. Friend failed to draw attention to the more entertaining aspects of the speech of the right hon. Member for Plymouth, Devonport (Dr. Owen) in Stirling some time ago. In that speech the right hon. Gentleman referred to Professor Leibenstein, who

[Mr. Walden]

has developed something called an X-efficiency system. It seems to mean that higher education, as with other parts of education, should seek to do more with less. The right hon. Gentleman had to go as far as Minnesota and Arizona to find examples of that. I suggest that he examines the university and polytechnic system in Britain in the light of the Government's recent record. That system is managing to do much more with the same.

Mr. Mark Fisher (Stoke-on-Trent, Central): With fewer resources.

Mr. Walden: That is the only quibble that I have with the speech of my hon. Friend the Member for Rugby and Kenilworth.

I shall not dwell on the contribution of the hon. Member for Sheffield, Hillsborough (Mr. Flannery). His was a voice from another age, and a rather rancid voice at that. There was all the stage talk about struggle, working people and the rest.

My hon. Friend the Member for Bedfordshire, South-West (Mr. Madel), in a typically thoughtful and constructive speech, talked about what he would like to see developed for homework and TVEI. I hope that my hon. Friend will not forget in his talk of teachers' management duties in respect of homework that there is a management duty on parents, which seems fundamental.

The thoughtful remarks of my hon. Friend the Member for Bedfordshire, South-West on TVEI will be taken into account when we are considering extending the lessons of TVEI for all secondary schools. I noted his argument on the economics of education, which was vastly more sophisticated than any of those advanced by Opposition Members.

My hon. Friend the Member for Edinburgh, Central (Mr. Fletcher) spoke about student grants in a reasoned contribution. He talked about the high expectations of students, and said that we should be encouraging realistic expectations rather than perpetuating the perhaps over-high expectations of the past. My hon. Friend quoted some evidence of hardship. I am always keen to see this evidence and I hope that he will write giving me the details. Everyone else is writing to me and there is no reason why my hon. Friend should not do so.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) rounded off the debate for the Liberal party. Having heard his summing up, I am not much wiser than I was at the beginning of the debate. The hon. Gentleman mentioned difficulties in respect of overseas students. I am sure that he has seen the recent figures, which make it clear that the fallback in the number of overseas students is being reversed in the most encouraging way. We are not engaged in a competitive debate on the value of having overseas students in Britain.

I shall make some general remarks about the state of education because much nonsense has been uttered during the debate. Unfortunately, we do not have time in these debates for a more considered discussion of the issues. Some of the latest nonsense concerns universities, and I wish to make the Government's position clear. I have read the speculative article to which some hon. Members have referred. Hon. Members will recall that, in its strategy document, the UGC said that there might be circumstances in which phasing out grant to a certain number of universities might be the least damaging way of solving the problems of the university system. However, the UGC has not made any recommendations to that effect, let alone named individual institutions. The Government naturally keep the funding of universities under review. As is known, the UGC is currently studying how available funds should best be distributed.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. Walden: No, I shall not. I do not have time to do so.

I assure the House that any questions affecting the future of universities will be given the closest possible attention by the Government in the light of all relevant circumstances.

Mr. Bennett *rose——*

Mr. Walden: I shall bring my remarks to an end with a few general observations on the education system. I hope that the whole House will recognise that education is in a state of creative ferment at all levels. It is natural that, at this historical moment, professors, teachers, students and sometimes, for reasons which Opposition Members will understand best of all, children can undergo a difficult period. Let us not forget that the opposite of ferment is stagnation and decline and that we cannot afford complacency in the education system any more than we can contemplate any continued complacency in our economy. In other words, we cannot have a country in which there are high expectations in welfare and low expectations in education.

Despite what some Opposition Members have said about standards, worry about low expectations recurs repeatedly in HMI reports, and that should worry all hon. Members of whatever party affiliation. As I am responsible more for higher education than for schools, I shall give the House some idea of how the problem might affect my sector of the education system.

British higher education is among the best in the world, but I am not sure that we can say the same for our schools, and that has not been said throughout the debate. The following question naturally arises: how long can British higher education remain the best in the world if we do not do something about education standards in our schools, which many Opposition Members as well as my hon. Friends must know are often inadequate? It seems that more regard and more praise should be given to my right hon. Friend the Secretary of State for initiating what will be seen in future as a historic series of reforms. There is a comprehensive policy of reform at every level of the education system.

Education must be made more relevant to business. At the same time it is most important that the humanities and the arts should continue to be valued in future as they have been in the past. I remind hon. Members that the Government's strategy to secure higher standards covers all subjects, whether they are arts or science subjects. It was put to me recently by an eminent member of a university that it is true that entry into a university science department can be usefully opened to arts graduates as well, so the point has added validity.

I wish to stress the coherence and thorough-going nature of the programme of reforms that has been initiated by my right hon. Friend the Secretary of State. It is designed to bring education closer to industry and to raise standards across the board. I contrast with that the

incoherence of the alliance's approach, which has been highlighted in the debate. The alliance wants access to higher education but at the same time it is busy closing grammar schools whenever it is able to do so. These schools would offer access to those most in need of it.

I invite the House to reject this rather shoddy and indecent motion.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 145, Noes 242.

Division No. 147] **[7 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Atkinson, N. *(Tottenham)*
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Benn, Rt Hon Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Campbell-Savours, Dale
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Davies, Ronald *(Caerphilly)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freud, Clement
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hancock, Michael
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Howells, Geraint
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Jenkins, Rt Hon Roy *(Hillh'd)*
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ronald
Livsey, Richard
Lofthouse, Geoffrey
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
MacKenzie, Rt Hon Gregor
McNamara, Kevin
McWilliam, John
Madden, Max
Marek, Dr John
Mason, Rt Hon Roy
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Park, George
Patchett, Terry
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Raynsford, Nick
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robertson, George
Rogers, Allan
Rooker, J. W.
Sedgemore, Brian
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Steel, Rt Hon David
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wainwright, R.
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Wrigglesworth, Ian

Tellers for the Ayes:
Sir Russell Johnston and
Mr. David Penhaligon.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Best, Keith
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Rt Hon Sir Adam
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dicks, Terry
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Dykes, Hugh
Eggar, Tim
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Fowler, Rt Hon Norman
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, Sir Eldon
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hampson, Dr Keith
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hayes, J.
Hayhoe, Rt Hon Barney
Heddle, John
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Stratf'd-on-A)*
Howell, Rt Hon D. *(G'ldford)*
Hunt, David *(Wirral W)*
Hurd, Rt Hon Douglas
Jackson, Robert
Johnson Smith, Sir Geoffrey
Joseph, Rt Hon Sir Keith
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knox, David
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lilley, Peter
Lloyd, Ian *(Havant)*
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin

Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Norris, Steven
Onslow, Cranley
Ottaway, Richard
Page, Richard *(Herts SW)*
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Powell, William *(Corby)*
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Renton, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Mrs M.
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Walters, Dennis
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Whitfield, John
Whitney, Raymond
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Younger, Rt Hon George

Tellers for the Noes:
Mr. Mark Lennox-Boyd and
Mr. Peter Lloyd.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the education policies being pursued by Her Majesty's Government, which are beginning to tackle the urgent need to raise and sustain educational standards at all levels of ability, to create a wider range of opportunities for young people, and to enable the educational system to make its full and proper contribution to national life.

Animals (Scientific Procedures) Bill *[Lords]*

As amended (in the Standing Committee), considered.

New Clause 1

BAN ON EXPORTS

'No animals may be exported for the purposes of experimentation or related scientific procedures except with the specific approval of the Secretary of State.'.—*[Mr. Gale.]*

Brought up, and read the First time.

7.15 pm

Mr. Roger Gale (Thanet, North): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take New clause 2—Ban on imports—

'No animals may be imported for the purpose of experimentation or related scientific procedures except with the approval of the Secretary of State.'.

Mr. Gale: New clause 1 was tabled in my name. However, because of an error on the Amendment Paper it appears in the name of my hon. Friend the Member for Chislehurst (Mr. Sims). He did not table this new clause and wishes that to be on record. The clause says that:

"No animals may be exported for the purposes of experimentation or related scientific procedures except with the specific approval of the Secretary of State."

It seeks to give animals exported for laboratory use the same or similar protections as those afforded under this excellent piece of legislation to animals that will in future be used in the United Kingdom until alternatives are found which obviate the necessity to use animals.

The fundamental principles behind the Bill are that no unnecessary experiments of any kind should be carried out in the United Kingdom, good care should be taken of those animals which are used in laboratories for any purpose and, subject to the pain clause, any experimentation shall be terminated at a given point. Throughout the passage of the Bill we have said that, while we wish to see an end to animal experimentation, the majority of us, on both sides of the House, accept the reality that animals will be used in some experiments for the foreseeable future until alternatives are found through research. That being so, we have gone on to say that we believe that there is no morality in banning certain experiments simply to push them overseas where they will be carried out under less favourable conditions than in this country. To do that would not be an act of bravery, but an act of political cowardice.

The Liberal and Social Democratic parties said in Committee that there have been certain experiments that they would like to obviate. The hon. Member for Portsmouth, South (Mr. Hancock), who is in his place, made the same point on Second Reading. There was consensus throughout the Committee that, unless there are genuine alternatives, we would rather see experiments carried out in this country than anywhere else in the world simply because we believe that this legislation will afford the best possible protection for the foreseeable future. The legislation is flexible and it will, therefore, afford the best possible protection to the animals.

If there is no morality in seeking to push experimentation overseas by banning it here, the implication must be that we seek to offer the same protection to laboratory animals worldwide that we seek to offer in the United Kingdom. Therefore, I believe that to permit the export of animals where we have the power to prevent it—which may not be possible in every case—would be as immoral as driving the experimentation to other countries.

There are those who would say that we should not permit the export of laboratory animals at all. We have control over the breeding laboratories in this country and we accept that animals have to be bred in those laboratories for use in this country. Why should we then permit the export of that product? If we are realistic, we must admit that there are certain cases in which, for the forseeable future, until alternatives become available, it will be necessary to permit the export of live animals. For example, there is the work overseas of the Medical Research Council—research into the effects of the tsetse fly and into river blindness and other tropical diseases. On occasion, that work requires the use of specially bred laboratory rats and mice. Are our own scientists working in the field in Africa to be placed at a disadvantage because we are unable or unwilling to allow them to use the animals that they would be able to use if they were carrying out the same research in the United Kingdom? I think not.

There are also limited cases of parallel experimentation. A laboratory in France, for instance, may be carrying out research into disease in parallel with a university laboratory in this country. If the results of the two experiments are to be compatible, it may be necessary to use the same strain of animal. In that case, the animals must come from the same batch and the same laboratory. In those circumstances, there is again a clear case for permitting the export of animals.

It is not only desirable but necessary that the Home Secretary should have the right and the power to control the export of animals. He should be able to require to see a project licence awarded by the committee, just as a project licence will have to be awarded in this country under the new legislation. Unless the Home Secretary is satisfied that the purposes for which the animals are to be used are reputable, and that they will be treated with satisfactory care on arrival, he should simply not grant an export licence.

I had hoped that after I tabled my amendment the Government would table their own. I am acutely aware that that Back-Bench draftsmanship may leave something to be desired, and that what one seeks to achieve through a simple amendment may turn out to be legally impossible. Proposals made in the House sometimes conflict with international law. I hope that that is not so in this instance. If it is, I hope that my hon. Friend will be able to make plain his support for the principle behind the amendment and his willingness, through additional regulations such as he has already framed in a number of other cases, to implement the spirit of the new clause, if not the letter.

Mr. Michael Hancock (Portsmouth, South): I echo the sentiments expressed by the hon Member for Thanet, North (Mr. Gale), and hope that the Minister will accept the new clause. I am sure that he appreciates what the hon. Gentleman has said and what is expected of us by the people of this country. We hope that no animal will be

[Mr. Michael Hancock]

imported into, or exported from, this country to be used in an experiment which the Secretary of State is not satisfied will inflict no unnecessary pain. I hope that there will be no wholesale exportation and no loopholes in the legislation that might lead people to believe that money could be made out of the breeding of animals for export and experimentation. The sentiments in the new clauses should be universally accepted. I hope that the Minister will accept them and will make it clear in the Bill that the Secretary of State has control over both the import and the export of animals for experimentation. The new clauses have the support of the alliance.

Mr. Mark Hughes (City of Durham): I strongly support the amendment moved by the hon. Member for Thanet, North (Mr. Gale). Those who support the Bill and those who have reservations about it are in agreement about the breeding of animals and the licensing of premises from which animals for experimentation are acquired. If we control the breeding establishments used to produce animals used in experimentation, we must make sure that there are no loopholes whereby such animals can be imported from places where there are no licensing arrangements. Breeding establishments in this country can be controlled only if there is an effective control over the import of animals from elsewhere.

All those who are not total anti-vivisectionists will agree that there is a necessity for a proper scientific trade in specific genetic strains to be sent — especially for purposes of research into tropical diseases—to the Curie institute and other establishments. One of the major suppliers of such animals is Bantin and Kingman, a firm with a high reputation for producing extraordinarily carefully selected strains which are essential for research at the Curie institute and in many other places in Europe and elsewhere. The ability of that firm to supply the scientific world with research animals of the highest quality should not be impaired, but I do not believe for a moment that the Government's adherence to new clause 1 or new clause 2 would inhibit the proper trade in scientific research animals.

There is one area about which I would be in doubt were it not for the new clauses. I ask the Minister to convince the House that, without the new clauses, there is any protection other than the Ministry of Agriculture regulations for animals in transit. The House has for many years sought to ensure that cattle, sheep, horses and other animals are adequately foddered and cared for when in transit across the Channel and into this country. I hope that the Minister will be able to assure us that, whether or not the new clauses are accepted, there is completely adequate control over the final destination of exported animals, the provenance of imported animals, and the conditions of transit.

Hon. Members do not relish the trade in animals for experimentation. No one would wish a single rat, mouse or dog to be removed a thousand miles in order to be put to death in an experiment except under the most humane conditions. It is the deep desire of both sides of the House and the sentiment that lies behind new clauses 1 and 2 that imported and exported animals should be subject to the most rigorous control, whence they came, whither they go and how they are treated in transit. The Opposition are suspicious of the Bill as it stands and will continue to be so unless such a guarantee of control can be built into the Bill.

7.30 pm

I have been thoroughly advised that when—as I hope —the Bill is enacted there may be a shortage of certain primates in this country for our breeding establishments. It may be necessary to curtail useful research into essential medical programmes in some important pharmaceutical and veterinary establishments as there may be a shortage of certain species of primates for such purposes. It may therefore be essential to import animals for that research to continue.

In the realm of tropical medicine it may be that we have animals that could be exported for the benefit of mankind. These animals are important because of their genetic purity, which should not be interrupted and they could be exported to laboratories in other parts of the world. I do not believe that the general import-export licence system currently available is a sufficient safeguard. I therefore support new clause 1 and recommend it to the House. We require an additional safeguard and, unless the Minister can support such additional safeguards, I am reluctant to allow the Bill to proceed to Third Reading.

I am satisfied that, although the import-export trade is not a major part of animal experimentation, it is one which gives significant cause for concern. We must be satisfied that it is not simply because of commercial interests— because a specific firm derives a certain percentage of its profits from such import-export trade — that we move these new clauses. We are moving the clauses because we believe that such trade should be closely regulated. Licensing should be under the ultimate control of the Secretary of State who should, as I have said, be able to control whither, whence and how animals are moved.

The House should look carefully at the further progress of the Bill.

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): This is an interesting topic and I appreciate the points that have been made from both sides of the House. It is especially interesting because, although, as the House will be aware, a tremendous amount of work ranging far beyond my Department went into the preparation of the Bill, it was not until a late stage in the Committee proceedings that some hon. Members expressed a desire to see the Bill directly applied to the control of the import and export of animals.

That posed the Government difficulties as the normal procedures of consultation were not possible because of the time element involved. I hope that my comments tonight will offer reassurance on a range of points. I will make suggestions for further progress that I hope will be acceptable to my hon. Friend the Member for Thanet, North (Mr. Gale) and the hon. Member for City of Durham (Mr. Hughes).

I cannot recommend the acceptance of either of the new clauses. However, I believe that I can meet the spirit of most of the points raised on these clauses. I would like to echo what the hon. Member for City of Durham said about the high standards of breeding establishments in Britain. Those high standards will be enhanced by one of the principal effects of the Bill which is to bring supplying establishments under control and fully integrated into the Bill.

It must be borne in mind, as the hon. Member for City of Durham implied, that the exportation of animals plays a significant part in the viability of some of the members of the Laboratory Animal Breeders Association from which we have received such helpful co-operation. It estimates that some 1 million animals—mainly rats and mice — are exported and that that earns some £2·5 million per annum. I mention that point to confirm that there is a considerable trade involved—and that is why it is proper that these points should have been raised tonight — and also to emphasise that it is crucial that there are breeding establishments which are capable of being regulated by the Secretary of State.

No one would want to jeopardise the financial viability of these businesses. The only consequence of such action would be that one of the Bill's crucial pillars — the existence of breeding establishments which provide the overwhelming majority of animals used in British laboratories — would be undermined and the regulation of such establishments would be impossible.

There is one point about new clause 1 which I cannot answer satisfactorily. I hope, however, that I will be able to meet all the points raised on new clause 2. I believe that there are two main points in connection with new clause 1. Hon. Members were primarily concerned about the conditions under which animals are transported and the use to which animals are put when they arrive at their destination. There is already a considerable amount of legislation, in connection with the transport of animals. The Transit of Animals (General) Order 1973 is the main legislation, but I should also mention the Conveyance of Live Poultry Order 1973, the Transit of Animals (Road and Rail) Order 1975 and the Export of Animals (Protection) Order 1981. There are also two European Community directives on the subject — 77/489 and 81/389. The first of those contains detailed requirements on all of the animals protected by the Bill. The latter amplifies these requirements for large farm animals and equidae which may be involved in the Bill but probably only to a limited degree. The hon. Member for City of Durham is an expert on such matters and knows more about this than I do.

The regulations cover a multiplicity of details, including the feeding and watering of animals, loading and unloading and the design of accommodation. Over and above these statutory requirements, I understand that the exporting organisations make strenuous efforts to ensure that the animals which are destined for use in scientific or experimental work arrive in good condition. On that point, I believe that further information will inevitably be provided through the processes of the examination of breeding estalishments inherent in the Bill. It would be fitting, as part of imposing the controls under the Bill, that we give consideration to the adequacy of the orders presently governing the transportation of animals and specifically of small animals which form the bulk of exports. If there is a hiatus in the consideration of the redrafting of the rules, I should like, at an early stage, to consider the advice of the animal procedures committee.

I stress that there is no question of a legislative opportunity to do that being lost if the Bill goes through unamended. Such proceedings could be carried out under an order-making power and that is relevant to the point about which the hon. Member for City of Durham sought assurances tonight.

I would like to face with the candour with which I have tried to debate the issue throughout the one difficulty which I cannot meet. My right hon. Friend the Secretary of State will have a duty under the Act to satisfy himself that if animals are bound for the university of Cambridge — or indeed Oxford as I do not want to be pejorative about my old university — they are kept in the best conditions and are used only in the context of procedures that have been properly weighed and balanced under the Act and subject to a project licence that contains all the requirements of the Bill. If, however, they are being exported to the university of Paris or Brussels, with the best will in the world there is no way in which my right hon. Friend the Secretary of State can be satisfied as he would be in relation to an institution within the jurisdiction.

I see no easy way around that problem beyond using the influence that we have to ensure that more countries ratify the Council of Europe convention and that there is more pressure within the European bodies for the detailed regulation of care and standards that we shall have set in process by the very act of passing this legislation in the United Kingdom. Once the animals leave our shores, it is very difficult for the Secretary of State realistically to exercise the kind of judgment that he can exercise in the United Kingdom. On transportation, however, I believe that what I have said today represents a considerable move in the direction that hon. Members wish.

On new clause 2, I can give much more comprehensive undertakings. By virtue of the arrangements that we have carried into effect in the Bill, animals not purpose bred in a breeding establishment will either come to that establishment from elsewhere in the United Kingdom or from overseas or, under an exceptional procedure provided for in the Bill, in certain circumstances they will go direct to the registered place. I will deal with the latter point first as it is easiest to dispose of.

For schedule 2 animals imported directly into a scientific procedure establishment, specific authority will be required through the project licence. Under clause 10(3) these animals must be obtained from a designated breeder or supplier unless the Secretary of State considers an exception to be justified and necessary for the purposes of the work in question. The more exotic animals are also covered by endangered species legislation. I am therefore satisfied that the provisions for specific authority in clause 10(3) will enable the Secretary of State not to grant permission if he is dissatisfied with the manner in which the animals are to be imported or has any doubt as to their provenance or quality or the way in which they have been handled.

Mr. Mark Hughes: I presume that the Minister is referring to clause 10(3) (*b*) which states that the animal must be

"bred at a designated breeding establishment or obtained from a designated supplying establishment."

How do the Greeks designate establishments and what power has the Secretary of State over Greek breeding establishments?

Mr. Mellor: I am sorry if I have not got the point across. I am dealing here only with the import of animals direct to a registered place, not to a breeding establishment. Schedule 2 animals must be obtained from a designated breeding establishment unless the Secretary of State is prepared to decree otherwise under the

[Mr. Mellor]

conditions which amendment No. 9 will tighten up, so he will not grant permission if he is in any doubt about the manner in which the animals have been obtained or transported.

When breeding establishments buy in animals, as from time to time they must, we can stop animals coming into those establishments if the conditions in which they are bred or transported adversely affect their welfare or if we think that they will be unsuitable for the research for which they are destined.

The effect of what I have just said is that under the procedures for designating or approving establishments, if the Secretary of State is dissatisfied with regard to the provenance of animals or the manner in which arrangements have been made to import them—in the rare cases, as I suspect, in which the import of these animals is required—such dissatisfaction would be the basis for him to withhold consent for the premises to be registered under the Act. It would also be possible for the Secretary of State to make it a condition of permitting the premises to be registered that no animals are imported into the premises because information has come to him which leads him to think that he cannot be confident of the manner in which it is done.

I believe, therefore, that the matters which are causing concern in relation to importation are dealt with under the existing arrangements and I give the undertaking that our powers will be so used.

7.45 pm

With regard to exportation, I believe that I can go a long way towards meeting the point in the manner that I have described. A principal reason why I cannot accept new clause 1 or new clause 2 is that, broadly stated as they are, I am advised that they would be in breach of Community law and liable subsequently to be struck down in the European Court. I should be reluctant to take that course when, due to the subtlety of the mechanism that we have applied elsewhere, I do not believe that we need to go that far.

On that basis, I hope that hon. Members will not seek to press the new clauses.

Mr. Gale: I am most grateful to my hon. Friend. I am reassured in part by what he has said, but as he was unable to offer reassurance on the other part of the issue it will not surprise him to know that I am not entirely reassured.

Under clause 7(3), relating to the registration of breeding establishments, the Secretary of State has wide powers and can ask for very specific information. At the very least, I hope that my hon. Friend will now make plain for the record the extreme displeasure with which the Home Secretary would view any breeding establishment thought to be supplying laboratory animals for unsuitable purposes and that that might well be a consideration in the issue, renewal and revocation of licences.

Mr. Mellor: I am sure that my hon. Friend is right to say that that would be a material matter to be borne in mind by the Secretary of State when the issues are weighed up, as they must be, under the powers given by the House to the Secretary of State.

Mr. Gale: I am most grateful to my hon. Friend. On that basis, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

New Clause 3

APPLICATION TO GOVERNMENT DEPARTMENTS

'The provisions of this Act shall apply to projects, premises and personnel in the control of government departments'.

Brought up, and read the First time.

Mr. Mark Hughes: I beg to move, That the clause be read a Second time.

Those who support the broad spectrum of the Bill and those who have grave reservations are aware that an area which causes some of the deepest public concern is that of experiments carried out under the direct control and auspices of Her Majesty's Government—the Ministry of Defence, the Home Office, the Ministry of Agriculture or whosoever it may be—and that unless the new clause is accepted an element of Crown immunity will inevitably be involved with this as with most legislation.

I am fully aware that the long-established practice is that Government Departments, through good will, invite Government inspectors in at all times. I am satisfied, however, that the public would be more convinced of the Government's intentions concerning animal welfare if they set their own house in order and said, "We accept a legal responsibility not to do to any animal what we seek to prevent private laboratories doing."

I cannot believe that the public will accept that controls which apply to private pharmaceutical, medical, university or research laboratories or to establishments used to train vets should not apply to the Government. Are we prepared to accept dual standards? If ever I had to debate a proposal concerning which there are dual standards, this is it. I regret that my colleagues are under a two-line Whip. This is a matter of conscience.

We should not provide the Executive with a power which will be imposed differentially. It would be an obscenity of legislation to provide that laboratory animals at Porton Down should have less protection than animals at Cambridge university or the finest pharmaceutical laboratories. An enlightened legislature cannot want that. I accept, however, that current practice is that the Ministry of Defence, for example, allows inspectors in.

I should like to draw attention to what the Minister said in Committee on 25 March. He said:

"The Home Office is given the same access to Government establishments as to all other establishments. It would not expect Crown immunity to be invoked, if proceedings against any person working in those establishments were started."

I accept without demur the good will and bona fides of the Minister and I find it difficult to conceive of a successor who would wish to renege on that. He continued:

"It might be better if there were no Crown immunity, and if it were taken away by the Bill. I have no entitlement to agree to that. I am dealing with matters that are of significance to other Government Departments." — [*Official Report, Standing Committee A;* 25 March 1986, c. 617.]

I do not ask the Minister to withdraw one jot or tittle.

The current arrangements provide some protection but there is a lacuna, to say the least, in that a benefit to the public must be proven if an experiment is to receive a project licence. I am not satisfied that current arrangements take that into account. If the Ministry of Defence says that an experiment is in the interests of defence, the animals come second, but that parameter is missing from current arrangements. Nothing allows an external body to consider the public good and to balance that good against hurt to the animal.

The House is aware that a minority will find whatever is proposed unacceptable. There is little that we can do about that. I am trying to allay fears that it might not be thought that what is good enough for the goose is good enough for the gander. If the private sector is to be required to have project licences and the rest, it ill behoves the Government to say that they should not have to have such licences.

New clause 3 would make relatively little difference to animal welfare in practice. I hate to put ideas into the Minister's mind, but I believe passionately that the Bill will be perceived to be flawed unless the new clause is added to it.

Mr. Richard Livsey (Brecon and Radnor): New clause 3 plugs a massive loophole. Animal experimentation should not be given Crown immunity. Most people would not want the Government to be in such a privileged position. Experiments conducted at Porton Down, for example, should be done on the same basis as experiments elsewhere.

I want to refer in particular to defence, warfare and wounding experiments. The Minister gave certain assurances in Committee about these matters, but the whole subject should be allowed to come out into the open. I hope that we live in an open and free society, not a closed one. We shall therefore support new clause 3 and hope that the Minister wil accept it.

8 pm

Mr. Mellor: Crown immunity is one of the oldest parts of the British constitution. It was even around when Lloyd George was responsible for our affairs, and I do not recall that Liberal Governments at that time objected to it. I do not resile from a word of what I said. For myself, I would sweep it away just like that, but I doubt whether that is the basis on which we should do so, given that this is an ad hoc argument on one aspect of a large subject.

My concern is with the practicalities of the issue. In practical terms, Crown immunity makes not a jot or tittle's worth of difference to the practical enforcement of the law. It never has, and I assure the House that it certainly will not in any of our plans. I feel sure that successor Governments will feel precisely the same.

As it happens, it was an interesting exercise for my officials to count the number of premises entitled to claim Crown immunity. We had to count them, because we never thought about it before. We apply the law to premises and do not think that some may be different from others simply because some can claim Crown immunity whereas others cannot. Indeed, I asked my officials to trawl through the records, and they discovered that there is not one instance of any establishment under any Government seeking to invoke Crown immunity.

As much trouble has been taken to get the figures, I am sure that the House will be riveted by them. Of the 447 places registered with the Home Office under the 1876 Act, 124 would be entitled to claim Crown immunity—48 Government establishments, 20 public health laboratories and 56 NHS hospitals and associated research facilities. But none of them do, and I have had clear indications from colleagues since this matter was raised in Committee that no Department has it in mind to claim Crown immunity and that all Departments will abide by the power of the Home Office to inspect and direct what goes on in all these facilities, as is the case with the other 323 that cannot claim immunity.

Porton Down is subject to particularly rigorous scrutiny. The inspection of Porton Down is a personal responsibility of the chief inspector himself. In fact, there is only one apocalyptic reason for the maintenance of Crown immunity, and that is in relation to Porton Down and perhaps one or two other facilities. It is just conceivable in our wildest and most depressive moments that we can think of such an emergency in which work would have to be done that could not be fitted within the Bill and that the invocation of Crown immunity in those wholly exceptional and most unlikely circumstances could be envisaged. For that reason, I suspect that my colleagues are reluctant to contemplate the removal of Crown immunity.

Mr. Robin Corbett (Birmingham, Erdington): I anticipate that the Minister is just about to sit down and that he will say that he accepts the new clause. Before he does so, will he say whether the Animal Procedures Committee will be able to see the details of the project licence from any of the premises that the hon. Gentleman has mentioned?

Mr. Mellor: I hope that we shall be passing an amendment later which makes it clear that the Animal Procedures Committee will be self-regulating and can determine what work it wishes to do. The purpose of creating an independent Animal Procedures Committee is that if the committee as a whole wills a particular investigation, it should be able to look at any part of the regulations under the Bill.

There may be a case for looking at Crown immunity across the board, but that is for others greater than myself to say. It is not for me to embark on this matter on an ad hoc basis. The real assurance to which the House is entitled—I hope that it has already got both barrels from me—is that the Bill will be enforced in respect of all registered places, whether they are run by the Government or anyone else, without fear or favour and without any exception between any of them on anything other than proper grounds set out in the Bill.

It is for only one purely residual reason that I ask the House to do what even Lloyd George was content with —to retain Crown immunity. It would be exceptional if we sought to remove it tonight. On the basis of the assurances that have been received, I hope that, with their customary wisdom and moderation, the Opposition will not press the matter to a vote.

Mr. Hancock: What the Minister has said leads us all to believe that he should accept the proposal to try to break the mould in relation to Crown immunity. We must start somewhere—why not with a Bill that will give us the first chance in more than 100 years to make any significant changes to animal welfare rights?

An integral part is to remove any ambiguity between the private and public sectors in relation to experiments. The hon. Member for City of Durham (Mr. Hughes) made the point eloquently when he exposed the difference in public perception about what the Bill will achieve — a tightening up of the regulations on the one hand but cloak-and-dagger stuff from the Government on the other.

More than 103,000 experiments—by far the largest number in the country—were carried out last year by various arms of the Government. The Minister referred to 124 establishments. I wonder how easy it will be for hon.

[Mr. Hancock]

Members to get specific details of the experiments that are being carried out? Will there be a relish to answer specific questions?

Sir Dudley Smith (Warwick and Leamington) *rose——*

Mr. Hancock: I am about to conclude, and the hon. Gentleman will no doubt have his chance to intervene.

The removal of Crown immunity in this one area is a golden opportunity for the Government to show some real enlightenment over animal experiments. It is the one area above all else in which there is widespread public concern about the way in which experiments are conducted in the Ministry of Defence and Government establishments. It is the one area in which such experiments are not readily available to public scrutiny, and I doubt whether they will be in the future, despite the Minister's assurances.

Sir Dudley Smith: I suppose that I had better declare my interest in being involved in the industries affected, just as I declared it on Second Reading and in Committee.

To the best of my knowledge, over many years, the standards operating in Government establishments have been of the highest quality. There have been complaints from time to time, but I do not think that there have been complaints about Governments. I may be wrong, and the hon. Member for City of Durham (Mr. Hughes) looks surprised. Government establishments operate at the highest level. While I agree that Crown immunity is puzzling, it has operated for a long time. There appear to be good and adequate reasons for it. If we make an exception in this case, that will surely open up the possibility of changing Crown immunity in many other avenues of legislation. In those circumstances, we would be wise to take the Minister's advice.

Sir Eldon Griffiths (Bury St. Edmunds): I am troubled by the debate, because I think that the time to have another look at Crown immunity is now with us. I accept the Minister's conclusion that it would be a distortion of legislation to address this major constitutional issue—which requires a lot of thought—solely on the basis of this Bill. However, I understand the points made by the hon. Member for City of Durham (Mr. Hughes).

I wish to make a couple of logical points. I have never quite understood how the House can bring itself to trust a Secretary of State—as it must, and as it will do under the Bill—to ensure the welfare of laboratory animals, and say that it does not trust him to look after animals in those institutions for which he is specifically responsible. There is a logical fallacy in what is proposed. Either one trusts the Secretary of State to look after the animals and enforce the provisions of the Bill, or one does not.

I listened carefully to my hon. Friend and found that his assurances went a long way. The hon. Member for City of Durham (Mr. Hughes) does not seem to have listened to a word that the Minister said. I noted that the Animal Procedures Committee will be a powerful body, because my hon. Friend said that if it wishes to enter any of the Government experimental institutions it can do so. That is a precedent, because I do not know of a quango that has the power of access to military establishments. I am sure my hon. Friend was on sound ground when he gave the House that assurance. I have a lot of sympathy with the views expressed and with the view of my hon. Friend about Crown immunity. The time has come for it to be examined, but this is not the occasion upon which to do that.

Mr. Mark Hughes: I listened with great interest to the speech by the hon. Member for Warwick and Leamington (Sir D. Smith) but I remain unconvinced. The arguments of the Under-Secretary and of the hon. Member for Bury St. Edmunds (Sir E. Griffiths) come up against the difficulty that it is not the same Secretary of State. The Secretary of State for Defence may authorise a procedure and the Secretary of State for the Home Department may not query that without the say-so of the Secretary of State for Defence.

Sir Eldon Griffiths: Perhaps the Minister will correct me if I am wrong, but I think that, in law, "Secretary of State" is a collective term, and for the purposes of enforcement of the statute, one Secretary of State means all Secretaries of State.

Mr. Hughes: I will gladly give way to the Minister if he wishes to assure the House of that.

In law can the Secretary of State give permission for something that he has prohibited? That seems an extraordinary position, because, like Pooh-Bah, with one hat the Secretary of State can allow an experiment to take place at Porton Down and with another hat can turn a blind eye to it because with that hat he can apply Crown immunity. That is absurd. The Under-Secretary of State was almost intellectually limbo dancing, with the bar set rather low. He does not believe there is a case for maintaining Crown immunity in animal experiments, other than that it should be included in the more general rule. That does not apply to hospital kitchens. The Minister says it should be done seriatim but generally, yet within the last five days his own Government have introduced a Bill to remove Crown immunity from hospital kitchens. I see no reason why it should not be done on a general basis.

Mr. Mellor: I understand the point made by the hon. Gentleman. The provision about hospital kitchens was to deal with a specific point where it was thought that hospital prosecutions were not being brought because the prosecuting authorities believed that Crown immunity either could be or perhaps was invoked. I have not been properly briefed on this. I want the House to be clear. My basic defence is that I and all my predecessors have always been sure that the 1876 Act is applied in all registered places, whether Government or other establishments, where work is carried on. That will continue. The problem is not at all similar to the case that the DHSS has to contend with.

Mr. Hughes: There is, where the nature of the problems produces differences. The Minister argued as a point of principle that Crown immunity should not be removed seriatim but should be done on a broad scale. The Bill published by the Government last week about the application of Crown immunity in the Health Service scuppered that argument. Out of 447 establishments, 124 are legally excluded from the provisions of this Bill. That is over a quarter of all establishments. Unless this clause is accepted, those establishments will be excluded. I ask my right hon. and hon. Friends to vote for new clause 3.

Question put, That the clauses be read a Second time:—

The House divided: Ayes 106, Noes 176.

Division No. 148] **[8.15 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Atkinson, N. *(Tottenham)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Buchan, Norman
Caborn, Richard
Campbell-Savours, Dale
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Corbett, Robin
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Deakins, Eric
Dixon, Donald
Dormand, Jack
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gourlay, Harry
Hamilton, James *(M'well N)*
Hancock, Michael
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ronald
Livsey, Richard
Lofthouse, Geoffrey
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Mason, Rt Hon Roy
Maynard, Miss Joan
Meadowcroft, Michael
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
O'Brien, William
O'Neill, Martin
Park, George
Patchett, Terry
Penhaligon, David
Pike, Peter
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Skinner, Dennis
Stewart, Rt Hon D. *(W Isles)*
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wainwright, R.
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Williams, Rt Hon A.

Tellers for the Ayes:
Mr. Ron Davies and
Mr. Ray Powell.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Beaumont-Dark, Anthony
Bellingham, Henry
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Butcher, John
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Crouch, David
Currie, Mrs Edwina
Dicks, Terry
Dover, Den
Dunn, Robert
Durant, Tony
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Gower, Sir Raymond
Gregory, Conal
Griffiths, Sir Eldon
Hampson, Dr Keith
Hargreaves, Kenneth
Hayes, J.
Hayhoe, Rt Hon Barney
Heddle, John
Higgins, Rt Hon Terence L.
Hind, Kenneth
Holland, Sir Philip *(Gedling)*
Howarth, Alan *(Stratf'd-on-A)*
Jackson, Robert
Joseph, Rt Hon Sir Keith
Key, Robert
King, Roger *(B'ham N'field)*
Lang, Ian
Latham, Michael
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Nicholas
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
McNair-Wilson, M. *(N'bury)*
Madel, David
Major, John
Malins, Humfrey
Marlow, Antony
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Ottaway, Richard
Page, Richard *(Herts SW)*
Patten, Christopher *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Squire, Robin
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, John *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Townend, John *(Bridlington)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Warren, Kenneth
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Whitfield, John
Whitney, Raymond
Wood, Timothy
Woodcock, Michael
Yeo, Tim

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Gerld Malone.

Question accordingly negatived.

Clause 1

PROTECTED ANIMALS

Mr. Livsey: I beg to move amendment No. 1, in page 1, line 8, at end insert

'and invertebrates of the phylum mollusca, class cephalopoda'.

This group includes the octopus family. It is scientifically known as an intelligent group of animals that are experimented upon and that, perhaps, suffer from experimentation. The amendment is in line with the draft EEC directive.

During the Committee proceedings the Minister said that he had an open mind on the subject. These animals have a complex nervous system. Apparently there is no objection by Ministers or officials in the Home Office to an amendment of this kind that covers these animals. The Minister said that he would seek more information on the matter. The amendment applies to octopi and to the giant squid that are used for neuro-physiological experiments. Therefore, I ask the Minister to consider including in the Bill this class of animals.

Mr. Mellor: As I explained in Committee, if and when the Animal Procedures Committee advises me to do so, I shall consider the matter, but not before.

Mr. Livsey: I accept what the Minister said, but when he has heard from the Animal Procedures Committee I hope that there will be a statement on the subject.

Mr. Peter Fry (Wellingborough): Does the hon. Gentleman accept that the danger is that this sovereign Parliament that is supposed to be deciding what the law should be is deferring a number of decisions to an advisory committee? The hon. Gentleman moved this amendment in Committee, and some of my hon. Friends and I supported him. I am trying to support him again this evening. Does he accept that decisions on the details of the law are the responsibility not of an advisory committee but of this House?

Mr. Livsey: The hon. Member for Wellingborough (Mr. Fry) has made a good point. I have listened to what the Minister has said and I have not got a closed mind on the matter. I hope more evidence will be forthcoming.

8.30 pm

Mr. Mellor: In response to my hon. Friend the Member for Wellingborough (Mr. Fry), may I say that we are in no sense asking the House to allow some advisory committee to take decisions for us. It is a difficult technical question. We do not know the capacity of the species to feel pain. With the greatest respect, a debate between my hon. Friend and myself about the matter would not be worthwhile as it would not be a well informed debate. There is no shame in the House admitting that we are not experts. We have made arrangements for experts to advise us.

Successive Governments have done this and it started with the Littlewood committee. The present Government have twice asked the advisory committee to look at the point and both times it has answered in the negative. I do not think that I would be justified in throwing that advice back in the committee's face. For that reason I made it clear in Committee—I wish to amplify that in reply to my hon. Friend—that I remain of the view that when a specialist body, established by statute to consider these matters, offers positive advice — I suspect that this would apply to anyone who comes after me—I would want to accept such advice. Until that time it would be prejudice on my part, one way or the other, if I decided on a whim that I did not think a case had been made out. There is no technical basis for saying that.

Mr. Corbett: The hon. Member for Wellingborough (Mr. Fry) is correct. The House is charged with the duty of making legislation but against that—I do not wish to trespass on later debates—we attach great store by the powers and the functions of the Animal Procedures Committee. The Minister and the Secretary of State have put together a body of people whom we all hope will be able to carry out well the functions which, under the Bill, will rest with them.

I am not proposing that we duck out of this but it is right to avoid — we are prone to do this in the House sometimes — rushing headlong into a very technical area. We sympathise with the point being made, but I believe it would be right to leave this matter to the advice of the Animal Procedures Committee. In due course, if the Minister feels that the case has been made, one of the advantages of the Bill is that changes can be made by order. Such changes are subject to debate and decision in the House. In this case I believe that is the right way to proceed.

Mr. Fry: In response to the hon. Member for Birmingham, Erdington (Mr. Corbett), may I say that I am not attacking the advisory committee, or the excellent people who are its members. Perhaps, alas, there is insufficient definition in the Bill as to what the committee should be doing and what its powers are. I am in favour of giving people a fair degree of latitude but nevertheless the responsibility, the buck, stops here in the House and later it will stop with the Secretary of State.

I am perturbed by a matter raised by the Minister in a letter to the hon. Member for Brecon and Radnor (Mr. Livsey) dated 18 April in which he said:

> "There is no doubt in my mind that some of the cephalopods are highly organised and behaviourally sophisticated creatures, but there has yet been no adequate demonstration of their capacity to experience pain or other forms of suffering, in the way that we understand these concepts in respect of vertebrates."

I am making a plea on behalf of creatures about which we are insufficiently aware. It does seem very tenuous to justify any kind of experiment on the grounds that we do not know the pain that that particular creature will suffer. That point should be stressed during this debate.

I sincerely hope that the advisory committee will look at this matter. I hope that one of the first things it will do will be to instigate proper research so that the answer to the question of how much pain the creature will suffer —a relevant question—is resolved as soon as possible.

Sir Gerard Vaughan (Reading, East): Both the octopus and the squid have highly developed, complicated nervous systems. For that reason they are frequently studied, especially regarding problems of neurophysiology.

The hon. Member for Brecon and Radnor (Mr. Livsey) was right to table the amendment. However, the Minister is equally right in saying that it is a technical problem which ought to be considered by the Animal Procedures Committee. The strength of the Bill lies in the committee, which will be independent scientifically to study these problems. The general view in the House is that we should avoid unnecessary experimentation.

Mr. Livsey: I agree that this is a highly technical matter. As a result of what has been said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4

PERSONAL LICENCES

Mr. Mellor: I beg to move amendment No. 3, in page 3, line 39, leave out 'qualifications' and insert 'biological or other relevant qualifications and of the'.

Mr. Deputy Speaker (Sir Paul Dean): With this we shall discuss Government amendments Nos. 4, 5 and 6.

Mr. Mellor: This is the first of a series of Government amendments which deal with commitments and undertakings that I gave in Committee.

The aim of the amendment is to put on the face of the Bill a clear suggestion that the most essentially relevant qualification for those who will hold personal licences is a scientific biological one. However, it makes it clear that other qualifications may be relevant and that we should be cautious of suggesting that there are two classes of people — those with biological qualifications and those with other qualifications — and that the latter group is in a lower position than the former.

There would be difficulties if we sought to establish two orders of qualification. A person may have a qualification in biochemistry. However, a degree in biochemistry can be obtained without any contact with animals. Therefore, does the possession of that biological qualification make that person better qualified than someone without that so-called biological qualification?

Those who discovered DNA did not have biological qualifications and nor did the Curies. We are concerned not with someone's specific qualifications but with their skills. The project licensing system does not consider qualifications which a number of people obtained 20 years ago. That is not greatly relevant in a judgment of their abilities. I am proud to be a BA honours graduate of Cambridge university. However, that is not the primary qualification on which I am judged as a Member of this House.

Personal licensees are allowed to carry out only tasks for which they are deemed suitable and competent. The project licensing system ensures that only work which is approved may be carried out. That is why I hope that the House will accept that the clarification that I undertook to give is contained in amendment No. 3.

The other amendments seek to go further than this debate, but perhaps I may be allowed a pre-emptive bite. They do not advance the difficult judgment that has to be made concerning the experience of the individual when it falls for him to be assessed.

To try to establish classes of qualification based on the assumption that a biological qualification is either always necessary or somehow better than any other is invalid. Each question has to be tested against the individual's merit. We provide the system in project licensing where that can best be done.

Mr. Fry: I think that we can dispose of this matter fairly quickly. As my hon. Friend the Minister will know, in Committee some of us were troubled because certain experiments were carried out by people without any knowledge of biology, despite the fact that such knowledge was necessary. We cited the example of physicists irradiating animals to death, and I know that my hon. Friend disapproves of that as much as I do.

Does my hon. Friend the Minister accept that, if some biological understanding is necessary, there should be supervision by a competent biologist? If he cannot put that on the face of the Bill, will he agree to include it in the Department's guidelines?

Mr. Mellor: Under the personal licensing system no one will be licensed to carry out something that he cannot do. One of the prime ways of discovering whether he can do it is to see what qualifications he has. Under the project licensing system a range of people might need to work on a complicated project. The important thing is to ensure that where the project goes wider than the individual's speciality there is someone who can take an overview, who is appropriately qualified by virtue of his experience or paper qualifications, and who is entrusted with that work. It is key to the project licensing system that that sort of judgment should be made. There would be no purpose in having the system if we were not confident that that could be done. If it was not done, the whole system would be pointless.

Amendment agreed to.

Clause 5

PROJECT LICENCES

Mr. Livsey: I beg to move amendment No. 7, in page 4, line 33 at end insert—

'(3A) A project licence shall not be granted unless the Secretary of State is satisfied that the possible use of non-animal techniques has been thoroughly considered and found not to be practicable.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments:

No. 12, in page 4, line 34, at end insert—

'(3A) A project licence shall not be granted unless the Secretary of State is satisfied that the possible use of non-animal techniques has been thoroughly considered and found not to be practicable.'.

No. 13, in page 4, line 38, at end insert

'He shall consider also whether non-animal techniques can be used to reduce the number of animals used in the programme and what techniques can be used to reduce any animal suffering entailed in the programme.'.

Government amendment No. 15.

Mr. Livsey: The amendment seeks to ensure that non-animal techniques are thoroughly considered, and that they are included in the spirit of the Bill. The Minister has stated that under the project licence application system this will naturally be done. But he agreed with the spirit of the amendment in Committee, and said that he would table an amendment to that effect. He has done so in Government amendment No. 15.

The amendments are stated in the Home Office guidelines, but it is felt that the matter is of such importance that it should be written into the Bill. The Government have continually stressed that that is the aim of the Bill, so why not include it? Some foreign laws contain similar provisions. I refer, for example, to the German animal welfare Act. The amendment would give animal welfarists much more legal power to ensure that the number of animal experiments is reduced. It would place

[Mr. Livsey]

the burden on the researcher to prove that alternatives were not available, as opposed to relying on the Government inspectors.

The amendment stresses commitment through pressure, and would help to prevent unnecessary animal experimentation when it was economically better than pursuing a non-animal alternative. This is particularly true in the case of rats. Many scientists feel that non-animal techniques sometimes provide better results, such as in tissue cultures. Ciba Geigy estimates that out of 3,000 chemical compound tests, only 20 show enough therapeutic activity and low enough toxicity, on the basis of animal tests, to be tested on human volunteers. Of those 20, only one ever becomes a prescription drug. That is a 5 per cent. success rate.

That alone seems cause enough to pursue alternative methods. For example, we could consider computers to replace living animals. There seems to be tremendous scope for such work to be done. The problem with the Minister's amendment is that it places responsibility on the individual to ensure that he has given

adequate consideration to the feasibility"

of pursuing options not involving the use of "protected animals". First, what is adequate consideration? Secondly, and more importantly, how does one define "feasibility"? Does it mean that economically it is not feasible to pursue an alternative because a research project is not sufficiently funded?

8.45 pm

Sir Dudley Smith: I support the Government's amendment, which my hon. Friend the Minister promised us in Committee. It is very useful. The House and the public wish to move as quickly as possible towards experiments that do not involve the use of animals. I very much subscribe to that view. However, although I am not a scientist I am advised that the number of experiments that could be done without animals in some types of medical research is very limited. Work is going on to try to find a solution, and we hope that it will prove successful. One day—perhaps not in our time—there will be no need to use animals in experiments, but until that happy day we shall have to continue with such experiments in the interest of man's humanity to man.

In case anyone has any dubiety about the use of animals by pharmaceutical companies I shall repeat what I said in Committee. My evidence, and that of many others, points to the fact that those who handle the animals do so very carefully and feelingly. They do not particularly like having to use animals for experiments. At the most basic level, it is quite expensive to use animals in experiments, and if cheaper ways of experimenting could be found it would be very useful.

Unfortunately, some people do not want to understand what goes on, but others cannot understand what goes on. No one has his mind closed to the prospect of getting rid of animals in experimentation. However, in the interests of mankind, it would be dangerous not to have a fully-fledged system in operation that is at least as effective as the present system.

Sir Gerard Vaughan: It is a sad fact that those working on the AIDS virus, which looks like causing such a terrible disease, tried desperately hard not to use animals. They looked at all sorts of animals, but at present the only animals that the AIDS virus can be developed in is the monkey. Most of us do not want to see monkeys used, but there is no alternative.

Sir Dudley Smith: My hon. Friend speaks with all the authority of a medically qualified man. I had heard that rumour, and am glad to have his confirmation.

Opponents of the Bill may say that AIDS is a disease that man has inflicted on himself. However, that does not help the thousands of people who have it, are likely to get it, or who become infected with it in some unusual way, other than the ways that have been explained to us.

Mankind would fail in its duty if it did not try to find a cure for that dreaded disease and did not carry out experiments with the object of conquering it. I shall not weary the House with a long list of dread diseases in years gone by. Many of us would have died in childhood if there had not been animal experimentation. But the advances of modern medicine have eliminated many of those diseases. That could not have been achieved without animal experimentation. The House and the public would do well to bear in mind the very relevant comments of my hon. Friend the Member for Reading, East (Sir G. Vaughan).

Mr. Corbett: One of the things that needs saying in this debate, perhaps not for the last time, is that it must be hoped that the Bill will set a climate which will cause those applying particularly for project licences to think twice or maybe three times about what they are proposing to do. Indeed, the only way in which the Bill can work, never mind the machinery which it puts in place, is if that is the starting point for the consideration, let alone the application, of those project licences.

Everyone who has taken part in the debates on the Bill has argued that its ambition must be to try to ensure that fewer animals are used in fewer experiments. That has been one of the major criticisms of people outside who have said that nowhere does the Bill say that that should be one of its major aims.

Clause 5 lays down the grounds on which experiments can be carried out, but nowhere in the Bill, except by inference, and in the guidance notes, does the Bill lay down that project licence applicants should be able to demonstrate that they have considered, and for reasons which they can demonstrate have said do not apply, non-animal alternatives to what they are proposing.

The Minister will acknowledge and understand that there was strong pressure on Second Reading and in Committee for that to be written on the face of the Bill where it could be seen by everyone rather than tucked away in the notes of guidance which are not so easily available. Against that background, I am glad that the Government have responded to that pressure with amendment No. 15, and I hope that my right hon. and hon. Friends will welcome and support it.

Mr. Fry: I thank my hon. Friend for amendment No. 15 which, as he appreciates, is in response to the amendment that I moved in Committee which was supported on both sides. I shall say no more on amendment No. 12, but I should like my hon. Friend to say a few words on amendment No. 13. He will note that that goes a little further than merely talking about alternatives. It goes into the question of whether techniques can be used

to reduce the number of animals used in a programme and also what techniques can be used to reduce any animal suffering.

In Committee we had a short debate on what is known as refining projects and one reason for my tabling this amendment was to draw attention again to the need for those who are going to apply for licences to be aware that there are possibilities of refining experiments, about which they are not always aware. It is the obligation of the inspectorate, in particular, to draw to the attention of those who are applying for licences where such refined experiments can take place. I hope that my hon. Friend will note that point.

Mr. Hancock: My hon. Friend the Member for Brecon and Radnor (Mr. Livsey) questioned the words "feasibility" and "adequate consideration" in the Government amendment. Will the Minister dwell on those points and explore the possibilities? Does that mean that it may not be feasible in the time available to obtain the necessary components to create a non-animal alternative to the testing of an animal so that an animal is then used for the sake of convenience? May it not be feasible to obtain a computer result, which may be more accurate, because the researcher does not have access to such a computer? Could it be that adequate consideration may have been given to looking for one but that it could not be obtained because commercial expertise was jealously guarded by another manufacturer who carried out experiments of that nature? Has the Minister explored the possibilities of when his discretion will be used, bearing in mind the words "adequate consideration", the alternatives, the cost involved and so on? Those are important points.

I appreciate that the Minister has gone some way to meeting the points raised in Committee and again this evening, but those two questions need to be answered.

Mr. Mellor: I am grateful to most of those who have spoken for recognising that the Government's amendment is worth while. Certainly its aim is to put on the face of the Bill one of the crucial elements—but only one—in the judgment that has to be made about a project licence, and that is whether there is an alternative.

In defence of the amendment I should say that it is slightly more radical than others because it specifies not non-animal alternatives, but alternatives that do not involve the use of protected animals. That means that, if using man is a viable alternative, a protected animal may not be used.

Interestingly, the hon. Member for Portsmouth, South (Mr. Hancock) neatly exposes the Morton's fork which one always faces in such arrangements. The great argument against putting a matter such as this on the face of the Bill is that, far from adding clarity, it reduces it because statutory words have to be weighed in a manner in which clear explanations in guidelines would not have to be weighed. That is one reason why I am all for rejecting putting things such as the pain condition in the statute. They are much better in guidelines, where the practical effect is the same.

Self-praise is no recommendation, but there are few who have shown their devotion to alternatives more than I, so of course I am pleased to embrace the amendment. But the hon. Gentleman, having been one of those who asked for it, now asks what feasibility means. All I can say is that the aim of the parliamentary draftsman has been to put into the Bill—I believe that he has succeeded—what we have always said we were setting out to do, and that is that no project licence should be granted if there is an alternative method that would involve the use of a non-sensate alternative or, in appropriate cases, animals that are not protected under the Bill, which might be man or invertebrates. I hope that that is what feasibility means. The Parliamentary draftsman assures me that it does and I hope that he is right. The hon. Member for Portsmouth, South will, I hope, not mind me saying that he is more likely to be right than the hon. Gentleman on the evidence that we have had so far.

I hope that the hon. Gentleman will bear in mind the words of caution about putting too many things on the face of the statute when we come to consider proposals to do more of that later. It is worth while asserting on the face of the Bill our commitment to alternatives, and that is what we are doing.

The Government's amendment is framed so as to place the burden on the applicant to satisfy the Secretary of State. It is not for the Secretary of State to satisfy the applicant about anything. It is for the applicant to satisfy the Secretary of State that he should be granted a project licence. If the Secretary of State is not satisfied that, on the evidence presented by the applicant, he has made out a good case for the use of protected animals, that consent will be withheld.

The reduction in the number of animals used and the reduction of suffering is at the heart of the Bill. The project licence will be geared to make judgments, first, about the type of animals that might be used. Obviously, if a rat can be used, no one will be given permission to use a primate, very much along the the lines described by my hon. Friend the Member for Reading, East (Sir G. Vaughan), a propos the work that he says is going on in AIDS. Secondly, permission will only be given to use the minimum number necessary and tremendous scope has been found to reduce the number of animals already in, for example, some toxicity tests where unnecessarily large batches were used; we shall not permit that.

Currently, there is an upper limit on suffering—the pain clause—and everything is all right provided that it does not violate that pain clause. A major step forward in the Bill is the provision that, as part of the balance that must be struck between the purposes of the procedure and the severity of the procedure on the animal, only a limited number of procedures will be allowed to approach the old pain condition and the others will be scaled down to lower categories. That is just part of the Government's approach to this matter.

9 pm

I hope that hon. Members will not want to proceed with amendment No. 7, but will accept Government amendment No. 15. When an amendment is available that has been drafted by parliamentary counsel, it might be for the benefit of the House to accept it rather than the other amendment. I am grateful for the indication that that appears to be acceptable to the House.

Mr. Livsey: Amendment No. 15 is a great improvement on the previous position and I accept the spirit in which it has been explained by the Minister. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

[Mr. Livsey]

Amendment made: No. 15, in page 4, line 38, at end insert—

'(4A) The Secretary of State shall not grant a project licence unless he is satisfied that the applicant has given adequate consideration to the feasibility of achieving the purpose of the programme to be specified in the licence by means not involving the use of protected animals.'.—*[Mr. Mellor.]*

Clause 9

CONSULTATION

Mr. Fry: I beg to move amendment No. 17, in page 7, line 31, leave out from 'one' to end of line 34 and insert 'or more of the insepctors appointed under this Act, who shall consult an independent assessor or assessors. The inspectors may, in addition, consult the Animal Procedures Committee established by this Act.'.

This amendment has been tabled on behalf of the RSPCA and raises a very important issue. I do not think that anyone doubts the intentions of my hon. Friend the Minister or the efficiency of the Home Office inspectorate. However, there is concern in certain quarters, especially in view of the existing number of licences, that the inspectors will have a very heavy work load.

In Committee, my hon. Friend said that several thousand licences already existed, and presumably they will have to be checked before they are renewed. One point that concerns both me and the RSPCA is whether there are sufficient inspectors, whether they can cover especially severe experiments and whether, even with all their wisdom and experience, they are always sufficiently experienced to deal with every kind of application.

I ask that because research becomes ever more sophisticated. Some of us believe that the inspectorate needs a backstop—not that under the Bill they should be allowed to consult other inspectors, but that they should actually be encouraged to do so because the other inspectors, in turn, could consult an independent assessor or assessors.

I strongly believe that, if the Bill is to be successful, it will require a great deal from the Home Office inspectors. They will have a real responsibility to ensure that the Bill achieves its main objective, which is to reduce animal pain and suffering. Therefore, they will require the maximum assistance.

I accept that to ask the advisory committee to look at all the applications probably means that it will be bogged down in paper work. As we have already said, there are many matters for that body, and new thinking is a particular direction in which we hope it will move. I accept the Government's argument, both in another place and in Committee, that the advisory committee is not the body to be responsible in this instance. However, I believe that it could and should be consulted, and it is important that it is in a position to be consulted.

In putting forward the amendment, the RSPCA suggested that the inspectorate, at an early opportunity after enactment of the Bill, should set up an expert panel spanning a broad range of disciplines, and including a statistician. It should be set up in consultation with the Animal Procedures Committee and be available for consultation on the possible refinement of project licence applications. Members of the panel should be consulted in a large proportion of cases, and on most of the cases involving substantial severity.

I hope that when my hon. Friend replies to the debate he will clearly spell out the way in which he envisages the inspectorate being able to cope. I hope, too, that he will inform the House how he views the task of the inspectorate, especially in reviewing the very large number of existing licences and on the question of how future licences will be reviewed so that—I say this with all sincerity—because of the amount of work that the inspectorate will have and, perhaps, because of a lack of knowledge, there will be no suspicion of any rubber-stamping of future licence applications.

Mr. Corbett: I know that the Minister will have spotted one important point relating to the amendment. It is true, as the hon. Member for Wellingborough (Mr. Fry) said, that, increasingly, research is becoming more and more sophisticated and refined, and I welcome that. It is rather like looking at the situation as though it were a funnel. It is to be hoped that we are at the narrow end rather than the wide end. In other words, we expect research, where possible, to be more specifically targeted and precise.

I mean to cast no reflection at all on the confidence or integrity of individual inspectors or the inspectorate as a whole. I know that an ambition of the enlarged inspectorate is to develop individual skills, but I point out that they will be busy men and, I hope, women. Having regard to what I have said about the refinement of research in the area—and I hope that the Minister can reassure us on this point—it may be expecting too much, in the case of some of the narrowly targeted project applications to which I have referred, that on every occasion inspectors will have the required knowledge.

Common sense clearly dictates that, when an individual inspector does not have the knowledge, he should be entirely free to consult his colleagues. Occasionally, it could happen that among his colleagues a certain piece of specialised knowledge and experience is missing. Again, logically, I expect that there will be no let or hindrance in those circumstances to prevent an inspector—and the number of cases of this type are likely to be fewer than the fingers on one hand — from contacting recognised experts in the field and taking such advice as is offered. If that happens, it will be in the spirit of this amendment.

Mr. Mellor: As always, the hon. Member for Birmingham, Erdington (Mr. Corbett) has been most helpful, and what he says is right. I point out to the Member for Wellingborough (Mr. Fry) that the measure contains a transitional arrangement so that over the years everyone with an existing licence will be brought within the framework of the legislation, and the project licensing system will become a twin pillar with the personal licensing system, which is the only one of the two systems that presently exists. We recognise that a greater strain will be imposed on the inspectorate, and that is why, as I have said, we are in the process of recruiting three more officers to increase the number from 15 to 18, with another three in the pipeline and possibly more, if required.

Each officer has to be a doctor or veterinarian. It is hoped that, as well as being able, by virtue of their expertise, to deal with their own duties in a region, within the inspectorate, there will be individual expertise, so that inspectors might consult each other. It is important to create an atmosphere in which no one suggests that other links are in this chain because we are not confident about

one link, but that it is understood that they are all there to try to ensure that the sophisticated judgment that has to be made on each application can be made and that, however complicated the project might be, a proper and expert, not prejudiced, judgment can be made.

That is why it has always been part of the conception of the Bill, as I have argued throughout, that, where there is any doubt or difficulty, we should be capable of referring matters to assessors who are themselves experts in particular fields. We also desire that the Animal Procedures Committee should have among its membership expert and qualified people who are able to join with their colleagues in ensuring that responsibilities are discharged properly and to do what the advisory committee already does, which is to consider for the Secretary of State especially difficult applications. We do not want the committee to be overburdened with difficult work. But at present it is there to do what the Secretary of State asks it to do. If the House accepts a later amendment in the name of my right hon. Friend the Secretary of State, the new Animal Procedures Committee will determine what it should do. That will be a further safeguard.

Most applications will be able to be dealt with by the inspectorate. The inspector will act alone, consult the deputy and chief inspectors, or consult the expert within the inspectorate. The inspector should feel that it is a sign of strength of the arrangements that when he needs an assessor he is able to refer to one, and not an admission of failure on his part. If the Animal Procedures Committee or anyone else were to feel that judgments were being made too often without assessors, it would be open to the APC or to others to come to that conclusion.

I ask my hon. Friend the Member for Wellingbrough not to pursue the argument that the inspector must consult an assessor on every application. We are anxious that resources should not be tied up in ensuring that the unnecessary is done. Many applications will be straightforward and an experienced inspector will be able to decide them himself. I suspect that only a minority will be of such complexity that the inspectors will need to go outside their own ranks. The spirit that we wish to engender is that inspectors will consult whenever they feel doubt, and that is the way that we approach the task.

It may be of interest to the House to know that the scientific adviser to the RSPCA, who is a member of the advisory committee and who will be appointed to the APC, came to see me the other day. I said that part of the start of the relationship between the new APC and the inspectorate will be the establishment of an early meeting so that each body can get together to talk about these issues and how they should work together. These matters can best be dealt with in the spirit of co-operation rather than compulsion.

This has been a useful and helpful debate and I hope that my hon. Friend the Member for Wellingborough is sufficiently reassured not to pursue the amendment.

Mr. Fry *rose*——

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Let us finish this debate.

Mr. Fry: I have listened most carefully to my hon. Friend the Minister and I accept the assurances that he has given. The proof of what he has said, however, will not be known until the Bill becomes an Act and has been in operation for some time. I am sure that Members of this place and of organisations such as the RSPCA will be watching carefully to ensure that what he has had to say comes into effect. I accept my hon. Friend's good intentions and, therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Dalyell: On a point of order, Mr. Deputy Speaker. I ask the House to forgive me for inserting a point of order on a different subject, but it is one that calls for a statement this evening, on information that has come from the Fairford base in Gloucestershire. On 14 April, at column 579, I raised with the House the need last month for a statement to be made on what was happening in relation to Libya. At 11.15 pm that night I was telephoned by the same sources, which I am prepared to give to the authorities of the House, and told that they were greatly concerned that air tankers had taken off in most unusual circumstances from Fairford. That was last Monday, before the strike against Libya.

The same sources have just telephoned to say that they believe that the United States Government this evening have announced that together with European allies, and possibly Canadians, a major exercise is being announced called Operation Elderforest. This involves 100 F111s and in-flight refuelling facilities taking part in an exercise in conjunction with American naval forces off the coast of Libya. This will involve the American carrier force. As last Monday's sources turned out to be too tragically accurate, this Monday may I ask, through the usual channels, whether it will be possible to have a Government statement on these sinister developments?

Mr. Nicholas Soames (Crawley): Further to the point of order, Mr. Deputy Speaker. I heard this evening on the six o'clock news that the United States Government had rightly announced that tomorrow a number of their fighter aircraft would be used in a major NATO exercise from this country. So that people would not be alarmed, following recent events, the United States Government had seen fit to announce that this exercise would take place. They did not want people near the bases to be disturbed by the take-off of the aircraft.

Mr. Deputy Speaker: I think that the hon. Members for Linlithgow (Mr. Dalyell) and for Crawley (Mr. Soames) realise that this is not a matter for the Chair. The hon. Member for Linlithgow referred to the usual channels. They are represented in the Chamber, and no doubt will have heard the hon. Member's comments.

Mr. Dalyell: Further to the point of order, Mr. Deputy Speaker. Of course, we shall pursue the matter through the usual channels. Regardless of any announcement, I believe that the news from Fairford means that hon. Members should be able to have an input into these events rather than hold an inquest afterwards.

Mr. Deputy Speaker: I understand what the hon. Member says, but this is not a matter for the Chair. My job is to ensure that we proceed with the business of the day, and we must now do so.

Clause 10

CONDITIONS

9.15 pm

Mr. Fry: I beg to move amendment No. 19, in page 8, line 16, at end insert—

'(*b*) the Secretary of State shall consider granting exceptions to this condition only in very limited circumstances. In all such cases he shall notify the Animal Procedures Committee.'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 20.

Mr. Fry: I am prepared to accept Government amendment No. 20 because my hon. Friend the Under-Secretary of State has done his best to honour the obligations he gave in Committee. This is an important matter. There is widespread concern, especially about the possible fate of cats and dogs that might be used in research establishments. Today, the Committee for Information on Animal Research rightly pointed out that the Bill insisted that dogs and cats must be bred at and obtained from a designated breeding establishment. It stated that there was no provision which made it an offence to supply rather than use animals which had not been purpose-bred. I hope that my hon. Friend the Under-Secretary of State will answer that point in speaking to Government amendment No. 20.

Mr. Mellor: I shall deal with the last point raised by my hon. Friend the Member for Wellingborough (Mr. Fry) in a later debate, because it does not arise in relation to Government amendment No. 20. I shall think about his point.

Government amendment No. 20 is in response to the concern in Committee that appropriately rigorous conditions should be attached to the use of man's companion animals. I believe that this makes clear the limited extent to which exceptions are permitted in the use of animals from breeding establishments. I hope especially that it gives further weight to the clear prohibition on the face of the Bill and in arrangements made under it against the use of pets in laboratories.

Mr. Fry: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 20, in page 8, line 21, at end insert

'but no exception shall be made from the condition required by paragraph (*a*) above unless the Secretary of State is satisfied that no animal suitable for the purpose of the programme specified in the licence can be obtained in accordance with that condition.'
—*[Mr. Mellor.]*

Mr. Mellor: I beg to move amendment No. 21, in page 8, line 40, at end insert—

'(5A) The conditions of a certificate issued under section 6 or 7 above shall include conditions requiring the holder of the certificate—

(*a*) to secure that a person competent to kill animals in the manner specified by conditions imposed in accordance with subsection (5) above will be available to do so; and

(*b*) to keep records as respects the source and disposal of and otherwise relating to the animals kept at the establishment for experimental or other scientific purposes or, as the case may be, bred or kept for breeding there or kept there for the purposes of being supplied for use in regulated procedures.'.

This is a significant new amendment which relates to important issues which were debated in Committee. As the House will see, there are two limbs to the new subsection (5A) to clause 10. The first deals with euthanasia and the second with rigorous record keeping.

On the first matter, subsection (5) of clause 10 already requires establishments to use only approved methods when killing surplus animals or animals which have been bred at or bought for breeding or supplying establishments but not supplied for use in laboratories. The new requirement obliges the establishment to ensure that there is available a person competent to kill animals in the requisite manner — either using a method appropriate under schedule 1 or another method approved by the Secretary of State for use at the establishment concerned. Therefore, there is a tightening up.

Finally, on the second matter—this relates to some of the discussions we had on new clause 2—it is plainly crucial that the representatives of the Secretary of State should have access to the clearest records that indicate where animals came from and where they have gone to. This amendment spells that out even more forcefully in the Bill. On that basis, I commend amendment No. 21 to the House.

Sir Dudley Smith: I shall take only a few moments. I should like to support my hon. Friend on this amendment. Perhaps, at the same time, I can tell my hon. Friend the Minister that my hon. Friend the Member for Cambridgeshire, South-West (Sir A. Grant), who is attending the Council of Europe in Strasbourg—where I should also be — knew that I would be here and I promised that I would endeavour to raise an issue for him.

My hon. Friend tells me that the amendment just moved by the Minister, and the provisions of the Bill generally under this section, impose an extra financial burden on the teaching of mammalian physiology, which is essential in the training of doctors and veterinary surgeons, at St. Catherine's college in Cambridge, which is in his constituency. He tells me that that department may be forced to close as a result. Would my hon. Friend the Minister please bear this problem in mind, especially in any future negotiations with the Treasury, because it is important? It is a good example of a department which is doing its work excellently and carefully and which will fully respond to the provisions of the Bill.

Amendment agreed to.

Clause 12

RIGHT TO MAKE REPRESENTATIONS

Mr. Mellor: I beg to move amendment No. 22, in page 9, line 31 after 'scientific', insert 'or other appropriate'.

Mr. Speaker: With this it will be convenient to take amendment No. 23, in page 9, line 33 after 'scientific', insert 'or animal welfare'.

Mr. Mellor: After some discussion in Committee, it was suggested that we should mention that there would be other appropriate qualifications. It was specified in the original amendment in Committee that animal welfare qualifications were the appropriate ones. The difficulty is one of definition, of knowing what animal welfare qualifications mean as a concept in the Bill. For that reason, having taken advice from draftsmen, "or other appropriate" is suggested. That would embrace animal welfare expertise as being of increasing significance, in

my judgment, in meeting the demands placed upon research establishments by the new statutory arrangements.

Mr. Mark Hughes: I am grateful for what the Minister has said. Clearly, there was a difficulty that those with wholly proper animal welfare qualifications appeared, as the Bill was originally drafted, to be excluded. If the Minister can assure the House, as I believe his comments did, that the words "or other appropriate" mean people without university standard qualifications but with good experience and proper qualifications to do the job, I would not wish to proceed with our amendment and I would support the Government.

Amendment agreed to.

Clause 13

SUSPENSION IN CASES OF URGENCY

Mr. Mark Hughes: I beg to move amendment No. 24, in page 10, line 6, leave out 'may' and insert 'shall'.

We discussed in Committee the curious position that, where the Secretary of State was satisfied of the urgent necessity that the welfare of a protected animal required a cessation order to be placed, he might, or could, or shall, or may, act. There was a lengthy discussion about semantics. I have just received over the grapevine some information which is not available to you, Mr. Deputy Speaker, and I shall therefore simply move the amendment.

Mr. Mellor: We had some fun in Committee because "may" sometimes means "may" but sometimes means "shall". "Shall" normally means "shall". On this occasion I am advised by the draftsman that "may" means "shall", but if "may" means "shall", it seems better to use the word "shall". I therefore accept the hon. Gentleman's amendment.

Amendment agreed to.

Clause 14

RE-USE OF PROTECTED ANIMALS

Mr. Mellor: I beg to move amendment No. 25, in page 10, line 28, leave out 'any' and insert 'a particular'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take amendments Nos. 28 and 29.

Mr. Mellor: This is another semantic amendment, but it is a useful one. It is intended to deal with the difficulties caused in our discussions by the concept of

"a series of regulated procedures for any purpose".

Some people, including myself, have found the phrase difficult to interpret. I have been anxious for some clarification.

Our difficulty in drafting the Bill has been that, in moving from the concept of an experiment to the concept of a regulated procedure, we have had to try to define a project of work that would normally have been termed an experiment. The phrase

"a series of regulated procedures for any purpose"

is aimed at that. Perhaps, however, it gives the impression of a series without end. That would be quite wrong. It is not what we intend. To remedy that, we propose to insert the words "a particular" in place of the word "any" in clauses 14 and 15, so that the phrase will read

"a series of regulated procedures for a particular purpose",

tying it down to the one purpose for which a project licence is granted. I commend those minor but helpful amendments to the House.

Amendment agreed to.

Mr. Corbett: I beg to move amendment No. 26, in page 10, line 30, at end insert

'and *(c)* has been subjected to procedures involving substantial severity'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 27, in page 10, line 38, leave out from 'animal' to end of line 41.

Mr. Corbett: The House will recall that, when we debated this matter in Committee, there was a narrow vote —9 to 7—in favour of amending the Bill to permit re-use. I am sure that the House is grateful for a chance to give a view on this important matter. It was the most substantial alteration made to the Bill in Committee, and one that I personally regret. I accept the argument on re-use where the animal is under general anaesthetic throughout the further procedures, and not allowed to recover consciousness.

I wish that I had thought more clearly about this matter earlier. In my view, the whole clause is built on the wrong premise. It is not, in my view, the anaesthetic that is the vital point, but the severity of the initial procedure. Amendment No. 26 seeks to exclude animals experimented on at a considerable degree of severity. I believe that where that has happened it would be wrong to make an animal go through it all again.

Every animal's suffering is its own. Those of us who reluctantly accept the present need for experiment believe that one substantially severe procedure under anaesthetic is enough. That animal should then be allowed to recover —as some do—or to die with as much dignity as has been left to it.

One of the main arguments about re-use is that re-use under the terms of the Bill and under the qualifications in the guidance notes can save the lives of some animals. In other words, permitting re-use can stop even a single substantially severe procedure on animals that might otherwise be used. The supporters of that argument claim that about 5,000 animals a year — dogs, cats, and primates — might be saved; only "might be saved", because no one can be sure. With the rising cost of laboratory animals, some might argue that re-use may come down to a question of money.

9.30 pm

I can see the benefits of re-use especially for university research departments and, to a lesser extent, for some of the major commerical interests. I must say, however, that I do not believe that consideration of the costs of experiments in terms of the costs of the animals put through these procedures should be a consideration. It is not the proper responsibility of the House to put those concerns above the proper interests of the welfare of animals used in laboratories.

This is a matter above all else of morality and ethics.

Mr. Nicholas Fairbairn (Perth and Kinross): Humbug.

Mr. Corbett: The hon. and learned Member says, "Humbug." I am only sorry, if my memory serves me correctly, that the hon. Gentleman was not present for the

[Mr. Corbett]

Second Reading debate or during the Committee stages. Now that he is present, I hope that he will pay the House the courtesy of listening.

This is a matter of morality and ethics. I therefore conclude that the Standing Committee was wrong and the House should reverse the decision taken in Committee and come down in favour of the animals. Most of us find experiments abhorrent but acknowledge the need for them in the search for cures and treatment for diseases such as muscular dystrophy, senile dementia, AIDS or the ten or more most common forms of cancer. I believe that one contribution at a level of substantial severity by an animal is sufficient. I will therefore vote for the amendment in the Lobby tonight.

Mr. Gale: We covered this ground carefully during the Committee stages of the Bill. The hon. Member for Birmingham, Erdington (Mr. Corbett) knows that I respect his concern for the welfare of animals. He in turn, I believe, respects my concern. This is the one issue above all others upon which the Committee was divided across party lines. As my hon. Friend the Minister said, he took no side whatsoever in the Division on this matter in Committee, and that was a rare thing for him to do. The hon. Member for Erdington will recall that it was his hon. Friend the Member for East Kilbride (Dr. Miller) who originally moved the amendment.

In the Standing Committee I quoted from my speech on Second Reading:

"Mobilisation said, in its literature following the publication of the supplementary White Paper: 'After strong representation from animal rights groups the Government now proposes to forbid the re-use of animals . . . however, the issue of re-use may well re-surface because of strong pro-vivisection interests'." —[*Official Report, Standing Committee A*, 18 March 1986; c. 194.]

As it did in Committee, so again. The issue has not resurfaced because of strong pro-vivisection interests; it has resurfaced in the interests of animal welfare. The hon. Member for Erdington and I are faced with the dilemma of deciding whether in our opinion—and this is in no way a party political issue — the permission by the Secretary of State under specified circumstances for the re-use of some animals will obviate the use of others. It is the considered opinion of the Fund for the Replacement of Animals in Medical Experiments — the all-party group which I have the privilege to chair—that that will be the case.

The hon. Gentleman mentioned 5,000 animals. I do not think that any of us would claim that as many as that are likely to be saved if the clause remains as drafted. I suggest, however, that if, by the re-use of fully anaesthetised animals, the life of one animal can be saved, we shall have achieved yet again what we seek to achieve throughout the Bill—first the diminution and then the total elimination of animal experimentation. If the matter is to be pressed to a Division, I strongly urge the House to accept the amendment tabled by the hon. Member for East Kilbride in Committee and to leave the clause as it now stands.

Mr. Fry: We discussed this in great detail in Committee. I made this point then and I make it again today. If clause 14 were taken in isolation, I would entirely agree with the hon. Member for Birmingham, Erdington (Mr. Corbett) and join him in the Lobby, but we must look at the Bill in its entirety. I ask the hon. Gentleman to consider clause 15, which provides:

"Where a protected animal—

(a) has been subjected to a series of regulated procedures for any purpose; and

(b) at the conclusion of the series is suffering or likely to suffer adverse effects,

the person who applied those procedures, or the last of them, shall cause the animal to be immediately killed".

Either that means that any animal suffering severely is to be put down at the end of the procedures or it does not. As I understand it, it means that the animal will be killed. Therefore, although I agree with the sentiments of the hon. Gentleman, I believe that his amendment is unnecessary because his worries are taken care of by clause 15. I do not accuse the hon. Gentleman of wasting the time of the House because this is an important issue, but I put that point to him in the hope that he will feel a little happier about the views of those of us who do not agree with him on the amendment.

Sir Dudley Smith: As was recognised in Committee, this is understandably an emotional subject, especially for people outside, and there is abhorrence at the idea of animals being brought back and subjected to what would almost certainly be a kind of torture, but we must look at the matter with a certain amount of scientific clarity to determine whether we have got it right.

The European convention, which we have signed, allows further experiments to take place on the same animal provided that it is subject to general anaesthesia throughout, from which it is not allowed to recover. Any animal anaesthetised for a procedure which is terminal, which means that it is to die, will not experience any suffering or distress.

Like my hon. Friend the Member for Wellingborough (Mr. Fry), I feel that it is more humane to reduce the number of animals used through this limited provision for re-use than to continue using more and more animals—provided that there is the very strong stipulation that the animal is fully anaesthetised and experiences no suffering whatever. I appreciate that this is repulsive to many people and it is unpalatable to those of us who are concerned with these matters, but it seems to me to be a contribution of sorts to reducing the number of animals used in experiments — with the guarantee that the animal concerned will not suffer as a result of future and unrelated procedures.

Mr. Harry Greenway (Ealing, North): I have considerable sympathy with the amendment and with the arguments advanced by the hon. Member for Birmingham, Erdington (Mr. Corbett). Like my hon. Friend the Member for Thanet, North (Mr. Gale), I hope that the elimination of the use of animals for experimental purposes is gradually approaching. It is certainly a goal for which all humane people should aim. I wonder whether it is legitmate to argue that, by permitting the re-use of animals, we are preventing the use of more animals, as has been suggested. I wonder how many animals would be saved from first use if re-use were permitted.

Sir Dudley Smith: The number is small and nobody would suggest otherwise, but it is a contribution in the right direction.

Mr. Greenway: There is something to be said for my hon. Friend's argument. It is a fine ethical and humane

point that, if an animal has been subjected to major experimentation once, it should be allowed to go free. I rather go along with that view. I wonder how reasonable it is to use an animal, bring it back to full vigour and then use it again. That seems somewhat deplorable.

Mr. Gale: My hon. Friend suggests that an animal, once used, should be allowed to go free. I am sorry that he was not present when we discussed this matter extremely carefully in Committee. There is no question of the animals being allowed to go free. Beagles, for example, might be allowed to be found domestic homes, but there are far too many cats and dogs being put down each day in the Battersea home for there to be any reasonable prospect of these animals being set free.

Mr. Greenway: There might be times when animals can be released into their natural habitat or into domestic use, but I was speaking figuratively. Repeated use of an animal for experiments will diminish its resilience, however well it is brought back to health. I am not happy about that. I have considerable sympathy with the arguments advanced by the hon. Member for Erdington.

Mr. Livsey: It should be enough for an animal to be subjected to substantial severity once. It is undesirable that it should be used again. Amendment No. 26 is extremely humane. Animals that have been subjected to substantial pain should not be allowed to endure more suffering.

Mr. Mellor: I am grateful to those who have spoken. I shall try to emulate their brevity as this matter was considered fully in one of the most absorbing Committee debates in which I have been privileged to take part.

The hon. Member for Birmingham, Erdington (Mr. Corbett) understands that there is a technical flaw in amendment No 26, which means that he will not pursue it. We are really discussing amendment No. 27, which is the proposal to return the Bill to the state in which it came from the Lords by taking out the amendment proposed by the hon. Member for East Kilbride (Mr. Miller).

This is not a party issue. Indeed, a most interesting pattern of voting was established in Committee. I abstained for the perfectly honourable reason that I could see both sides of the argument, having held both views during the previous few months. I originally took the view, and the White Paper proposed, that there were significant savings to be made, especially among animals about which we are most troubled—man's companions, cats, dogs and primates—if, under careful arrangements and with proper safeguards, we permitted re-use. It seemed arbitrary that re-use was not permitted. It seemed that the only consequence of the ban on re-use when an animal had been under a general anaesthetic was that more cats, dogs and monkeys would have to be used. None of us want that and that is why the White Paper recommended a change in the law.

A barrage of complaints were received about that view. The Government's views were travestied by one or two campaigning organisations which suggested that we were anxious to remove protections, whereas our only wish was to minimise the number of animals being used humanely in experiments. It therefore seemed to me to be wrong that this proposal—significant though it was—should put into jeopardy the credibility of a Bill of such significance as the one that we are now discussing. For that reason, this proposal was not pursued in the second White Paper or in the Bill as published, and, despite considerable reservations expressed by a number of members of the other place, that was the basis on which the Bill arrived in this House.

9.45 pm

We had a debate in Committee and strong feelings were expressed based on a most cogent set of arguments advanced by FRAME. It posed the dilemma that the Bill unamended would make it possible for two healthy dogs to be given terminal anaesthesia in the same laboratory on the same day, the first because it had been previously used in a procedure that had required anaesthesia, and the second only for the reason that it would be illegal to carry out an experiment on the first dog in the interval between loss of consciousness and death. As a result, two dogs would die when only one need have done so. That argument carried the day in Committee, and that is the argument that is now being put to the House.

I thought it appropriate to play no part in the vote in Committee for the reasons that I have explained. But I believe that the Committee took a clear decision after careful debate. I see the force of the reasons why the Committee took that decision, and I commend that decision to the House, although I shall understand if other hon. Members feel the other way.

The key to the determination of the House might lie in the last matter that I wish to raise. Much will turn on the basis on which the rules are laid down as to when re-use is needed. Everyone on whichever side of the argument agrees that re-use must be permitted only under very stringent conditions. Even if the stringency of those conditions means that re-use is prohibited in some cases, that must be right because the concept of pin cushion mice or rats that have bits chopped off them day after day is unappealing. Although that lies in the realm of satire, we must be absolutely certain that it does not take place.

I bound myself in Committee to be sure that the Secretary of State would prepare rigorous guidelines for re-use. Those guidelines are now being finally determined. When they are, they will be put to the Animal Procedures Committee for its advice and they will then be put to the House and be subject to the negative resolution procedure.

It might assist the House if I read out the guidelines as presently drafted so that those who are concerned about this matter might see just how carefully and cautiously the Secretary of State proposes to exercise the discretion that the Committee has given him. The draft guidelines state:

"The Home Secretary's consent is required before anybody can use again for a different purpose an animal which has previously been used in a series of procedures for some other purpose and during that series has been given a general anaesthetic from which it has been allowed to recover consciousness. The animal must not, at the end of the first series of procedures, be suffering or likely to suffer adverse effects. If re-use is permitted, the animal must be under general anaesthesia throughout the further procedures and not allowed to recover consciousness. All the subsequent procedures must be performed under general anaesthesia. Preparatory procedures, under local anaesthesia or without anaesthetic, are not allowed. A project licence applicant or project licence holder who wishes to apply for consent to the re-use of an animal in these circumstances should apply to the inspector. The inspector will consider all the factors that appear to him relevant before deciding whether or not to recommend to the Home Secretary that the application should be allowed.

Any re-use will be permitted only if the animal has not suffered severe or lasting harm and is in a good state of general health, as certified by a veterinary surgeon.

[Mr. Mellor]

Avoidance of the use of further animals will be the sole criterion for permitting such re-use, and economic grounds or the convenience of licensees will not be allowable reasons.

The Home Secretary will not allow any animal to be kept for an excessive time (normally more than 48 hours) between first and terminal use.

Although permission may sometimes exceptionally be given for an animal to be moved from one scientific procedure establishment to another for re-use under terminal anaesthesia, under no circumstances would any such animal ever be allowed to be returned to a supplying establishment for re-distribution or re-sale."

I hope that it has been helpful for the House to hear how seriously the Home Secretary takes the balanced judgment arrived at in Committee. On that basis, I hope that the House will feel able to keep faith with the decision of the Committee. On whatever side of the question hon. Members decide, I hope that they will understand that, although this is a narrow but significant point, the highest standards of welfare will be applied in operating this section of the Bill just as they will be applied in operating all other sections.

Mr. Corbett: I am grateful to the Minister for the way in which he dealt with this matter, although he will acknowledge that I am disappointed about his conclusions, especially in view of the narrow vote in Committee. It is unfortunate that we have neither more time nor more hon. Members wishing to debate what is for all hon. Members present and for many people outside the House a substantial issue. I understand and accept what the Minister read from the notes of guidance. To some extent, those notes meet some of our anxieties.

No hon. Member who has spoken in this short debate has claimed that the saving of animal life will be anything but small. That is the best guess that any hon. Member can make on either side of the argument. That is why I said, when I moved the amendment, that for me, and perhaps for other hon. Members, this essentially comes down to a moral and ethical judgment. It is not a matter of the anaesthetic and the fact that the animal does not recover from it. When an animal has been deeply anaesthetised and has gone through an experiment at a substantial level, what else do we have a right to expect that animal to do? In a nutshell, that is the reason why I ask my hon. and right hon. Friends to go into the Lobbies and vote for amendment No. 27.

Amendment negatived.

Amendment proposed, No. 27 in page 10, line 38, leave out from 'animal' to end of line 41.—*[Mr. Corbett.]*

Question put, That the amendment be made:—

The House divided: Ayes 109, Noes 188.

Division No. 149] **[9.53 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Atkinson, N. *(Tottenham)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Hugh D. *(Provan)*
Brown, M. *(Brigg & Cl'thpes)*
Brown, N. *(N'c'tle-u-Tyne E)*
Buchan, Norman
Caborn, Richard
Campbell-Savours, Dale
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freud, Clement
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gourlay, Harry
Hamilton, James *(M'well N)*
Hancock, Michael
Harman, Ms Harriet
Haynes, Frank
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Sean *(Knowsley S)*
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ronald
Livsey, Richard
Lofthouse, Geoffrey
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Mason, Rt Hon Roy
Maynard, Miss Joan
Meadowcroft, Michael
Mikardo, Ian
Morris, Rt Hon A. *(W'shawe)*
O'Brien, William
O'Neill, Martin
Park, George
Patchett, Terry
Pike, Peter
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rogers, Allan
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Stewart, Rt Hon D. *(W Isles)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Williams, Rt Hon A.

Tellers for the Ayes:
Mr. Ray Powell and
Mr. Ron Davies.

NOES

Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Beaumont-Dark, Anthony
Bellingham, Henry
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Browne, John
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Crouch, David
Currie, Mrs Edwina
Dicks, Terry
Dover, Den
Dunn, Robert
Durant, Tony
Eggar, Tim
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fookes, Miss Janet
Forman, Nigel
Fowler, Rt Hon Norman
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Gower, Sir Raymond
Gregory, Conal
Griffiths, Sir Eldon
Hampson, Dr Keith
Hargreaves, Kenneth
Hayes, J.
Hayhoe, Rt Hon Barney
Heathcoat-Amory, David

Heddle, John
Higgins, Rt Hon Terence L.
Hind, Kenneth
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howarth, Alan *(Stratf'd-on-A)*
Jackson, Robert
Joseph, Rt Hon Sir Keith
Key, Robert
King, Roger *(B'ham N'field)*
Lang, Ian
Latham, Michael
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
McNair-Wilson, M. *(N'bury)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Marlow, Antony
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moynihan, Hon C.
Neale, Gerrard
Needham, Richard
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Ottaway, Richard
Page, Richard *(Herts SW)*
Patten, Christopher *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, John *(Solihull)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Wainwright, R.
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Warren, Kenneth
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Whitfield, John
Whitney, Raymond
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Gerald Malone.

Question accordingly negatived.
It being after Ten o'clock, the debate stood adjourned.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Animals (Scientific Procedures) Bill [*Lords*], the Statute Law Repeals Bill [*Lords*] and the Ways and Means Motion may be proceeded with, though opposed, until any hour.—*[Mr. Donald Thompson.]*

10.6 pm

Mr. Dalyell: On a point of order, Mr. Speaker. You may know that about an hour ago I raised on a point of order the need for a Government statement on an exercise involving tanker aircraft and F-111s. After the most constructive discussions that I have had with the Opposition Chief Whip and the shadow defence spokesman, am I to assume that the Government are not volunteering any statement tonight? Is that the position?

Mr. Speaker: I have no knowledge of a Government statement or of the incident that the hon. Gentleman has referred to.

Animals (Scientific Procedures) Bill *[Lords]*

As amended (in the Standing Committee), again considered.

Clause 14

RE-USE OF PROTECTED ANIMALS

Amendment made: No. 28, in page 11, line 3, leave out 'any' and insert 'a particular'.—*[Mr. Mellor]*

Clause 15

KILLING ANIMALS AT CONCLUSION OF REGULATED PROCEDURES

Amendments made: No. 29, in page 11, line 13, leave out 'any' and insert 'a particular'.

No. 30, in page 11, line 19 leave out 'his personal licence' and insert

'the personal licence of the person by whom the animal is killed'.
—*[Mr. Mellor.]*

Clause 20

FUNCTIONS OF THE COMMITTEE

Mr. Mellor: I beg to move amendment No. 31 in page 13, line 32, leave out from 'as' to end of line 33 and insert 'the Committee may determine or as may be referred to the Committee by the Secretary of State'.

This is a significant amendment. It has always been our wish that the Animal Procedures Committee should be an independent body consisting of eminent people who are capable of offering advice to the Secretary of State, of their own volition taking action on aspects of the workings of the measure so as to be satisfied that it is working smoothly, and making reports on its deliberations to the House and to the wider public. It is crucial to that concept that the Animal Procedures Committee should not merely be invoked when the Secretary of State so wishes but should be able to initiate consideration of any matter that the Committee, acting together, believes is appropriate for it to look at. That is why the amendment states what it does, in particular using the word "determine" in the context of the committee's deliberations.

Mr. Corbett: I welcome what the Minister has just said, and the amendment, because it properly responds to the strong points made by many hon. Members in Committee and myself on the need to demonstrate and to specify that the Animal Procedures Committee is not the creature of the Secretary of State or the Home Office. The role and work of the Animal Procedures Committee, as we discussed earlier, is at the heart of the Bill. It is the Rolls-Royce version of the Farm Animal Welfare Council, because the Animal Procedures Committee has statutory parenthood and so a more independent life.

[Mr. Corbett]

We have sought to establish that the Animal Procedures Committee could speak without waiting to be spoken to. In other words, it could off its own bat decide to offer advice to the Secretary of State without waiting for him to ask for it. That is an important point.

The amendment should now lay at rest the charge from some here and many outside that the Animal Procedures Committee is a toothless wonder; a body of yes men and women on the end of a fairly short leash. The amendment makes it clear that that is not so. The Animal Procedures Committee has an independent life and can be expected to make such use of that independence in terms of comment and advice as it sees fit.

Critics outside have said that the range of relations among experimenters is too cosy. The Animal Procedures Committee can, in that context, act as an irritant and speak out independently on matters of concern to it without waiting to be asked. I hope that the House will welcome the amendment.

Amendment agreed to.

Mr. Speaker: We come now to amendment No. 32, with which it will be convenient to take amendments Nos. 33 and 34.

Mr. Hancock: In view of the point made at the end of the Committee stage on this amendment and the other two amendments tabled with it, there is no purpose in delaying the House. Therefore, I shall not move amendment No. 32.

Mr. Fry: On a point of order, Mr. Speaker. You will note that amendments Nos. 32, 33 and 34 come from different parts of the House. By not moving amendment No. 32, the hon. Member for Portsmouth, South (Mr. Hancock) has left no opportunity for the House to discuss amendment No. 34 in my name or amendment No. 33.

Mr. Speaker: Does the hon. Gentleman wish to speak on his amendment?

Mr. Fry: Indeed.

Mr. Speaker: In that case, it would be for the convenience of the House if I allowed the hon. Gentleman to move amendment No. 34.

Mr. Fry: I beg to move amendment No. 34, in page 13, line 33, at end insert—

'(1A) It shall be the duty of the Animal Procedures Committee to review, retrospectively, all licences granted in the category of substantial severity, and from time to time, to advise the Secretary of State on matters relating to the reduction of animal suffering in animal experiments and the reduction of animal use.'.

I do not intend to detain the House for long, but the RSPCA considers this to be a matter of considerable importance. It is in no way criticising the membership of the Animal Procedures Committee, but it is concerned about the fact that it needs to have the instruction that it shall from time to time go into the question of those licences that are granted in the category of substantial severity.

It is believed that the committee, as the Minister has laid out, has a great responsibility, but I want to return to the point that I made earlier. Yes, we do have to give it the widest discretion, but it is important that the Bill should spell out the kind of duties that we expect it to perform. After all, that is the responsibility of this House and it is why we are here tonight.

10.15 pm

The Committee will comprise eminent persons with all sorts of experience, some from the animal lobby and some concerned not so much with animal welfare as with research. There will be a need to look at all licences granted in the substantial severity category, and I want an assurance that the closest consideration will be given to the question how the committee will be provided with sufficient information to make the decision——

Sir Dudley Smith: I have a certain amount of sympathy with what my hon. Friend is saying. However, does he agree that those on the committee will be men and women of the highest distinction and, inevitably, busy people? Can we really expect them to become bogged down in reviews and approvals of licences when the expert inspectors will have already done their work?

Of course, there will be instances when it may be necessary to consult the committee, but people may shy away from serving on it if they think that they will be bogged down in the routine of checking licence applications.

Mr. Fry: I understand what my hon. Friend is saying but refer him to an earlier amendment relating to the inspectorate. I do not in any way doubt the efficiency of the inspectorate, nor do I deny that the membership of the committee will comprise people of the highest calibre. I have been trying to explain that, with the large number of existing licences and the need for revision—especially those in the substantial severity category—even with the best will in the world 18 inspectors will have their work cut out.

I moved the amendment because I believe that there should be a clear injunction upon the committee to have an overall responsibility for licences in the substantial severity category——

Mr. Corbett: As I said two or three times in Committee, having established the committee and having confirmed its independence, we should be careful of the circumstances in which we lay specific duties on it—especially in view of the message that we received from the womb of that body yet to be born, that it would not carry out its duties over its shoulder, as it were.

Mr. Fry: I accept that. I hope that the hon. Gentleman does not think that I intend to press the amendment to a vote. I believe that it is important that we should put on record what we expect of the committee.

There is a genuine fear that unless we do that, because the committee will have a great deal to do and many responsibilities, it may not embark upon what I consider to be a fundamental part of what should be its work.

I am grateful to you, Mr. Speaker, for allowing me to move the amendment. I look forward to hearing what my hon. Friend the Minister has to say.

Mr. Mellor: As my hon. Friend the Member for Wellingborough (Mr. Fry) knows, it will be for the committee to determine what it wants to consider, and it will be perfectly free to do that. After all, that is what we have always wanted. As the hon. Member for Birmingham, Erdington (Mr. Corbett) said, we must not seek to rein in the committee and specify what it should

consider if it is our wish that it should be a properly independent watchdog committee that can report to the public on how the Act is working.

However, the Secretary of State will want to ask it to look back at the question of the substantial severity banding and how discretion has been exercised. In pursuing that investigation, the committee will be entitled to ask for such information as it wishes from the Home Office, or, indeed, anyone else. We shall, of course, give full co-operation. In my judgment, we now have a basis on which the Animal Procedures Committee can undertake its work responding to requests for advice from the Secretary of State and determining itself what other matters it wishes to examine. It has a duty on it, under clause 20(2), which provides:

"In its consideration of any matter the Committee shall have regard both to the legitimate requirements of science and industry and to the protection of animals against avoidable suffering and unnecessary use in scientific procedures."

That is the balance it must help us to strike and plainly the issues set out by my hon. Friend the Member for Wellingborough are crucial to achieving that goal. My hon. Friend made clear that he was raising the matter at the behest of the RSPCA and that the RSPCA had no quarrel with the committee. I should think not, since the scientific and legal advisers to the RSPCA are on the committee.

Mr. Fry: As I am satisfied by my hon. Friend's reply, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 21

GUIDANCE CODES OF PRACTICE AND STATISTICS

Mr. Mellor: I beg to move amemdment No. 36, in page 14, line 14, at end insert—

'(2A) The Secretary of State shall consult the Animal Procedures Committee before publishing or altering any information under subsection (1) above or issuing, approving, altering or approving any alteration in any code issued or approved under subsection (2) above.'.

The aim of the amendment is to ensure that the Animal Procedures Committee is fully involved in the crucial work that has to be done on the codes that will contain so much of the day-to-day learning under the Bill.

Amendment agreed to.

Clause 25

POWERS OF ENTRY

Mr. Mellor: I beg to move amendment No. 37, in page 16, line 32, leave out 'necessary by force' and insert 'need be by such force as is reasonably necessary'.

It was pointed out that, in enforcing the Bill, it would be inappropriate if a nuclear weapon were used to blow a hole in the door of a laboratory so that an inspector could see what was going on behind that door. It was suggested that we include reference to such force as is reasonably necessary. I have been advised by the draftsmen that this intention is inherent in the provision but, if inserting these words will bring peace between the warring parties, why not put them in?

Amendment agreed to.

Order for Third Reading read

10.23 pm

Mr. Mellor: I beg to move, That the Bill be now read the Third Time.

I commend the Bill which, in proceeding through the House, has received clear and careful thought from a range of hon. Members on all sides. A necessary job has been done. Although the Bill came here after being carefully considered in the other place, manifestly further improvements could be made and have been made in Committee and during the course of tonight's Report stage.

This is an historic Bill. It is 110 years since the law on animal experiments was last changed. Tonight we are exchanging a hansom cab for a Rolls-Royce. The Bill makes many changes which will be for the benefit of sound experiment and animal welfare. Some of the changes, to which I shall refer, will have a far reaching effect. The project licensing system for the first time gives the Secretary of State and those who advise him the capability of determining whether or not certain work should be carried out and, if so, on what conditions. That committee will run in parallel, as the twin pillar of regulation, with the personal licensing system that exists under the 1876 Act. For the first time, breeding establishments are brought under control, so that the framework of control extends throughout the life of the laboratory animal, and we nail once and for all the worry people have had that their pet could end up on the vivisector's slab. Similarly within the laboratory we provide for the first time for continuous care for the animal while it is in the laboratory.

For the first time, a named individual is made personally responsible in law just as under the precedent of other legislation relating to safety at work one person has the obligation to ensure that the law is fulfilled. We have widened materially the number of procedures that are regulated by the Bill. It is an anomaly that scientific procedures such as the passaging of tumours or the preparation of anti-sera were not included in the 1876 Act because they were concepts unknown to the Victorians. We have made provision for a wider range of animals to be offered protection by the Bill, some of them in the womb.

We have taken advantage of the growth in knowledge that there has been in crucial areas such as alternatives to ensure that animals will be used only when it is necessary to do so. When it is necessary to use animals, that will be done only in accordance with the highest standards, and these standards will be higher than anything that prevails anywhere else in the world. To establish that, we have provided that there should be three severity bands, severity being a much wider concept than the old concept of pain. Only a limited number of permitted procedures will be allowed to go to the upper pain limit that is the standard limit under the 1876 Act.

There has been a decline of about 2 million in the number of procedures carried out on animals over the past decade. The Bill, by the sophistication of the machinery which it provides for analysing each and every project, offers a mechanism whereby there will be a further reduction in the number of animal experiments achieved. We can achieve that reduction while at the same time making it clear that we all long for the day when there will be no further need for animals to be used in medical experiments. Unfortunately, that day is a long way off, and we must accept that if we are to make the advances

[Mr. Mellor]

that we want in the conquest of disease, in understanding more about the mechanisms of the body and the central nervous system than we know now and in ensuring product safety, animal experiments will be required in the present state of our development.

It is clear—this is the crucial advantage of the Bill—that this measure has growth potential. It does not seek to freeze onto the statute book the standards of 1986. In 1980, 1975 and 1970 the number of animal experiments taking place was very much more than the present level. The state of human knowledge meant that some procedures had to be carried out then that are not necessary now, and some procedures will not be necessary in four, five or 10 years time that are necessary now. The important criteria set out in the Bill can change as circumstances change. Best practice will be made standard practice through the proper imposition of the arrangements in the Bill.

It will not be left to the man in Whitehall to decide these matters. Independent assessors and the Animal Procedures Committee—the representatives of both categories will be drawn from outside Government—will be making judgments and full reports will be made public with any changes in the important codes and guidelines being subject to the negative procedure in the House so that the House can always have debates on any matters that arise. Reports will be able to be made annually by the APC.

I have been the Minister who has had the privilege of undertaking the preparation of the Bill over the past three years. It has been possible to do that against the background of what is often seen as the unthinking and extremist element. There are many who have been devoted to the cause of striking the balance in the right place both inside and outside Whitehall. In bringing forward the Bill I have been served by a devoted group of civil servants and members of the animal inspectorate, who have done all the work that has been seen in the Bill as it has passed through the House. The exercise has not been conducted behind closed doors in the Home Office. We have made our views public consistently over the past three years and we have not hesitated to change our minds when that has been appropriate.

I pay tribute to all the organisations that have assisted us from the research side, including the Research Defence Society, the Chemical Industries Association Ltd., the Association of British Pharmaceutical Industry, the Royal Society and many others. All these organisations have helped in the preparation of the Bill.

I should like to thank personally the moderate animal welfarists in the British Veterinary Association, the Royal College of Veterinary Surgeons and the Committee for the Reform of Animal Experimentation. I should like to thank especially Lord Houghton and Clive Hollands, because no one has done more for animal welfare than they. I should like also to thank FRAME and its devoted leadership, Michael Balls, and the parliamentary group led by my hon. Friend the Member for Thanet, North (Mr. Gale). Without their support, a great deal of the refinement of the legislation would not have been possible.

Last, but not least, I thank the Opposition Front Bench. I do not want to embarrass them, but I must say that the hon. Member for Birmingham, Erdington (Mr. Corbett) is well known for his devotion to animal welfare. He is not a man who believes in shouting slogans when the practical business of legislating is to be done. He is not prepared to allow the best to be the enemy of the good. If the Bill works—I believe that it will—it will be due as much to the hon. Gentleman's efforts as to those of the rest of us.

The Bill is a great step forward in animal welfare, but it does nothing to threaten the vital medical research and other work that have done so much to make our society as safe as it is.

10.30 pm

Mr. Corbett: I thank the Under-Secretary of State for his generous remarks. I know that he will understand when I say, and mean, that, in every sense of the expression, the Bill has very much been a joint effort both in the House and, especially before the legislation came before us, outside the House. We have made the legislation better than it was initially.

We have enshrined the independence of the Animal Procedures Committee, which lies at the heart of better efforts to oversee justifiable animal experiments. We have agreed to write on the face of the Bill a requirement that a project licence shall not be granted unless the applicant can demonstrate that adequate consideration has been given to the use of non-animal alternatives. We have had pledges from the Under-Secretary of State on training and cash for it in terms of the Home Office inspectorate and the provision of the necessary support staff for that inspectorate.

We have improved the Bill in other smaller ways without acrimony and in line with the sensible consensus reached by the three organisations which in many senses can claim direct parenthood of the Bill—the British Veterinary Association, the Committee for the Reform of Animal Experimentation and the Fund for the Replacement of Animals in Medical Experiments. We owe them a debt, especially when, regrettably, consensus is no longer a national ambition.

The Bill is a beginning and not an end, and I know that the Under-Secretary of State will accept that. We look to the Bill's provisions to achieve fewer experiments involving fewer animals. We look to the Bill to encourage better efforts to do away with tests, such as the LD50 and Draize, and research on beauty preparations which raise so much public anger. They are proper expectations. Everyone concerned with the implementation of the Bill, from the personal project licensees through to the members of the Animal Procedures Committee, should know and remember this: in many senses they and we are on trial.

Some steps still need to be taken. Dr. David Britt of the department of veterinary parasitology in Liverpool has said—I warmly support him—that what matters most is not legislation but

"a heightened awareness by experimenters of the responsibilities associated with the use of animals and increased sensitivity to their needs and their capacity to suffer."

I commend Dr. Britt's suggestion to set up on a voluntary basis local institution-based animal research review committees made up of experienced researchers and those concerned with animal welfare.

The role of those committees would be to examine all welfare and ethical aspects of proposed projects before they were submitted for approval.

One view of those engaged in this type of research is that the best way to undertake their activities is to adopt a low profile behind Murdoch-like electronic protection. Dr. Britt makes the point that aloofness and conservatism

in the scientific community may not be unrelated to the use of illegal, and, yes, sometimes violent, methods by the more militant animal rights campaigners. He calls for the research review committees to start a dialogue between scientists and the community. He says:

"Lay input might encourage scientists to be more reflective in their management and us of animals in experimental procedures.

He then recounts the experiences of such committees in Sweden and North America.

I hope that those words will commend themselves to the Minister so that, if there is a response, he may encourage a trial with such committees and if necessary offer help with administrative costs.

I hope also that major companies with research laboratories, and universities, may now volunteer for such experiments. I believe that only by being more open, and demonstrating the concern for animal welfare that they claim, can scientists start to achieve a better understanding of what they are about and better understand and respond to the widespread concern about what now goes on behind their fortified walls.

I want also to make a plea to those concerned with animal welfare. I believe that the Bill has narrowed the ground between the wings of a disparate movement. There have been many divisions, and that has not been in the interests of animal welfare. Lord Houghton and Clive Hollands in particular have done much for a long time to try to bring people together. I hope that all those in the movement who want to see an improvement in the welfare of animals used for experiments will use the Bill as an opportunity to meet. I hope that they will discuss the Bill and perhaps agree about how they can constructively give it a chance to work. The Bill needs critical friends rather than critical enemies.

We shall all look to the Minister in particular to ensure that the training needed by the Home Office inspectors in the various specialties is provided and adequately funded. We shall hold the Minister to pledges that the inspectorate will have sufficient support staff adequately to carry out the field activities as well as the load of paperwork.

I remind the Minister that our expectations for increased research into the use of non-animal alternatives cannot be fulfilled against the background of successive and long-term cuts in Government funding for basic research. It has been calculated that since 1980 the buying power of research funding has fallen by between £70 million and £280 million at 1982-83 prices.

Charities now provide about £90 million a year towards research, but that funding must at best be short-term and ad hoc. No charity can guarantee that next year it will be able to provide the funds that it has provided this year. Long-term research is about people. It is about being able to guarantee to people that one has sufficient funding to cover a project lasting for three, four or five years.

We also need better and more work on the refinement of the design of the experiments, and better systems to ensure that those taking part in them have proper and relevant qualifications and the competence to be licence-holders. There is a great hole in the training of those at present involved.

The one thing that I regret about our work on the Bill has been the shabby, shoddy, yah-boo politics of the Liberals and the Social Democrats. The Liberals and Social Democrats have repeatedly told us on other occasions that they are above such things.

An inaccurate, misleading and disgraceful leaflet was issued on behalf of Liberal Members, claiming:

"This Bill will almost certainly leave animals in a worse position than before."

At no time during the passage of the Bill have they sought to justify that idiot claim. The leaflet added:

"Liberals are determined to oppose this Bill."

Let us see whether they have done that. The replacement Member of the Standing Committee, the hon. Member for Brecon and Radnor (Mr. Livsey), attended seven out of nine Committee sittings; and I do not criticise him for that. However, he was not present to oppose the Liberals and SDP Members when they opposed the Second Reading of the Bill. When we discussed the amendment proposed by my hon. Friend the Member for Leyton (Mr. Cohen) to ban tobacco experiments, the hon. Member for Brecon and Radnor did not say a word. When we had a debate about beauty cosmetic testing, the hon. Member for Brecon and Radnor did not make a speech. Instead he made four interventions varying in length between 16 and 59 words. I genuinely congratulate the hon. Member on his brevity; no doubt he was hoping to succeed more by stealth than by full frontal assault.

The hon. Member for Portsmouth, South (Mr. Hancock) made all sorts of wild accusations on Second Reading and deservedly received criticisms from both sides of the House, and he did not make his scheduled appearance in Committee. Doubtless he did not appear because of the embarrassment felt by his right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) who, as a qualified general practitioner, must have taken part in and accepted the need for some animal experiments.

The hon. Member for Portsmouth, South said on Second Reading:

"I want to see experiments and the health of everyone improved."

However, he did not say under what conditions or how many experiments he wished to see. He claimed that the Bill

"does little to protect laboratory animals, to reduce animal experimentation or to promote alternative methods of experimentation."—[*Official Report*, 17 February 1986; Vol. 92, c. 103, 105.]

He was wrong on that count then and he is wrong now.

I should like to offer this quotation to the the hon. Member for Portsmouth, South and his hon. Friends to consider:

"No matter how strongly the law may be drawn, and no matter how rigidly it may be enforced, at the interface of the scientist and his subject, only the attitudes of the scientist are important. A heightened awareness by experimenters of the responsibilities associated with the use of animals and increased sensitivity to their needs and their capacity to suffer will achieve much more for laboratory welfare than new legislative measures . . ."

Those are the words of Dr. David Britt of the department of veterinary parasitology at the Liverpool school of tropical medicine. There is more honesty in that view and a better prospect of achieving our ambitions than the crude attempt of the Liberals and the Social Democrats on the basis of their misleading and inaccurate accusations to try to polish up a few votes at the next general election.

It is no wonder that in the remarkable document issued in the name of Liberal hon. Members——

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Read it.

Mr. Corbett: I will read it. The document states:

"It is impossible to explain in detail the Liberal policy and action on animals."

Mr. Mellor: I would like to remind the hon. Member for Birmingham, Erdington (Mr. Corbett) about that remarkable document. Did the hon. Gentleman also know that that document caused Dr. Balls of FRAME to write and inquire how the Liberal party could produce such a document? He wanted to know where it would be possible to explain the Liberal policy in detail. He wrote to the leader of the Liberal party on 10 March but has not yet been favoured with a reply.

Mr. Deputy Speaker (Mr. Ernest Armstrong): I remind the House that we are discussing the Third Reading of the Bill and that remarks should be related to the contents of the Bill.

Mr. Corbett: No doubt at some stage we will learn of the reply of the leader of the Liberal party to that important letter.

I conclude by saying that I hope that the Bill and the Animal Procedures Committee which stands alongside it, will achieve better results than the Farm Animal Welfare Council. The House got it wrong. Battery cages are still used. Indeed, the EEC proposes to reduce the amount of cage space for each bird. Sow stalls and veal crates are also still used. Nobody can claim that the welfare codes, which are supposed to help, have achieved what they should have achieved. I hope that the Minister will not forget that, and that he will determine that, at least in his area of responsibility, he will do better. I know that he wants to do better.

I should like to thank the Minister publicly for his open-mindedness and willingness to listen at all stages of the Bill. He has lost nothing through that, although, for reasons that he will understand, I shall not be able to speak for him in Putney in the next general election campaign.

We gave the Bill a critical welcome. Not all of those criticisms have been met, but I advise my right hon. and hon. Friends to give the Bill a fair wind against the background of it leaving us good scope to check and challenge what happens in its name. We intend to do just that, so that we can move at best speed to fewer experiments on fewer animals.

10.45 pm

Sir Dudley Smith: I should like to echo what the hon. Member for Birmingham, Erdington (Mr. Corbett) said about the cheap opportunism of the so-called alliance in this matter. He said that we had some extraordinary comments on Second Reading and some none-too-helpful ones in Committee. There are now rumours that it will vote against Third Reading. I hope that that is wrong. If not, I do not know how it has the face to do so.

The alliance's attitude contrasts strongly with the highly responsible one shown by the official Opposition. It is all too easy, with a Bill of this sensitivity, to try to make political capital out of it. The Opposition resisted that temptation and behaved most honourably. We had an excellent Committee because party lines were crossed and helpful suggestions were made. The Opposition should be congratulated on how they conducted their case.

What Liberals have said and what the document that has been referred to says is claptrap. The Bill takes Britain ahead of any other country in Europe in the protection of animals in experiments. That is a notable achievement of which all who have contributed should be proud. I have been in this place for many years and I cannot remember any legislation which was so intimately identified with a Minister, let alone a junior Minister. He has pursued the matter with the utmost diligence and vigilance, got groups together and talked to them. This is very much his baby. He has pushed the Bill through the House and is to be congratulated on his success. His is a remarkable achievement, and I hope that those in authority will take due note of that fact.

Not least of my hon. Friend's achievements was his getting the moderate animal organisations together. I should like to pay tribute to them for their helpful comments and responsible attitude. They contrasted sharply with the irresponsible organisations, which are fortunately small in number. They do more harm than good for their cause in their extreme efforts to convince the Government that we are all ogres and torture animals just for the sake of it.

Now, only essential experiments will be allowed. I believe that the number will continue to decline, aided and abetted by the Bill. We have heard that numbers are already on the decrease. All who have participated in discussions on the Bill want animal experiments to be replaced completely in the longer term. We realise that they cannot be replaced at the moment. As I have said before, many of us will probably not live to see animals replaced in experiments. But one day that will come about, and this is a definite move in that direction. That is why we should be pleased to have had support from organisations whose main aim is to ensure that animal experimentation should eventually be totally replaced.

This is an emotional and sensitive subject. It pays to have sensible and valuable discussion as well as detailed consideration. It is not a matter for vote grubbing—it is one for the human conscience. Anything that can be done to save life and curb suffering—provided that it can be done properly, carefully and with respect for the animal — deserves encouragement. This is common to all mankind. A person can suffer ills—sometimes terrible ones—and may need treatment, and his life may be extended if he gets the right sort of treatment. It is our duty to society to ensure that the best possible treatment is available to all our people. That is what the Bill does, and it does so responsibly, having regard to the genuine anxieties of many people who feel that perhaps there have been too many animal experiments in the past.

The Bill has my best blessings for the future. It is not perfect and will perhaps be improved in the months and years to come. But, as the hon. Member for Erdington said, it is a definite start, and it will proceed from there. In those circumstances, it is right that every hon. Member, irrespective of party, should back it tonight.

10.51 pm

Mr. Livsey: The alliance believes that the Third Reading should be rejected, and we propose to put the Bill to the vote. It was wrong for the Front Benches to suggest that we would do so simply to indulge in emotional politics. In my view they were trying to make hay out of the situation——

Mr. Fry: Will the hon. Gentleman give way?

Mr. Livsey: Certainly not. I have only just begun my speech. Perhaps the hon. Gentleman will give me a chance to get going.

We all agree that the Minister has been sympathetic to the subject of animal welfare, and I would not dream of

attacking him on that score. The Bill sets up the Animal Procedures Committee and project licensing, both of which are good and I commend the work that has been done. In fact, I commed the work of the Committee and the conscientiousness with which it carried out its task. The only point I want to make is that the Bill does not go far enough.

Mr. Fry: In those circumstances, why have the hon. Gentleman and his SDP colleague been tumbling over themselves all night to withdraw the amendments that they tabled?

Mr. Livsey: It would be foolish not to admit that there has been some generosity in accepting amendments. I do not challenge that. But the Bill does not include reference to the LD50 and Draize tests, which were defeated in Committee. It is not strong enough on cosmetics and tobacco testing, and does not clarify the situation on warfare experiments. We have also had a long discussion on Crown immunity. In our view, all these mattes should have been included in the Bill.

Obviously, there are good points about the measure, but it does not go far enough. As a protest, we intend to vote against it.

Mr. Corbett: The hon. Gentleman will be aware that in its 1979 election manifesto the Liberal party made no mention at all of animal welfare. The so-called joint manifesto of the Liberal-SDP alliance in 1983 backed the idea of a standing commission on animal welfare and said:

"This would keep under constant and rigorous examination"—

it sounds like the Minister—

"all issues of animal welfare including experimentation on live animals".

If the hon. Member and his party feel so strongly about the Draize eye test and LD50 and cosmetic tests, why did they not move amendments at the Committee stage and, more important, why were those explicit commitments not put in their manifesto for the last election?

Mr. Livsey: The hon. Gentleman is holding up a single piece of paper. We had a manifesto for the 1979 election and many members of my party, certainly on our agricultural panel, have been campaigning hard for animal rights for a long time. The criticism of the hon. Gentleman is unfair. The Bill is inadequate and we will vote against the Third Reading.

10.55 pm

Mr. Gale: I did not intend to speak on Third Reading, but having heard the sanctimonious cant from the Opposition — *[Interruption]* — from the opportunist Opposition, perhaps a little more needs to go on the record. I have the honour to chair the all party-parliamentary Fund for the Replacement of Animals in Medical Experiments. That is a genuine all-party group and I think it has the largest support of any of the Back Bench groups. It believes fervently that animal welfare is not a party political issue. The Committee stage of this Bill was refined, because in the main the debate was not party political.

I am sorry that the hon. Member for Leyton (Mr. Cohen) is unable to be present. He is on parliamentary business overseas. In our views on animal welfare, he and I are diametrically opposed, but the views he expressed in Committee were sincerely held and my hon. Friends would endorse that. That is in sharp and colourful contrast to the few opportunist remarks by the representative of the alliance who finally managed to take his place on the Committee, having replaced the hon. Gentleman who spoke on Second Reading and then gave up.

It would be quite wrong for me, on behalf of the all-party group, not to take this opportunity to congratulate my hon. Friend the Minister on the enormous amount of personal courage he has shown during the years he has worked on the Bill to bring it to its Third Reading.

I and all those who support FRAME believe that this is a non-party-political Bill that represents the true work of all those interested in animal welfare. It is perhaps significant that the animal rights movement has become a wholly owned subsidiary of the alliance that has, hocus pocus, put out animal rights leaflets supporting entirely the mobilisation of its demands, but that none of that work has gone into the genuine animal welfare representation that is in the Bill. By a huge majority the Bill will now get its Third Reading, whatever the opportunist opposition may do. The Bill has taken vast steps for animal welfare and will continue to do so for many years.

10.59 pm

Mr. Jeremy Corbyn (Islington, North): I shall be brief because I did not take part in the Second Reading debate or in the debate on Report. There is a degree of misplaced unanimity in the House. Those who have consistently opposed the abuse of animals in experiments should ask themselves whether the Bill will make much difference or, whether within a few years we shall have to debate the issue again. We may have to debate it again because all the abuses of animals in experiments in respect of cosmetics, tobacco, war and all the other abuses will still be happening. It has been said to me that this Bill regulates everything but bans nothing. That is true, and it is also true that the large number of vested interests which make a great deal of money from the results of animal experiments in a number of fields are prepared to live with the Bill. That indicates that the Bill has serious shortcomings. It does not achieve what many of those who are campaigning for animal rights wish it to achieve.

The Bill is the result of intensive campaigning by animal welfare lobbyists all over the country. The Government have sought to con them into believing that the Bill will meet their legitimate and justified fears about animal abuse in this country. They have not been conned. They are opposed to the Bill and they will continue to oppose it because it does not achieve what they wish it to achieve.

There is also a very large number of people, many of whom have sent letters and petitions and taken part in demonstrations in favour of animal welfare, who will not welcome the Bill because they genuinely believe that it will not achieve what it ought to achieve. They will continue to campaign for animal rights and for another Bill to replace not only the Cruelty to Animals Act 1876 but the Animals (Scientific Procedures) Act 1986.

We have been debating the Animals (Scientific Procedures) Bill, which is inadequate but with which many of the vested interests will be able to live, but future legislation should look seriously at the abuse of farm animals and their treatment and at the food cycle that is the consequence of intensive agriculture and intensive feeding. It should also look seriously at the treatment of wild animals and the need, once and for all, to ban blood

[Mr. Jeremy Corbyn]

sports, the most barbaric of all animal abuses. This issue is very much on the agenda. It is not pushed off it by the Bill.

Mr. Deputy Speaker: Order. The hon. Gentleman knows that that has nothing to do with the contents of the Bill. He must confine himself to its contents and to its Third Reading.

Mr. Corbyn: I appreciate that I must confine myself to the contents of the Bill, but I am merely pointing out, Mr. Deputy Speaker, its shortcomings.

In his Third Reading speech the Minister said that the hansom cab had been replaced by the Rolls-Royce. Wealthy people aspire to and use the Rolls-Royce. The poor have suffered for a very long time from having to use the hansom cab. I do not believe that the Bill achieves any great improvement in animal welfare.

11.2 pm

Mr. Fry: One of the problems about legislating for animal welfare is that the attitude of the British public is ambivalent towards it. Of course it wants animal experiments to be reduced or even ended but it also wants an end to the many scourges that affect the human race. There is a genuine dilemma. The British public, just like the alliance, does not have legislative responsibility. That is the Government's responsibility, and that is what they have done in this Bill.

My hon. Friend the Under-Secretary of State drew the analogy between a hansom cab and a Rolls-Royce. How successful it will be and how far the Rolls-Royce will go depends not only on the driver but on the skill of those who maintain it. I want to enter two caveats about the Bill. Those who support the Bill decided that they would rely upon the advisory committee experts and the inspectors without including in statutory form the need for any other kind of technical advice. I remind my hon. Friend that the advisory committee on animal experiments said in its 1981 report that it believed that there was a strong need for experts to be available as referees when permission for animal experiments was requested. The Bill will have to be taken on trust to a certain extent.

Despite the ability of the inspectors and the eminence of the advisory committee, the range of knowledge which is required is so enormous that that small group of people cannot possess the necessary expertise. The support I have given to my hon. Friend the Minister relies on his assurances that the inspectorate and the advisory committee will seek advice when they need it. The long term success of the Bill depends upon that.

My hon. Friend has taken steps in the Bill to protect dogs and cats. The Minister may remember that I asked what happened to those people who illegally supplied dogs and cats to research establishments. From conversations with Home Office officials I understand that there is nothing to stop someone collecting a stray, looking after it and then selling it to a laboratory. The bill may not be able to deal with that but I am sure that the public are worried about it. It is all very well to penalise the research establishments which take the dogs, but those who sell them should also be punished.

Despite such caveats I wish to congratulate my hon. Friend on piloting the Bill and obtaining such a wide degree of agreement from both sides of the House. That is no mean achievement for any Minister. Some years ago, I tried to pilot a private Member's Bill through the House on this subject. I had the Minister's support and that is why he now has my support.

I agree with my hon. Friend the Member for Warwick and Leamington (Sir D. Smith) that the Minister has displayed an ability to listen and to accept amendments and, when they were not right, to come forward with his own amendments. I think the Bill deserves a Third Reading. The Minister would be the first to admit that the Bill has still to be proved. The hon. Member for Birmingham, Erdington (Mr. Corbett) is correct when he says that we do not know how it will develop and it must be closely watched in the future.

It is a step forward. The hon. Member for Brecon and Radnor (Mr. Livsey) said that there are many good things in the Bill, but why is the hon. Member voting against those good things? Why would he vote to prevent the implementation of those good things? The answer is that for all the hon. Gentleman's fine words he is more interested in votes than animals. I do not think that is true of the bulk of the hon. Members. I have great pleasure in supporting the Third Reading.

Mr. Hancock: When we debated this issue on Second Reading I said that, for the first time in over a hundred years, the House would attempt to improve the lot of animals. On Second Reading and again tonight, the Minister legimately said that people from all sides of the animals welfare campaign had been brought together to try to get that ambition realised and that major step forward was achieved.

Regrettably, on Second Reading and again tonight, more in sorrow than anything else, I find myself unable to believe that the major step forward has taken place. My hon. Friend the Member for Brecon and Radnor (Mr. Livsey) gave the reasons why those major ambitions, held by many people, have not been realised.

Experiments may still continue to test cosmetics and tobacco — the LD50 test and the Draize eye test. Because of this it is legitimate for any Member of the House to continue to oppose legislation, even at this late stage. Surely we have a legitimate right to oppose something which we do not believe has fulfilled the ambitions that many of us wanted to see realised. I am amazed that so many Conservative Members should refer to speeches made in Committee. Regrettably, I could not serve on that Committee — *[Interruption.]* — as I was already serving on a Committee that sat on 27 occasions, during which the only speeches made by Conservative Members came from Ministers. We were discussing a major plank of Government policy. Before Conservative Members start quoting remarks made in Committee, they should ensure that their own house is in order. It was arrogant, and it showed a cynical disregard of an hon. Member's right to express a certain viewpoint to deride an hon. Gentleman——

Mr. Mellor *rose*——

Mr. Hancock: I shall speak for only another 30 seconds.

Mr. Mellor *rose*——

Mr. Hancock: I give way to the hon. Gentleman.

Mr. Mellor: I can appreciate the hon. Gentleman's embarrassment in giving way, but he should understand

why he is being derided. He is being derided not for opposing the Bill but for his empty-headed opportunism in merely quoting against the Bill half-mouthed propaganda about alcohol and tobacco without ever putting forward a viable alternative to our proposals. The hon. Gentleman is being derided for the total absence of any coherent thought on the part of the alliance parties. They are merely trying to gain empty populist advantage out of the issue.

Mr. Hancock: The House has gained little from the Minister's attempt to push home his already foul point. On Second Reading I spoke for more than 20 minutes, making many of the points that the alliance wanted to be included in the Bill. However, the Minister chose not to explain why the Government did not support their inclusion.

If the Minister is so sure that the Liberals and the SDP are supported by the majority of people in the country why on earth are the majority of hon. Members disregarding their voice? Perhaps only the alliance party represents the public's view. It is most regrettable that the Opposition spokesman has not pursued our line. Similarly it is amazing that the Minister has failed to respond to the public clamour for more ambition and drive to be associated with the Bill.

We shall vote against the Bill, because the ambitions that many people had for animal welfare rights have not been fulfilled. I wanted the Bill to do more, and I am sure that is the view of my colleagues. I am not in the least embarrassed by my stance, as it is wholly honourable.

11.12 pm

Mr. Roland Boyes (Houghton and Washington): On Second Reading, I spoke at some length, explaining why I could not support the Bill. Since then it has been in Committee, but the changes that I wanted have not been made. As a result, I am still unable to support the Bill.

The Bill still allows animals to be used for experiments connected with warfare. That is the most obscene, unacceptable and obnoxious use of animals. Animals are tortured pitilessly in the interest of discovering how best human beings can kill each other. Last time I spoke, I cited several examples of the pain suffered by animals. However, I shall cite one other, that I did not use then. A document which I shall come to shortly refers to experiments using tear gas and says:

"The peripheral sensory irritant . . . was tested on the eyes of conscious rabbits at Porton Down: effects included 'diffuse redness of lids with moderate swelling of the lids', 'swollen tissues encroaching over periphery of cornea'; and in some cases 'gross opacification of the cornea with deformity and/or ulceration'."

Not many hon. Members will have experienced tear gas, but we have seen the consequences of it and it does not take much to imagine the suffering that those animals experienced during that experiment.

I am pleased to say this evening that I understand that on Thursday last week the Federal Republic of Germany outlawed animal experiments for warfare purposes. What a great step forward. If only the Minister and his right hon. and hon. Friends could have told us this evening that exactly the same would happen in the United Kingdom. Why is not it happening here? No doubt we shall be told that warfare experiments, particularly chemical experiments, are carried out at Porton Down to learn about defence, when in actual fact they are carried out to learn about offence.

As hon. Members well know, it was recently agreed in the United States that a new generation of chemical weapons should be built and developed, with the consent and agreement of the NATO allies. One would hope that the Government would disagree with those developments but after the events of the past week and the ease with which the President of the United States obtained the consent of the Prime Minister of this nation——

Mr. Deputy Speaker: Order. The hon. Gentleman knows that he must confine himself to the contents of the Bill.

Mr. Boyes: Exactly. That demonstrates that the chance of any opposition is small.

To experiment on animals for the sake of humans who want to go to war is unacceptable. I can do no more than to quote the words of Dr. Robert Sharpe in a document on warfare experiments published by an active organisation called Mobilisation for Laboratory Animals. He wrote:

"The suffering which human beings inflict upon each other during the course of war is the responsibility of the human species alone, and there can be no justification for the pain inflicted upon other animals to test ways of harming and destroying ourselves."

If mankind were to destroy himself, that would be the responsibility of mankind. It has nothing whatever to do with animals.

Let me conclude by paying tribute to the many organisations that have provided much research and good material to enable us to study the consequences of warfare experiments. The number of letters that I have received on that matter show that their efforts are being well rewarded because more and more people are becoming aware of the obscenity of what happens at Porton Down. Recent opinion polls show that eight in 10 people are against the use of animals for warfare experiments and a whole nation in Germany is now against it.

Donald Barnes, a distinguished United States scientist, once said:

"The more I look back I see their greatest fear is in people finding out how the animals are treated and thereby initiating steps to correct that."

Another organisation has recently been spawned to help in the struggle to inform people about how animals are used for warfare purposes. Peace and Animal Welfare, whose general secretary is Mrs. Kitching, is now informing tens of thousands of people of the obscenity that is being carried out in the name of the British people. Many of us oppose the use of animals for those experiments.

My hon. Friend the Member for Islington, North (Mr. Corbyn) dwelt on the analogy of the hansom cab and the Rolls-Royce used by the Minister. Rolls-Royce are developed for the rich and powerful, just as the Bill has been designed for the rich and powerful to protect their commercial interests. But more than that, the Bill is in the interests of the crazed pain-inflictors, who operate under the guise of scientists working in the chamber of horrors called Porton Down and any other laboratories in Britain. I shall never support such Bills in the House unless they outlaw the use of animals for warfare experiments.

11.25 pm

Mr. Mark Hughes: I regret the absence of my hon. Friend the Member for Leyton (Mr. Cohen) from our deliberations tonight. Although he aggravates at times, he has an honesty of purpose and a discreet charm—which occasionally escapes him—and is a delightful person.

[Mr. Mark Hughes]

My hon. Friend the Member for Houghton and Washington (Mr. Boyes) referred to the use of animals in warfare experiments. He assumed that, in Committee, his hon. Friends let that bit pass by default——

Mr. Boyes: No.

Mr. Hughes: Oh yes, that is what my hon. Friend said to the House. I trust that he has read column 88 of the *Official Report* of Standing Committee A of 6 March, when hon. Members on both Labour and Conservative Benches extensively discussed the use of animals in warfare experiments, with no unanimity across parties and a distinction across both sides.

On that occasion the Minister said:

"It would not be in breach of an assurance given in this House, but unlawful if any Home Secretary, while the Bill remains on the statute book, granted a project licence for that purpose."

That purpose was the use of animals in weapon experimentation. He continued:

"I am grateful to the hon. Gentleman"—

my hon. Friend for East Kilbride (Dr. Miller)—

"for providing an opportunity for me to say that. It can never be a permitted purpose, and any Secretary of State who purported to make it so without amending the Bill would be in breach of the law."—[*Official Report, Standing Committee A*, 6 March 1986; c. 88.]

Yet my hon. Friends are now saying that we have failed the House and the country and that by permitting the continuation of the use of animals in warfare experiments are in error as to law. There is no error as to intent because there is no one in this House who would want to continue those experiments without control. My hon. Friends are saying that this Bill, now at its Third Reading stage, fails to protect animals against such experiments. I am saying that those of us who are their Labour colleagues fought and won assurances in Committee on that matter. They may not ultimately accept them, but on a matter of judgment the majority of their colleagues in Committee accepted them.

My hon. Friends are perfectly entitled to vote against Third Reading on a difference of opinion, but let them not for one moment think that we said that we want those experiments to continue. We will not have that. i will not have it said of myself or my hon. Friends that we want to continue those experiments without control. We were assured that no Secretary of State would ever allow that to be a permittd purpose within the context of the Bill. Earlier this evening we debated and, on my request, forced a Division on the question that Crown immunity should be lifted. Without the lifting of that immunity an impetus to fear remains, and I regret that the Government could not accept that argument.

The hon. Member for Brecon and Radnor (Mr. Livsey) was present at more Committee meetings than I was. Both of us suffered family bereavements, and I do not blame him for being absent occasionally. In Committee, a finely balanced argument was well rehearsed on the question of a total ban on LD50, Draize, cosmetic and tobacco experiments. Again, an honourable difference of opinion was the result. It therefore does not lie with one party or another in this House to make a political point; it is fraudulent for any party to do so. I hope that, as a newer Member of the House, the hon. Member for Brecon and Radnor will accept that it does neither him nor his party any good to say that only their members held certain views and voted a particular way. In my 15 years here that is not how animal welfare matters have been dealt with, and they will not be dealt with in that way in future.

Mr. Livsey: I never made that point in my speech.

We have objected to the Bill for objective reasons and said what they are. The hon. Gentleman mentioned LD50, the Draize test and other matters to which we objected. We are not making party political points.

Mr. Hughes: I am grateful to the hon. Member for that, but regrettably many of the interventions of his hon. Friends appeared to imply that anyone who rejected the LD50 or Draize tests was a Liberal supporter. That has never been the position. The hon. Member should not underestimate the sincerity of hon. Members who have found faults with the Bill but who believe that so great is the advance that it makes overall that it is worth accepting a few blemishes. I should prefer to have had the Crown immunity removed and a few other alterations made. I do not believe that banning specific tests and procedures was the right provision. The idea was to give the Secretary of State a power to say that unless a procedure was justified it would not be allowed. That is the core of the Bill, and on that basis I shall wish it a fair wind and vote for the Third reading.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 141, Noes 26.

Division 150] **[11.28 pm**

AYES

Alexander, Richard	Garel-Jones, Tristan
Amess, David	Goodhart, Sir Philip
Ancram, Michael	Gower, Sir Raymond
Ashby, David	Gregory, Conal
Aspinwall, Jack	Griffiths, Sir Eldon
Atkinson, David *(B'm'th E)*	Hampson, Dr Keith
Baker, Nicholas *(Dorset N)*	Hargreaves, Kenneth
Beaumont-Dark, Anthony	Hayes, J.
Biggs-Davison, Sir John	Hind, Kenneth
Blackburn, John	Holt, Richard
Blaker, Rt Hon Sir Peter	Howarth, Alan *(Stratf'd-on-A)*
Bottomley, Peter	Hughes, Dr Mark *(Durham)*
Bowden, Gerald *(Dulwich)*	Key, Robert
Brandon-Bravo, Martin	King, Roger *(B'ham N'field)*
Bright, Graham	Knight, Greg *(Derby N)*
Brinton, Tim	Lang, Ian
Brooke, Hon Peter	Latham, Michael
Brown, M. *(Brigg & Cl'thpes)*	Lennox-Boyd, Hon Mark
Buck, Sir Antony	Lilley, Peter
Budgen, Nick	Lord, Michael
Burt, Alistair	Lyell, Nicholas
Butcher, John	McCrindle, Robert
Butterfill, John	McCurley, Mrs Anna
Carlisle, Rt Hon M. *(W'ton S)*	MacKay, Andrew *(Berkshire)*
Chapman, Sydney	McNair-Wilson, M. *(N'bury)*
Chope, Christopher	Madel, David
Clarke, Rt Hon K. *(Rushcliffe)*	Major, John
Colvin, Michael	Malins, Humfrey
Crouch, David	Malone, Gerald
Currie, Mrs Edwina	Marlow, Antony
Dover, Den	Maude, Hon Francis
Dunn, Robert	Mayhew, Sir Patrick
Durant, Tony	Mellor, David
Eyre, Sir Reginald	Merchant, Piers
Fairbairn, Nicholas	Meyer, Sir Anthony
Fallon, Michael	Mills, Iain *(Meriden)*
Fenner, Mrs Peggy	Mitchell, David *(Hants NW)*
Fookes, Miss Janet	Moate, Roger
Forman, Nigel	Moynihan, Hon C.
Freeman, Roger	Needham, Richard
Freeson, Rt Hon Reginald	Newton, Tony
Fry, Peter	Nicholls, Patrick
Gale, Roger	Norris, Steven

Ottaway, Richard
Page, Richard *(Herts SW)*
Patten, Christopher *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rhodes James, Robert
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Smith, Sir Dudley *(Warwick)*
Soames, Hon Nicholas
Speller, Tony
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, Sir John
Sumberg, David
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Waller, Gary
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Whitfield, John
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Michael Neubert and
Mr. Peter Lloyd.

NOES

Alton, David
Boyes, Roland
Campbell-Savours, Dale
Clay, Robert
Clwyd, Mrs Ann
Corbyn, Jeremy
Cunliffe, Lawrence
Davies, Ronald *(Caerphilly)*
Dixon, Donald
Hancock, Michael
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Livsey, Richard
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McWilliam, John
Madden, Max
Maynard, Miss Joan
O'Neill, Martin
Pike, Peter
Robertson, George
Sedgemore, Brian
Skinner, Dennis
Wallace, James
Weetch, Ken

Tellers for the Noes:
Mr. Michael Meadowcroft and
Mr. Geraint Howells.

Question accordingly agreed to.

Bill read the Third time, and passed, with amendments.

Libya

11.39 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. Earlier in the evening, I twice raised the need for a Government statement. The facts as given in the past 10 minutes by Cruise Watch are that in the air there are 52 F-111s out of Mildenhall, 48 F-111s out of Upper Heyford, 72 tank busters from RAF Bentwaters and the bulk of the American tanker fleet from Fairford. If we are to believe that this is simply Exercise Elderforest it seems at best to be insensitive to a mindboggling degree. There should at least be a statement to the people in the vicinity of those are bases on what is happening. Will there be a reconsideration, even at this late hour, and will a Minister give the House a few explanations about the facts?

Mr. Deputy Speaker (Mr. Ernest Armstrong): The hon. Member knows that Ministers' statements to the House are not a matter for me.

Mr. Roland Boyes (Houghton and Washington): Further to the point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. Is the hon. Member raising a different point of order?

Mr. Boyes: Surely, we should consider the consequences last week, when a member of the Opposition Front Bench tabled a private notice question and asked for a statement, which Mr. Speaker in his wisdom turned down. I do not criticise Mr. Speaker, but we know what happened that day when the House was not informed about the F-111s being in the air. Exactly the same situation is occurring. Action has been threatened by the President of the United States——

Mr. Deputy Speaker: Order. The hon. Member knows that, however serious the issues, a Government statement is not a matter for me. I have not been told that a statement will be made.

Mr. Jeremy Corbyn (Islington, North): Further to the point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. One cannot raise a point of order further to bogus points of order.

Mr. Corbyn: Further to the point of order, Mr. Deputy Speaker. Will you advise us by what means these serious matters can be brought to the attention of the House and of the public?

Mr. Deputy Speaker: Those on the Government Front Bench have heard what has been said. It is not a matter for the Chair.

Statute Law Repeals Bill *[Lords]*

Order for Second Reading read.

11.42 pm

The Solicitor-General (Sir Patrick Mayhew): I beg to move, That the Bill be now read a Second time.

The Bill arises from a report of the Law Commission for England and Wales and the Law Commision for Scotland. In pursuance of their function to reduce the number of separate enactments and generally to simplify and modernise the law, the commissioners produced their 12th report in November 1985. They recommended that 135 Acts should be repealed in their entirety and that redundant provisions should be removed from 240 other Acts. The Bill would put those recommendations into effect and bring the total since 1969 to 2,300 enactments.

The Law Commission and the Joint Committee have performed work for which we should all be grateful. It is necessary from time to time to bring forward a measure to clear redundant material from the statute book. This is not a glamorous task but is necessary to the continuous process of legislation.

11.43 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I thank the Solicitor-General for his introduction and endorse his comments about the commissions' valuable work. Normally, when we discuss consolidated legislation late at night, we deal with matters which, in all candour, are as dull as ditchwater. This is not consolidated legislation, although it has been through the same procedure. It removes old and time-served statutes from the law. The notes on the Bill make entertaining reading. They contain a fund of material for speeches, but I shall not draw upon it.

Question put and agreed to.

Bill accordingly read a Second time.

Bill committed to a Committee of the whole House. *—[Mr. Maude.]*

Bill immediately considered in Committee; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed without amendment.

Social Security Bill [Ways and Means]

11.45 pm

The Minister for Social Security (Mr. Tony Newton): I beg to move,

That, for the purposes of any Act resulting from the Social Security Bill, it is expedient to authorise the charging to income tax under Schedule E of payments of statutory maternity pay under that Act or, in Northern Ireland, any corresponding provision contained in an Order in Council under the Northern Ireland Act 1974.

I shall speak very briefly, but I understand that the hon. Member for Derby, South (Mrs. Beckett) may wish to make some points, and I shall of course reply to them to the best of my ability.

In December the Government published a consultation paper proposing the replacement of most of the present state maternity allowance scheme with a scheme to be called statutory maternity allowance, modelled on the lines of the statutory sick pay scheme. Following the outcome of the consultation on that document, I last week gave details of a revised proposal for a scheme to be called statutory maternity pay, which would bring together much of the present state maternity allowance scheme with the present maternity pay scheme, operated by the Department of Employment, within a single more integrated scheme to assist women giving up employment in order to have babies.

An integral element in both schemes is to make the maternity allowance taxable, in line with general Government policy that income replacement benefits should generally be subject to tax in the same way as other income. That is already the case for such things as retirement and most widows' pensions. The present Government has introduced changes which make most unemployment and supplementary benefit for the unemployed taxable. Statutory sick pay has made the great bulk of sick pay taxable in the case of short term sickness, replacing much of the previous state benefit scheme.

Maternity pay is already taxable. The statutory maternity pay scheme, incorporating much of the present state maternity allowance scheme, will make that part of what is currently maternity allowance taxable, in line with our general policy.

The case for making such benefits taxable is clear both in logic and equity. I think that it is widely accepted on both sides of the House. The basic proposition is that people who have the same annual income, regardless of whether it is all from earnings or partly from earnings and partly from benefit, should pay the same amount of tax. That is what the proposed scheme, and the taxability of benefits under the proposed scheme, will enable us to achieve in this case in the same way as in a number of other cases.

The details of the new scheme have now been laid out in new clauses tabled to the present Social Security Bill. They will no doubt be the subject of a measure of debate in Standing Committee when we reach new clauses next week. The present resolution paves the way for an important aspect of the proposals, namely the taxability. I commend it to the House.

11.48 pm

Mrs. Margaret Beckett (Derby, South): The first point that I should like to make is that the Minister said that the proposals had been announced last week. I am not sure on which day the announcement was made, because the press release is not dated, but it was on Thursday that the matter came to my attention. He said that a new clause had been prepared. However, so far as I am aware—and I checked a little earlier this evening—it is not on the amendment paper. We are therefore debating a paving proposal for a proposition that is not before us. Some of my questions might therefore have been unnecessary if the proposal had been before us.

I shall confine my remarks within the context of the proposal to make statutory maternity pay taxable and to the reasons for the order. As it is to be taxable, I should like the Minister to comment on the rate at which it is proposed to be paid. As I understand it, in 1980 the maternity allowance was cut by 5 per cent. in lieu, the Government said, of taxation that was to be brought in subsequently. Will the Minister tell us what would be needed to restore the present payments in real terms by that 5 per cent. so that we may have a degree of comparison between what is proposed and what might otherwise have existed?

I believe that in 1981 strong assurances were given—and the Equal Opportunities Commission has drawn attention to this—by the Government, that the proposed changes would introduce a system of benefit which would reflect 100 per cent. of normal pay. The reason for making it 90 per cent. of normal pay was that an earnings-related supplement to maternity allowance would make up the difference. In the comments on the consultation document, the EOC and other organisations have drawn the Government's attention to the fact that these assurances were explicitly given and repeated, and yet it appears from the proposals that it is still intended that the new scheme should be 90 per cent., not 100 per cent. of normal pay. What will the losses be in keeping the figure at 90 per cent.?

The proposed rate of payment seems to be the one that corresponds to the lowest rate of statutory sick pay and is only some 85p more than the existing payment. That hardly seems to be enough to make up for the fact that the proposed sum will be subject to tax and national insurance.

One point about which I should like clarification—as I cannot carry the figures in my head any longer as they have become rather more complicated—is whether the sum is lower than the normal rate at which national insurance contributions would be charged. Therefore, in a sense, if national insurance contributions are to be charged on that sum, that would be exceptional.

I should also like the Minister to give us more up to date information about the number of losers who are expected and about the amount that the Government expect to save. Under the original scheme, although some 5,000 to 10,000 women were said to be gainers, it was envisaged that some 75,000 to 85,000 would be losers. Has that figure been improved or is it worse? The amount saved has been estimated to be about £34 million to £39 million, and I should like to know the Minister's estimates of the present savings.

The Opposition support the contention of the EOC among others, that if there are savings they should go to improve the level of maternity benefit overall, rather than merely going as savings to the Government. That is especially important because there is still clear evidence that there are likely to be twice as many still-births among the poorest families. There is much more likelihood of early death among the poorest families, and it is therefore essential that there should be adequate provision for those

[Mrs. Margaret Beckett]

families during pregnancy. In 1984 a hospital survey showed that for diet alone to be adequate — and we recognise that there may be limitations on direct comparisons — the amount needed then was some £13·87. An updated figure on that basis would be about £14·70. That is a substantial chunk out of the money that is intended, in theory at least, to meet all maternity needs.

There are other criticisms of the proposal. As the Minister will be aware, we are deeply worried about mistakes that are known to be made in payments of statutory sick pay and the extent to which people in small firms do not receive maternity pay, even under the present system. Most of those comments might better be made when we have the new clause.

The questions that I have asked arise out of the taxable nature of the proposal, and I would welcome the Minister's response.

11.54 pm

Mr. Newton: I understand that the new clauses have been tabled tonight and will therefore be on tomorrow's Order Paper. I understand that it would have been helpful if the hon. Lady had been able to see them before tonight's debate, I hope that she will understand that we have modified the proposals quite considerably in response to the consultation, especially in trying to bring together the existing maternity pay scheme and the formerly proposed statutory maternity allowance scheme. That has inevitably meant a good deal of work, and it was not possible to table the clauses last week.

We made the statement on Thursday, as the hon. Lady said, and put a copy in the mail for all members of the Standing Committee, as the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) will know, so that they should have as much notice as possible, even without the clauses, of the general lines of our intentions. I hope that that will have been thought sensible and reasonable.

I should like to answer the hon. Lady's questions in fairly broad terms and write to her if I have any of the details wrong. My recollection is that restoration of the 5 per cent. abatement in the rate of the existing maternity allowance introduced in 1980 or 1981 would cost about £8 million and that the amount of money involved in the 90 per cent. versus 100 per cent. of maternity pay, given that current expenditure on maternity pay is about £70 million, must be about £6 or £7 million. If I have inadvertently misled the hon. Lady—the figures are taken from my memory rather than from my brief—I shall write to her.

The hon. Lady mentioned the suggestion that the flat rate of statutory maternity pay would be the same as the current lower rate of statutory sick pay, which is £31·60 per week, and suggested that that was only 85p different from the rate of sickness benefit. The current rate of sickness benefit is £29·15 per week, and the difference is £2·45. If I am inadvertently misleading the hon. Lady, I shall write to her. Perhaps she is comparing the current rate of statutory sick pay with the rate of state sickness benefit and therefore of state maternity allowance, which will come into effect in July.

I have compared the present rate of statutory sick pay, payable from the beginning of this month, with the current rate of maternity allowance, which has been payable since November. There is a good deal of room for confusion as matters change during the year because of the rather silly fact that statutory sick pay upratings take place in April whereas all other social security benefit upratings take place in November. Not least of the advantages of the proposals that we have tabled for aligning the tax and benefit years is the fact that that type of anomaly will be removed and, from 1987, everything will go up in April.

In any event, the hon. Lady's comparison does not tell us very much, whether 85p or £2·45, because it ignores the Government's basic proposition that all of these benefits ought to be taxable in fairness to those who derive the same amount on income over a year in ways which do not include an element of social security benefit. That is the basic fact to which I would cleave in putting forward this proposal.

Anyone with a weekly income of only £31·60 would not pay national insurance contributions as that is more than £6·40 a week below the current lower earnings limit. It is also in the nature of events that a woman receiving statutory maternity pay would not necessarily be receiving any other income from her employer that would bring her within the national insurance net. If by some chance she was — and it would be possible in relation to occupational sick pay — it would rank for national insurance contributions if she was above the lower earnings limit.

From that it follows that anyone receiving the higher rate of what will be statutory maternity pay — the six weeks of earnings-related benefit corresponding to the existing maternity pay scheme—will be likely to attract national insurance contributions in respect of those payments as they are likely to be a significantly above the lower earnings limit.

Our present estimate is that about 94,000 women who would have qualified for maternity allowance under the present rules will not qualify for either SMP or the state maternity allowance in 1987-88. These are almost entirely women who were not working when their pregnancies began. In other words, they are people for whom maternity allowance was never designed. It was designed for those in work at the time in order to enable them to give up work in the interests of their own health and that of their babies. Those considerations clearly do not apply to someone who is not working, even when the pregnancy begins. Part of our worry about the present scheme, and one of our reasons for wishing to change it, is that it is poorly targetted in terms of the basic aims that it was expected to fulfil.

Against that figure — and this picks up the hon. Lady's point about ploughing money back into the scheme — about 20,000 women who do not qualify for the present maternity allowance will be brought in — not necessarily to the statutory maternity pay scheme but to the residual state maternity allowance scheme — by the introduction of the recent work test that we are proposing in respect of residual state maternity allowance.

They will be gainers, as will two groups to which the House will, I think, attach some importance. We shall enable what are known as opted-out married women to receive statutory maternity pay. At present they cannot get state maternity allowance, because by definition they have decided not to pay full-rate national insurance contributions, and that excludes them from short-term benefit.

A smaller group, which I know has the sympathy of the House, will also be brought within the changes that we are proposing. As the House knows, there has been some

controversy in recent months about the fact that pregnant widows cannot get maternity allowance because it counts as an overlapping benefit with widows' allowance. We propose to remove that overlapping benefit provision to enable pregnant widows to receive statutory maternity pay. That small but sympathy-demanding group will also be assisted by our proposals.

The financial calculations are somewhat complex—as I am sure the hon. Lady knows from some of the discussions we had last year about the extension of statutory sick pay—because of the way in which various items crop up in different bits of the account. It is estimated that the flat-rate element of statutory maternity pay will account for payments by employers of about £112 million, and that is apart from payments of the earnings-related element equivalent to the present maternity pay scheme. It is also estimated that DHSS expenditure on maternity allowance will be reduced by £174 million.

There will be offsetting expenditure of £19 million on extra sickness benefits and supplementary benefit payments. The hon. Lady will see from those figures that there is a modest increase in the amount paid out. Against that there is the taxation issue. I do not think that the hon. Lady asked about this, but perhaps I should tell her that we expect the tax yield from SMP as a whole will be about £30 million. Of that, about £15 million is, as it were, the equivalent of existing taxation because maternity pay is already taxable. That means that the net increase in tax revenue, the amount corresponding to the introduction of taxation on the maternity allowance part of the maternity pay scheme, is around £15 million. I hope that that is reasonably clear to the hon. Lady, but if in seeking to respond as willingly as I have to her questions I have in any way issued a misleading statistic I shall see that she receives a correction.

Mrs. Beckett: I shall be able to read the Minister's words in the *Official Report*, but it would be helpful if he could set out the financial calculations. Although I tried to follow with care the figures he gave, I find it a little hard to see how 94,000 women, or a net figure of 75,000 women, can fail to qualify for benefit altogether, although the Minister argues that there is little in the way of financial savings. I should like him to look at that rather more carefully.

My second point is one that I should have asked the Minister first time round and I forgot. It is not entirely clear to me from the press release, but I have taken it from the way that it reads, that the original intention with the statutory maternity allowance and the separate maternity pay scheme was that one might be deductible from the other. That proposal caused a great deal of anxiety during consultation, but I now assume that it will disappear because the schemes are amalgamated. Am I correct in that assumption?

Mr. Newton: There may be some misunderstanding. It has always been the case that where maternity allowance was payable, maternity pay made up the difference to reach the 90 per cent. total. If that were not done, somebody could get more in maternity pay and maternity allowance than she would be getting by way of normal pay if she were at work. Clearly, that is neither satisfactory nor sensible.

We certainly do not envisage that there should be payment of a flat rate equivalent to the present maternity allowance. To make it clearer, take as an example the £31·60 figure. On top of that there would be a payment of 90 per cent. of normal earnings. During the six weeks there would be 90 per cent. of normal earnings and for those qualified for the 90 per cent. over the six weeks, there would be 12 weeks at the flat rate of £31·60. There would not be six weeks during which both the 90 per cent. and £31·60 were payable together at the same time. That is for the same reason as not paying maternity allowance and maternity pay as separate figures.

Mrs. Beckett: As I recall and as I understood from the documentation that I have available—obviously not as extensive as that available to the Minister—the point being made was that people who were not receiving maternity allowance might nevertheless be deemed to be receiving it and would suffer a loss. A number of people responded to that danger during the consultation process and it is not clear whether or not it has disappeared.

Mr. Newton: The technical restraint on the debate is the taxability of the proposed scheme. The hon. Lady is going into some fairly fine detail, and it might be better if I were to undertake to communicate with her at a later stage rather than to detain the House longer tonight.

Question put and agreed to.

Resolved,

That, for the purposes of any Act resulting from the Social Security Bill, it is expedient to authorise the charging to income tax under Schedule E of payments of statutory maternity pay under that Act or, in Northern Ireland, any corresponding provision contained in an Order in Council under the Northern Ireland Act 1974.

SAFETY AT SEA BILL [MONEY]

Queen's Recommendation having been signified—
Resolved,

That, for the purposes of any Act resulting from the Safety at Sea Bill, it is expedient to authorise—

(a) the payment out of money provided by Parliament of any expenses incurred by a Minister of the Crown under the Act and any increase attributable to the Act in the sums so payable under any other Act;

(b) the payment of sums into the Consolidated Fund.—*[Mr. Lennox-Boyd.]*

HOUSE OF COMMONS (SERVICES)

Ordered,

That Mr. Churchill be discharged from the Select Committee on House of Commons (Services) and Mr. William Benyon be added to the Committee.—*[Mr. Lennox-Boyd.]*

Oxford Polytechnic

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Lennox-Boyd.]*

12.10 am

Mr. Steve Norris (Oxford, East): Oxford is well known for its university which, over seven centuries, has established a worldwide reputation. Oxford is less well known for its polytechnic, which has not had the advantage of being in business for seven centuries but which is, nevertheless, fast making a name for itself.

I have the privilege of representing the constituency in which Oxford polytechnic is located and I should like tonight to draw attention to its achievements as well as to some of the problems that confront it. In so doing I wish to pay tribute to, and to thank Dr. Clive Booth, the director of Oxford polytechnic, who has prepared for me a most excellent brief for this evening. My hon. Friend the Parliamentary Under-Secretary of State for Education and Science will appreciate that his Department's loss is clearly Oxford polytechnic's great gain.

Oxford illustrates as well as anywhere the complementary roles of a great university and a thriving polytechic. The polytechnic has many special features not to be found in most universities. These include the opportunity to study at a wide range of levels from below degree to postgraduate, to study part-time as well as full-time, and in many applied and vocational subjects, some of which — such as architecture, catering management and planning—are not available in the university.

The polytechnic has a unique and highly popular modular course in which students can combine subjects from similar or widely differing fields. It has very strong links with the local community and industry. Like all polytechnics, it is accountable through many external academic and professional bodies for the quality of its work, and their reports speak highly of its achievements. The polytechnic's students are significantly above average in their success in obtaining employment after graduation.

Oxford polytechnic is a shining example, as I am sure my hon. Friend will agree, of academic efficiency. Its expenditure per student in 1984-85 was 8 per cent. below the average polytechnic and 24 per cent. below the highest spenders. Let me emphasise that these figures, which were produced by the polytechnic finance officers group, are adjusted to allow for differences in the mix of subjects studies, so they are genuinely comparable figures.

Not only is the polytechnic spending well below the average but it has achieved, in advance, the targets for student-to-staff ratios that are set by the National Advisory Body on the advice of Her Majesty's inspectors. It has achieved these levels of efficiency by exercising stringent economies and by teaching students in larger and larger groups.

But these economies have also had a measurable effect on student performance. Oxford polytechnic will shortly be publishing a research study which shows that over the period 1980 to 1985 student achievement, as measured in the termly examinations, fell steadily. This was in spite of an increase in the quality of the student body as measured by their general certificate of education advanced level grades. I am sure that my hon. Friend will agree that this is a matter not for congratulation but for deep concern,

specifically because the fall in achievement correlates with increasing class size and the relationship is highly significant in statistical terms.

The evidence reinforces that recently assembled by the Council for National Academic Awards, based on hundreds of course courses in the public sector. In its report on resources and standards, a copy of which has been sent to my hon. Friend, the council registered its concern. The standards of courses approved by the CNAA are required by the council's charter to be comparable with university standards. The CNAA's function is thus to offer public reassurance about the quality of public sector courses. But this CNAA report makes sombre reading. I do not have time to quote extensively from it but the council do point to the many problems caused by the sharp reductions in the available resources per student in recent years. The council concludes:

"The Council believes that serious consequences will follow if there is a further decline in the unit of resource; and secondly, if action is not taken in the longer term to raise the unit of resource and capital equipment allocations to levels that will sustain quality."

Oxford polytechnic, in common with others, continues to face a deteriorating situation. I shall deal with Oxford polytechnic's 1986-87 budget problems. These have arisen because it is self-evident that the Government's expenditure plans have made inadequate allowance for inflation and the way inflation affects academic institutions.

The expenditure required simply to maintain the existing courses exceeded income by some £300,000. The governing body has had to consider savings which demonstrate the difficulty of finding economies in a polytechnic which is already poorly funded. The proposed savings included the early retirement of academic staff even though the polytechnic has already achieved the staffing levels recommended by HMI and has lost 40 academic staff within the last two years. A reduction in non-academic staff levels has been considered and yet this level is already below average. Another consideration was a reduction in library opening hours. However, because of past economies in the teaching staff, students have to rely increasingly on private study. To reduce to the already ungenerous library opening hours will hit those students hard.

Another saving which is being considered is a reduction in industry visits and field work. That would be on top of the savings made in 1975 and 1979. My hon. Friend the Parliamentary Under-Secretary of State for Education and Science who is to reply will appreciate the difficulty of running vocational and applied courses without adequate industry visits and field work. It is self-evident.

These are some of the economies under consideration but they make it clear that the cuts strike at the heart of student education. Oxford polytechnic has the sympathetic assistance of the county council. I am glad to say that the council has agreed to meet some of this year's deficit and, as a result, the worst cuts will be avoided. It cannot be right that a higher education institution of national importance should depend on the willingness of local ratepayers to top up its budget.

Oxfordshire county council, given its own circumstances, has understandably had a policy of not topping-up Oxford polytechnic, although it has come to the rescue on occasions and the polytechnic is grateful for that. However, the effect of topping-up is inequitable and impossible to justify as some polytechnics receive generous contributions from their local education authority and others receive little or nothing. That is not helped by the attitude of the Government and NAB which is, in effect, to pretend that topping-up does not exist.

The Green Paper on higher education said that universities and polytechnics should increasingly look for private sources of funding. I wholly agree with that proposition with which the polytechnic also concurs. The polytechnic has met with increasing success obtaining private funding through research and consultancy. However, the Confederation of British Industry and Engineering Employers Federation has confirmed in its responses to the Green Paper, as my hon. Friend the Minister is well aware, that industry cannot be expected to subsidise mainstream courses on any significant scale beyond their present level of subsidy.

I shall attempt to put the financial problems of polytechnics in a broader national context. Recently my right hon. Friend the Prime Minister drew attention to the fact that under this Government, the number of students in polytechnics and colleges had grown by 40 per cent. Thanks to the efficiency of the institutions, however, that has been achieved by a much less than commensurate increase in resources. For example, between 1980-1981 and 1984-1985 polytechnic expenditure fell from £3,600 per student to £2,800 per student, which is a reduction of 22 per cent. in real terms.

In the same period, university expenditure per student fell by a few percentage points. Indeed, the stark differences between the universities and the polytechnics were recently brought out in a paper published by the Department of Education and Science entitled, "Comparison of Funding across Sectors". It shows that even after discounting 30 per cent. of the universities' budgets for research, the polytechnics and colleges received 20 per cent. less per student. I fail to see how a Government who have often reinforced their support for polytechnics and for the particular courses that they offer can justify that disparity.

Oxford polytechnic's difficulties are compounded by the inadequacies of its capital budget. This year, the amount earmarked by the Department for 1986-1987 is £776,000. That is a hopelessly inadequate sum for a major higher education institution that is attempting to cope with large teaching groups, changes in the balance of work, and the introduction of new technology into its science, engineering and vocational courses. It is less than the amount required solely for replacing outdated and broken-down equipment, which at Oxford polytechnic is estimated to amount to about £1 million per annum.

The situation has become so serious that the dean of technology is now having to consider complete withdrawal from a subject area, since the polytechnic cannot hope to maintain standards in all areas of science and technology on the Government's present capital budget. It is interesting to note that a university of similar size to Oxford polytechnic would receive from the University Grants Committee three or four times the amount earmarked for the polytechnic by the Department.

One result of the inadequacy of the capital programme is the severe pressure on accommodation. The polytechnic in Oxford is now accommodating 30 per cent. more students than the Department's space standards indicate should be accommodated. That means severe wear and

[Mr. Steve Norris]

tear, which is exceptionally heavy and which puts pressure on the maintenance and cleaning revenue budgets. It is a vicious circle of the most unappetising sort.

I turn briefly to the future. As my hon. Friend the Minister knows, the NAB's officers have recently issued plans for the 1987-88 year as a basis for consultation. The NAB officers have had to make assumptions about the resources likely to be available, and they have quite reasonably assumed that, after all the economies made by polytechnics and colleges in the past six years, the amount spent per student must be protected. The result of protecting the amount per student is a planned reduction in intakes of 9,500 students. That figure has, not surprisingly, attracted much publicity, and I welcome the recent statement by my right hon. Friend the Secretary of State that he hopes that those cuts in places can be avoided. But I must warn my hon. Friend the Minister that the 9,500 students cannot be accommodated unless matching resouces are provided. The loss of student opportunity if those places were not to be provided would be very sad indeed. At Oxford polytechnic, the NAB plans would perforce include cuts in computing, construction, mathematics, business studies, catering, modern languages and the in-service training of teachers. All of these are applied courses of central importance to our country's economic success. How can it make sense to cut them?

I conclude on this note. In a recent television interview my right hon. Friend the Secretary of State said that he would be willing to make extra money available for purposes where he could be satisfied that they would be used wisely. If that is so, I urge my right hon. Friend to support extra funding for polytechnics. Understandably, they feel undervalued by the Government. My right hon. Friend claims to value higher education, which is closely linked to industry and commerce. That is exactly what the polytechnics are providing and they are doing so with great efficiency. They deserve our material, as well as our moral support.

12.25 pm

The Parliamentary Under-Secretary of State for Education and Science (Mr. George Walden): I am most grateful to my hon. Friend the Member for Oxford, East (Mr. Norris) for giving the House this opportunity to debate the affairs of Oxford polytechnic. The distinctive role and formidable achievements of the polytechnics are not always as well known as they should be. The popular perception of the polytechnics is too frequently as the poor relations of the universities. In fact they are at the head of a thriving and successful collateral branch of the higher education family with their own independent household, means and interests. They merit a better and more extensive press.

I am particularly glad that it should be in relation to Oxford polytechnic that this opportunity arises, because it epitomises many of the typical virtues. My hon. Friend, who of course knows the polytechnic more intimately than I, has alluded to many of its achievements already this evening. But perhaps I, who know it more by its national reputation, although I have visited it informally, could single out three which refer back to the intentions which led to the creation of the polytechnics in 1966 and which are the hallmark of their distinctiveness today.

First, Oxford polytechnic is comprehensive in its intake and breadth of provision. Roughly a quarter of its advanced students are studying for qualifications below degree level. Over 10 per cent. of its advanced students are part-timers, a substantial proportion of whom are local mature students.

Secondly, the polytechnic's emphasis is on technical and vocational work—on application rather than pure abstraction. Over 85 per cent. of its advanced students are on technical, scientific and other vocational courses. Many courses have been devised in collaboration with, and in response to the needs of local employers.

Thirdly, the polytechnic is the valued collaborator of local industry, not just as a supplier of training needs, but as a consultant with practical expertise to contribute in its own right. It provides everything from a consultancy service on catering management, to energy studies for local schools, to the development of computer-aided management systems.

Therefore, I am happy to accept and to endorse my hon. Friend's high estimation of Oxford polytechnic. It is an institution of many qualities and with an important contribution to make to local and national needs.

The kernel of the case made by my hon. Friend is that these qualities are now perceived to be threatened by financial stringency. In particular the polytechnic faces a deficit on its budget for 1986-87 which may necessitate the finding of substantial savings to the detriment of existing provision. The moral which my hon. Friend draws from this is that the resources planned for the public sector of higher education as a whole in 1986-87 are inadequate and are being spread too thinly, both in that respect and for equipment.

My hon. Friend will, I hope, understand if I do not attempt a detailed analysis of the management and financial circumstances of Oxford polytechnic. They are matters beyond my Ministerial responsibility. I certainly do not wish to challenge my hon. Friend's judgment that it is a well-run institution, nor the judgment of those within the institution itself and the maintaining authority who have managerial responsibilities, that the budget for 1986-87 is a tight one.

However, I cannot refrain from quibbling with one small detail of my hon. Friend's presentation. I notice that he did not quote from the letter from the local education authority which suggested that there was a possible saving of £100,000—a third of the shortfall—on catering and cleaning. However, I know that the polytechnic governors had serious doubts about the effectiveness of privatisation. I note that for the record, but I do not want to get involved in this local issue.

My right hon. Friend the Secretary of State is, however, responsible within the context of the Government's plans for local authority expenditure generally for the annual determination of the advanced further education pool, which shares the cost of local authority higher education between authorities. My right hon. Friend is also responsible, in the light of advice that he receives from the National Advisory Body for Public Sector Higher Education, for determining allocations from the pool to local authorities in respect of their institutions providing advanced education.

Against that background it is pertinent to record that the allocation from the pool in respect of Oxford polytechnic in 1986-87—just over £11·5 million—represents a 6 per cent. increase on that for 1985-86. That is in line with the

increase in the advanced further education pool as a whole between those two years and ahead of the Government's forecast of inflation. It yields a level of funding per student at the polytechnic at exactly the overall polytechnic average. Since 1983-84, Oxford polytechnic's allocation from the pool as risen by 18 per cent., roughly in line with inflation. That is not ungenerous.

If, nevertheless, Oxford polytechnic anticipates difficulties in living within its budget in 1986-87, I suspect that two particular factors may be playing a part. The first, which is also general to public sector higher education, is the inflationary cost—7 per cent. in a full year—of the 1985-86 further education lecturers, pay settlement. There are many who would argue that the public funding of the system should keep pace with its component costs, including its salary costs, even if they exceed the rate of inflation in the economy as a whole. I do not accept that argument. The award was made on the understanding that the lecturers' union would discuss changes in working practice that would lead to significant efficiency gains. Although they are the subject of current negotiation, those gains have yet to materialise. In the meantime, I do not think that higher education—and I stress that I am talking about higher education overall, rather than polytechnics in particular—can reasonably expect to be compensated by the taxpayer for additional costs which were incurred with open eyes and full knowledge of the funding consequences. The onus must be on higher education itself to contain the increased cost.

Oxford polytechnic, as my hon. Friend said, has also recently lost its topping up—the amount by which the maintaining authority had in the past supplemented the polytechnics allocation from the advanced further education pool.

I noted my hon. Friend's arguments about the whole philosophy of topping up but it would take much longer than we have available at this early hour of the morning to go into that. This is entirely a matter for the authority, which must decide in the light of its available resources and of local priorities whether to divert additional funds to the support of advanced further education.

I recognise, of course, that the diminution of income consequential on the loss of topping up may take a little time to assimilate and may entail some redeployment of resources within the polytechnic itself. But the Government, basing themselves on the advice of the National Advisory Body, are clear that the advanced further education pool is adequate to fund the advanced provision planned for in 1986-87.

More generally, it is clear that the polytechnics as a group are now operating a tight ship. the background to that is the sustained expansion of student numbers that has occurred in the first half of this decade to which my hon. Friend referred. Since 1979, the polytechnics have absorbed a 37 per cent. increase in student numbers and in consequence have achieved a substantial and very creditable gain in efficiency. Their improved efficiency has been reflected in a sustained tightening of the student-staff ratio until, in 1984-85, it stood at 11·5:1, just short of the 12:1 target for the public sector as a whole established by the National Advisory Body as a basis for its planning. There has also been a commensurate fall in polytechnic unit costs of just over 18 per cent.

Oxford polytechnic has followed that trend. As my hon. Friend observed, it has also achieved a student staff ratio of 11·5:1, which, because of its subject mix, is consistent with th 12:1 target for the sector as a whole. Unit costs at Oxford polytechnic are below the overall polytechnic average.

My hon. Friend deduces a threat to quality from this substantial fall in unit costs. He cites as evidence an unpublished research paper—although I understand from him that it will soon be published—tracing a correlation between student performance and resources at Oxford polytechnic over the period 1980 to 1984. I have not seen the paper, but I welcome work in this area. This is a complex question on which the evidence is so far scanty. The more evidence the better. What evidence I have seen, however, does not lend support to any simple formulation of the relationship between resources and quality. I am more inclined to sympathise with the observation of a recent paper on the same subject by the Council for National Academic Awards, submitted as evidence to the National Advisory Body, which was careful to stipulate that the relationship was not a mechanical one.

It depends crucially, for example, on the extent to which resources are being exploited to the full. In the case of advanced further education at the beginning of the decade, they were clearly not. There was substantial under-used capacity—in part because student demand which was anticipated in the 1970s and for which provision of accommodation and resources had been made did not materialise, or materialised at a slower rate than expected. The decline in unit costs is largely a measure of the greater intensity with which resources have been used since. Thus the National Advisory Body, in its strategy advice to the Secretary of State about higher education in the late 1980s and beyond, published in September 1984, judged in the light of the views of Her Majesty's inspectorate and the validating bodies, that the fall in unit costs was not in itself a ground on which it could argue for an increase in the funding per student then obtaining, although it did recommend that there should be no further planned reduction.

My hon. Friend has argued that the spare capacity is now filled up and that, in the case of Oxford polytechnic, the bottle is full to overflowing. He concludes accordingly that the Government should allow no further deterioration in the unit of resource in 1987-88. In so doing, he echoes the views of the National Advisory Body.

I should stress at once that no decisions have been taken about the level of funding available for public sector higher education, nor will they be taken until the autumn. That said, I have to record my scepticism of the unit of resource argument embraced by the National Advisory Body and the relationship it predicates between funding and student numbers—that to add a student costs the same wherever added, and to remove a student saves the same wherever substracted. Common sense suggests that the real world is not like that. How can it be when a proportion of the system's costs are attributable to its buildings and other facilities, which are relatively inelastic to demand?

Only if the system, in each and every one of its constituent parts, was operating at full capacity would an approach based on maintaining a particular level of funding per student make sense. Even that supposes—and it seems to me fraught with difficulty—that it is possible to discern what level marks the Rubicon of acceptable quality. But the system is not operating at full capacity. By contrast with the tight efficient polytechnic ship, the student-staff ratio elsewhere in the local authority

[Mr. George Walden]

higher education sector stood at 9·6 : 1 in 1984-85. That is indicative of substantial spare teaching capacity. Prima facie, therefore, there must be scope for redeploying resources towards the polytechnics.

I dwell on this point, which Ministers have repeatedly made in the light of the National Advisory Body secretariat consultative proposals, because it seems to me that the efficient allocation of places and resources is the key to orderly planning. It could almost describe the National Advisory Body's raison d'être. To place undue emphasis on the average level of funding per student diverts attention away from the effectiveness of the system. By assuming that the system is disposed to best effect now, it effectively excludes consideration of how it might be better organised to make resources go further and to sustain quality.

This is no service to Oxford polytechnic nor to other institutions of similarly high quality. It is axiomatic that we should fund such institutions at a level consistent with preservation of quality and so as to build on existi strengths. I do not see how that purpose would be fulfill by the National Advisory Body secretariat consultati proposals which would instead divert money away fr Oxford polytechnic by curtailing the planned number students for which it is funded, in the way that my ho Friend has mentioned. It would be a folly to do so wh there are unused resources elsewhere in the system. F that reason the Government look to the National Adviso Body to bear these factors in mind as it continues planning for 1987-88, culminating in the submission advice to my right hon. Friend the Secretary of State th December.

These considerations have ranged more broadl perhaps, than the immediate problems which my ho Friend has raised in the case of Oxford polytechnic, b I hope that they have helped to place them in a rather mo comprehensible context.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to O o'clock.

House of Commons

Tuesday 22 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

YORKSHIRE WATER AUTHORITY BILL

Lords amendments agreed to.

Oral Answers to Questions

EMPLOYMENT

Tourism

1. **Mr. Roger King** asked the Paymaster General if he will detail the number of foreign tourists entering Britain in 1979 and 1985 and also estimate the number of jobs created from this source.

The Paymaster General and Minister for Employment (Mr. Kenneth Clarke): The number of visits to the United Kingdom by foreign residents rose from 12·5 million in 1979 to 14·6 million in 1985. In the six years to June 1985 the number of employees in the hotel, catering and leisure sectors, which most directly depend on both foreign and domestic tourists' expenditure, rose by around 101,000. In addition, self-employment has grown, for example, by around 19,000 in the hotel and catering industries between 1981 and 1985.

Mr. King: I thank my right hon. and learned Friend for that extremely encouraging reply. Does he agree that if tourists moved outside the general area of London into rural areas more jobs and more opportunities in the tourist sector would be established?

Mr. Clarke: I am glad to say that the English Tourist Board has used the additional money that we have given it to increase by about 20 per cent. this year the subvention to regional tourist boards. We have asked the tourist authorities, in making use of section 4 grants, to concentrate on areas of high employment where there is potential for growth. We have taken on board my hon. Friend's valid point.

Mr. Madden: Does the right hon. and learned Gentleman agree that the retention of the Settle-Carlisle railway line would attract more people to this country and promote employment? What is he doing to persuade the Secretary of State for Transport to keep this important line open?

Mr. Clarke: I remember from one of my previous duties the interest that arose in that railway the moment the railway authorities proposed to divert traffic from it. I am sure that my right hon. Friend the Secretary of State for Transport is continuing to look with interest at all the proposals to save this picturesque route.

Mr. Adley: In view of the Americans' facility of self-delusion, will my right hon. and learned Friend turn his mind to current opinion in the United States, which appears to see this country as a seething cauldron of unrest? Will he, as a politician, do what is perhaps not fair of us to expect the official British Tourist Authority to do and bluntly point out that if the Americans really want an unsafe holiday surrounded by violence the best thing they can do is go to Florida?

Mr. Clarke: I am afraid that there is a wave of feeling in the United States that it is not safe to come to Europe. That could lead to a decrease in the number of visitors to Britain. The tourist authorities have been bringing trade and travel representatives and journalists to this country to reassure them that our airport security is good and that safety levels here remain much higher than in United States cities. A formal political reaction might arouse more concern than reassurance. A concerted attempt to control terrorism, especially at airports, will do more than anything else to reassure American visitors.

Mr. Sheerman: Is the right hon. and learned Gentleman aware that the rather small number of new jobs to which he referred in his main answer are basically low-paid, seasonal, insecure and unskilled? Is he aware also that, in exactly the same period when that small number of jobs were created, we lost 1·75 million high-paid, regular, good jobs which earned more money for this country from abroad? Is the right hon. and learned Gentleman also aware that in West Derbyshire it will take 30 years to erase the quadrupling of unemployment in the tourist industry during that period?

Mr. Clark: The figure I gave was for the increase in those trades most directly concerned with tourism. People know that well over 1 million jobs are dependent on tourism in one way or another, and the figures I have given in no way refer to the people who work in retailing, public transport or other sectors of the economy, where tourism helps. Those are real jobs—36,000 for men. They are perfectly good jobs and, with respect, the hon. Gentleman is out of touch with events and with the times if he goes back to dismissing tourist jobs as somehow not real jobs. West Derbyshire depends very heavily on tourism, and the hon. Gentleman's remarks will be carefully noted there if he tries to denigrate the industry.

Mr. Butterfill: Has my right hon. and learned Friend yet made any decision on the difference between the increase in funding he will allocate to the British Tourist Authority and the English Tourist Board?

Mr. Clarke: Yes we have. I shall give my hon. Friend the precise breakdown in correspondence later. We have agreed an allocation to the British Tourist Authority and the English Tourist Board and the amount for grants under section 4.

Labour Statistics

2. **Mr. Canavan** asked the Paymaster General what is the current total number of unemployed people in the United Kingdom.

The Parliamentary Under-Secretary of State for Employment (Mr. Ian Lang): On 6 March 1986 the number of unemployed claimants in the United Kingdom was 3,324,000.

Mr. Canavan: Will the Minister now tell us the truth and admit that there are over 4 million unemployed, most of whom are being thrown out of work because of the Government's disastrous economic policies? The Government then fiddle the books to try to conceal the true length of the dole queue, which is costing the country over £20 billion a year. Why cannot that kind of money be channelled into public investment to create real jobs for the unemployed people of this country?

Mr. Lang: The hon. Gentleman is quite wrong. The number of real jobs and people in employment in this country has risen in every quarter over the past three years. Over that period about 1 million new jobs have been created.

Mr. Fallon: Is my hon. Friend aware that under the initiative for the long-term unemployed on Teesside some 70 per cent. of those called in by jobcentres are getting a positive result? Will my hon. Friend pay tribute to jobcentre staff and assessers and invite the Opposition to visit some of this long-term work instead of criticising it as simply tea and sympathy?

Mr. Lang: My hon. Friend is right. Our restart initiative to bring help to the long-term unemployed around the country should be widely welcomed. It will help direct those unemployed people to the many jobs that are available.

Mr. Wainwright: Does the Minister realise the serious damage now being done to morale on the youth training scheme and the community programme by the prospects of unemployment for some of those reaching the end of their courses and in the light of the figures that he has just given? Does he agree that the manufacturing and construction sectors, especially, should deliberately be expanded in order to match the number of people who are eager and well-equipped to work in them?

Mr. Lang: I have just told the House that employment in this country has risen by about 1 million in the past three years. This suggests that there are a large number of jobs for people completing youth training schemes and the community programme. About two-thirds of YTS graduates go into employment or training and twice as many people coming off the community programme go into jobs as other long-term unemployed people.

Mr. Marland: Is my hon. Friend aware that recently, after extensive research, *The Mail on Sunday* estimated that one-fifth of those who are currently claiming unemployment benefit simultaneously work in the black economy?

Mr. Lang: We take very seriously any suggestion of fraud and would rigorously investigate any cases for which evidence is brought to us. My hon. Friend might like to know that we have expanded the fraud investigation staff by some 50 per cent. recently, and we plan further expansion.

Mr. Evans: Is the Minister aware that the figures he has given to the House, massaged and fiddled though they are, are an absolute condemnation of six years of Tory Government incompetence? Will the Minister also confirm that when we get the June labour survey figures, as a result of the latest fiddle that the Government are embarking upon, we shall have a substantial drop in the percentage of those unemployed? Will the Minister also say why the monthly labour market statistics are now leaving out such valuable information as the numbers of long-term unemployed? Is the Minister not ashamed of those figures?

Mr. Lang: I can tell the hon. Gentleman that the long-term unemployed amount to approximately 1·4 million. On the matter of fiddling the figures, perhaps the hon. Gentleman will tell us which of the changes that have been made to the unemployment count he would reverse if the Labour party ever came to power?

Business Expansion Scheme

3. **Sir Peter Blaker** asked the Paymaster General what steps he will take to ensure that the current business expansion scheme does not disadvantage hotels.

The Parliamentary Under-Secretary of State for Employment (Mr. David Trippier): Under the Budget proposals for revisions to the business expansion scheme, hotel companies will continue to be eligible provided that they meet conditions on the backing of investments by property assets. Genuine risk-bearing investments will not be disavantaged.

Sir Peter Blaker: Will my hon. Friend assure me that the hotel industry will not be put at a disadvantage compared to other industries by the proposals in the Finance Bill? Can he say the same for the self-catering accommodation sector?

Mr. Trippier: I am anxious to give my right hon. Friend the assurance that he is seeking. Well planned hotel projects and projects related to tourism will still be attractive investments, and BES tax relief will obviously be a useful incentive. It is important to stress that BES was first introduced to attract those who would otherwise not have made safe investments to take the risk, and that is the reason for the tax incentive. The new proposals by my right hon. Friend the Chancellor of the Exchequer mean that risk-free investments are excluded, as I believe they should be.

Mr. Rowe: Does my hon. Friend accept that the business expansion scheme is admirable but suffers from one great defect—that the people who would be most likely to make such an investment are those most closely related to the people running the business? Will he speak to his right hon. Friend the Chancellor of the Exchequer to see whether there is some device—for example, channelling through an enterprise agency—which will make it possible for parents to put their money into their children's enterprises?

Mr. Trippier: That point has been put to my right hon. Friend the Chancellor several times, but there is, of course, the additionality problem. My right hon. Friend has always said that such money would be invested in those companies in any event without the additional incentive of the tax relief. That is the argument, but I shall be happy to draw my hon. Friend's points to the attention of my right hon. Friend.

Youth Training Scheme

4. **Mr. Madden** asked the Paymaster General what provision he will make for young people leaving YTS between April and September in the current year to help them into employment.

Mr. Trippier: Many young people completing one-year YTS this year will be offered a second year of training. Those who leave will have access to help from the careers service and jobcentres, and we aim to improve further the employment prospects of ex-YTS youngsters through the recently announced new workers scheme.

Mr. Madden: How many young people will leave YTS during the period from the end of this month to September? Is not the reality that if they do not have a job there is no alternative scheme? The Government are dumping these young people on the dole queues, deserting them and forsaking them.

Mr. Trippier: There might be an element of truth in the hon. Gentleman's claim were it not for the fact that in the recent Budget a new scheme was introduced called the new workers scheme. Approximately 170,000 people will complete their one-year YTS in the period to which the hon. Gentleman referred. Obviously the new workers scheme is complementary to YTS. If continuation places are not sufficient in an area the new scheme will apply. I understand that there are some 600 YTS continuation places available in the hon. Gentleman's constituency in Bradford. I hope that those places will suffice to meet the need. If not, the new workerss scheme will complement what is available, and YTS leavers will be eligible for those places.

Industrial Relations

5. **Mr. Charles Wardle** asked the Paymaster General whether he will review the operation of industrial relations legislation passed since 1979.

Mr. Kenneth Clarke: We keep the operation of the legislation under constant review. We have made encouraging progress towards giving members a greater say in the affairs of their own union, a fairer balance of power between unions and employers, and better industrial relations.

Mr. Wardle: I am grateful to my right hon. and learned Friend for that reply. Does he agree that the action attempted by SOGAT at Wapping contrasts sharply with the general reduction in the number of industrial disputes following the introduction of ballots? Would SOGAT be in its present difficulties with the courts if it had simply balloted the members it had instructed to strike?

Mr. Kenneth Clarke: My hon. Friend is correct. So far as I am aware, the only injunctions obtained against SOGAT—and certainly the sequestration of the funds—followed because it failed to ballot all its members to come out on strike. It is important that the Government have given union members the right to be consulted before they risk their jobs by becoming involved in strike action.

Mr. Leighton: When the review referred to in the main question is undertaken, will the Paymaster General accept that the majority of British people feel that if Mr. Rupert Murdoch can essay his current industrial butchery and have the law on his side, there is something wrong with the law? Does he agree that if a union such as SOGAT, which did not set out to break, ignore or be in contempt of the law, has every penny of its funds sequestrated within days of entering a lawful dispute following a ballot, the law is grossly unfair and badly in need of reform?

Mr. Clarke: SOGAT failed to ballot the wholesale membership, which it was calling out on strike. The union must have known that that was unlawful. It went before the court and failed to withdraw the blacking instructions or, since then, to purge the contempt. The union has simply failed to comply with a law that has great popular support and has contributed to the improvement in industrial relations in other industries. The Government defend the right of members to be consulted before they put their jobs at risk. SOGAT led its members into folly and cost them all their jobs.

Mr. Holt: While my right hon. and learned Friend is examining post-1979 legislation, will he also examine pre-1979 legislation, especially in respect of the undertaking given by one of the junior Ministers formerly in his Department to consider how legalistic and expensive the industrial tribunals have become and how out of touch with the working world?

Mr. Clarke: We certainly keep the working of the industrial tribunals under review. It is right that workers who have established themselves with an employer should have protection against unfair dismissal. We wish the proceedings to be as devoid of legalisms and as informal as possible. We also believe that the procedures should not be misused by people with frivolous or reckless claims, causing unnecessary expense to many employers.

Mr. Prescott: In view of the declared public sympathy of the Paymaster General for the printers' dispute, is he aware that the simple creation of new companies has swindled the employees out of £80 million in redundancy pay, thrown the right to strike and picket into confusion and allowed the sequestration of funds? According to Mr. Murdoch, that is all now possible under the Government's legislation. In the parliamentary reply that he recently gave me, did the right hon. and learned Gentleman accept that, comparing working days lost through industrial disputes under the present legislation with the situation under the Labour Administration, over 118 working days more per 1,000 employees are lost in disputes now than under Labour? Is it not about time that the Government's anti-trade union legislation was reviewed and repealed?

Mr. Clarke: The hon. Gentleman's figures are virtually meaningless. They are an average, inflated in our case by the miners' strike in one year and in the case of the Labour Government by the winter of discontent. The number of disputes last year was the lowest for 50 years —the lowest since 1936. The number of days lost to February this year was the lowest for 19 years. The average figures are quite meaningless.

Mr. Prescott: They are the Government's figures.

Mr. Clarke: On the first part of the hon. Gentleman's question, if he will allow me to answer it, there is a limit to the extent to which I can comment on the current dispute between News International and the various print unions. However, if I may speak generally, Fleet street over the years has been epitomised by extremely robust and incompetent management and extremely militant trade unions which have defended rackets of all kinds. I am constantly astonished at the way the hon. Gentleman keeps resorting to Fleet street as an example of the effect of his new industrial relatons legislation, which will sweep away our existing laws.

Registered Unemployed Persons

7. **Mr. Heathcoat-Amory** asked the Paymaster General what steps he takes to check that all those registered as unemployed are seeking work.

Mr. Lang: All claimants are asked about their availability for work when they first register as unemployed and subsequently if doubts arise.

I am not fully satisfied with the existing test, and I am exploring ways in which it can be improved.

Mr. Heathcoat-Amory: My hon. Friend says that people must be available for work. However, he must know that there are several categories of people, such as mothers with young children or those who have taken early retirement, who draw benefit but are not seeking work and would not take a job if one were offered to them. Does my hon. Friend consider that the unemployment figures are compiled in a sensible manner? Will he change them?

Mr. Lang: My hon. Friend is absolutely right. There are, of course, others who are seeking jobs but do not feature on the unemployment register count. The labour force survey provides a better picture of the employment world and has shown the creation of a million new jobs in the past three years.

Mr. Haynes: Why do the Minister and the Government pursue that line about scroungers? This is a planted question, and that is what it is about. The Minister should have a word with his right hon. and learned Friend the Paymaster General, now that he sits at the Cabinet Table at No. 10, with a view to providing real jobs and getting people out of the dole queue and back to work in the manufacturing industries — not as waiters or tourist guides.

Mr. Lang: I may be responsible for the answers, but I am certainly not reponsible for questions. A moment ago I mentioned the creation of 1 million new jobs—these are real jobs. I would be happy to send the hon. Gentleman a copy of our booklet "Action for Jobs", which underlines over 30 employment measures and training measures designed to help people into those jobs.

Mr. Brandon-Bravo: Has my hon. Friend read of the racket, operating out of Nottingham, which has been exposed by the national press? The unemployed, or rather some claimants under that guise, are bussed to other parts of the country to act as door-to-door salesmen and claim to help the disabled. Does my hon. Friend agree that to help those who are genuinely unemployed we should stamp on those malpractices?

Mr. Lang: I absolutely agree with my hon. Friend. I take his allegations seriously. If he has evidence to support this I shall be glad to see it. My hon. Friend may be interested to know that the number of cases where action has been taken against fraud has more than doubled in the past two years and prosecutions have risen by over 50 per cent.

Ms. Clare Short: I am sure that the Minister does not wish to mislead the House by partial quotes from the labour force survey. Will he confirm that, according to the analysis of that survey undertaken by the *Employment Gazette* in January 1986, we have the terrible total of 5,460,000 people in Britain who wish to have a job but cannot get one? Does the Minister also agree that as 41 per cent. of the registered unemployed have been out of work for a year or more it is not surprising that they do not seek work every day of every week of every year?

Mr. Lang: The hon. Lady is quoting selectively. The fact is that the labour force survey shows that the number of jobs in Britain has risen by over a million in the past three years. There are more people on the unemployment count who are not seeking work than there are those who are not on the count but are seeking work.

Mr. Wrigglesworth: Will the Minister accept that in the north, Scotland and in Wales there are wards where 40 per cent. of the work force are unemployed. The predominant concern is the lack of jobs and the debilitating effect that that has on young people and on those in the 50-years age group who see no future of work once they have been declared redundant.

Mr. Lang: I believe that there are pockets of high unemployment in all parts of the country. The Government's restart initiative, which will operate nationally from 1 July, will be helpful in this respect. It will draw in the long-term unemployed for interviews and give them help to try to find jobs.

It is significant that, so far, over 90 per cent. of those who have been interviewed have been offered a positive employment opportunity.

Tourism

8. **Mr. Proctor** asked the Paymaster General what contribution tourism makes to the United Kingdom's balance of payments position.

Mr. Trippier: The surplus of the travel account on the balance of payments was £600 million in 1985 compared with a deficit of £50 million in 1984.

Mr. Proctor: Will my hon. Friend take this opportunity to repudiate the Opposition attacks on those who work in tourism and who contribute substantially to the country's economic prosperity? Will my hon. Friend give a breakdown of the figures that he has just given?

Mr. Trippier: I am glad of the opportunity to repudiate what the Opposition have said about tourist industry employees. I wish that some of them had the nerve to address conferences on tourism and tell people who work in tourism that they do not regard their jobs as serious jobs.

Mr. Prescott: I worked for 10 years in that industry.

Mr. Trippier: In that case, the hon. Gentleman should be the last person to make the kind of remark that he has made in the past.

United Kingdom residents spend about £4·9 billion abroad, but overseas visitors spend about £5·5 billion in Britain. We are obviously anxious to increase the latter figure.

Mr. Warren: While awaiting anxiously the reply to a later question on the Order Paper on the subject of the Select Committee's report on tourism, may I ask my hon. Friend to acknowledge immediately that if tourism is as successful as he says it is, that which is given to Scotland, Wales and Northern Ireland should also be given to England, where the investment would realise far more?

Mr. Lang: I must applaud my hon. Friend's initiative. He knows that that part of the Select Committee's report

was dealt with some weeks ago by my right hon. and noble Friend the Secretary of State for Employment. We intend to give a full and considered reply in the near future to the Select Committee's recommendations.

9. **Mr. Knowles** asked the Paymaster General when he proposes to reply to the recommendations of the Trade and Industry Committee on tourism.

Mr. Kenneth Clarke: I have already announced the Government's response to the Select Committee's recommendations for an alternative tourist board structure in the written reply I gave to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 27 February 1986. We are still studying the remaining recommendations in the Select Committee's report. As my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Lang), the Parliamentary Under-Secretary of State has just said, we hope to provide a considered response during the summer.

Mr. Knowles: I thank my right hon. and learned Friend for his reply. The response in the summer is awaited with interest by everyone in the tourist industry. Does my right hon. and learned Friend have the tourist figures for last year, and is he able to say which foreign country contributed the largest single increase?

Mr. Clarke: Last year the number of tourists to this country from North America rose by 15 per cent. That is why it is important that Europeans generally, including ourselves, should reassure the American public that we are taking serious steps to cut down the risk of terrorism.

Mr. Leighton: If, as the Paymaster General has explained, grants to the tourist industry are to be made to those areas with the highest unemployment, what is their purpose? Is it so that foreigners can be taken on guided tours of our large pools of unemployed people?

Mr. Clarke: My hon. Friends and I despair of seeking to explain to the Opposition that there are good and substantial jobs to be won in this country by boosting our tourist trade. There is a whole range of jobs, from management right down to the equivalent of the factory floor, in every branch of hotel and catering and in all the associated trades that depend upon tourism. Some of the areas of high unemployment, including the north-east, are to be found in very attractive parts of the country that contain great buildings and historic cities that attract tourists. We are succeeding in making better use of those natural advantages and we are creating new jobs in those areas.

Mr. Hicks: In view of the contribution that tourism makes to regional economies, does my right hon. and learned Friend agree that there is an urgent need both to widen the extent and to improve the quality of tourist attractions in areas such as the south-west in order to get away from the London, Stratford, Cambridge triangle?

Mr. Clarke: I agree with my hon. Friend that that should be one of our most important objectives. We are to open shortly a new British travel centre in London. Its main purpose will be to help visitors to disperse from London by telling them of the attractions of other parts of the country. We are asking the tourist boards to concentrate particularly on building up the tourist industry in areas of high unemployment which have a tourist potential and on seeking to extend the English tourist season.

Mr. Prescott: As I spent 10 years in an industry that deals with tourism, may I make it clear to the Paymaster General that I have no objection whatsoever to the development of employment in tourism? However, is he aware that most of the jobs in the tourist industry are normally low paid and part-time and that the conditions are bad? It seems that a great many Tory Members are tabling questions about tourism, when the House should be concerned about the loss of 1·8 million jobs in manufacturing industry that has occurred under this Government.

Mr. Clarke: It is no good the hon. Gentleman delivering his lecture to me about the virtue of tourist jobs. He should address it to the Labour chairman of the Select Committee and the hon. Member for Huddersfield (Mr. Sheerman), who have spent their time today denigrating the boosting of this industry. It is simply not the case that they can be dismissed in the way that he describes. Given a continuing decline in manufacturing employment—as there has been for the last 20 years as a result mainly of technological change, and that even now the economy is expanding in a healthy fashion—it is important that we look to the new jobs in this area. He will discover, if he finds out more about industry, that there is a whole range of jobs available — *[Interruption.]* — in tourist-related industry.

Mr. Speaker: Order. Let us conduct our proceedings in some sort of order. All these shouted comments from both sides of the House are not helpful.

Mr. McCrindle: For what reason did my right hon. and learned Friend take the unprecedented decision to reject perhaps the principal recommendation on tourism of the Select Committee on Trade and Industry, concerning the structure of the British Tourist Authority and the various national boards, at a time when he could not conceivably have given adequate consideration to the well-researched recommendations of that Committee?

Mr. Clarke: We made a quick decision on that because we believed that continuing uncertainty about the structure of the boards would merely undermine their work during the forthcoming season. The issue gets raised repeatedly, particularly by the English members, who feel that at the moment somehow excessive aid is given to Scotland and Wales compared with England. A decision had to be taken about the structure so that those within the boards could get on with their work. We have increased our expenditure in all these areas. The figures which my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) asked for a moment ago are that we raised our grant to the British Tourist Authority by about £20 million, that to the English Tourist Board by about £10 million, and section 4 grants by about £9 million. So all the boards in their present structure have more resources to devote to the industry.

Tourism (Channel Tunnel)

11. **Mr. Hayes** asked the Paymaster General if he has estimated the effect that the Channel fixed link will have on inward tourism in the United Kingdom.

Mr. Trippier: The fixed link will be a new international route and is expected to generate additional tourism to the United Kingdom. However, the likely increase has not yet been quantified.

Mr. Hayes: I had hoped that my hon. Friend would be more robust with some of the whingers on the Opposition Benches and make it absolutely clear to them that the increased tourism which will be created by the Channel link will be pan-United Kingdom and not just jobs for the prosperous south.

Mr. Trippier: Absolutely, and, at the risk of repeating myself, I obviously support all that has been said by my hon. Friends with regard to jobs in tourism. My hon. Friend makes a valid point. It is not just tourism in the south-east or around the area that the fixed link will be going through that will be affected, because our policy is to encourage greater dispersal of visitors on the inland tourist front. It will be better for tourism in Britain generally.

Mr. Boyes: While some of us hope that the Channel tunnel is never built, if it is we would hope that some of the tourists will come to the most beautiful region of Britain, the north-east of England. In the borough of Sunderland, of which my constituency is a part, 29,000 people are already out of work. The number of tourist jobs that will be created will be no compensation whatsoever for that number of unemployed. What we really want to know from the Minister for Unemployment is how many jobs building this tunnel will bring for the north-east?

Mr. Trippier: I think that it is wrong for the hon. Gentleman to deride in any way the jobs in tourism in the north-east. I take this opportunity of complimenting the north-east on the way in which it has developed and strengthened tourism. I am very familiar with the regional tourist board in that part of the country. It has been very successful. If the hon. Gentleman had listened a little more carefully to the reply to the substantive question raised by my hon. Friend the Member for Harlow (Mr. Hayes) he would have realised that this is wholly in tune with our overall philosophy. The tourists who are coming into Britain as a result of the fixed link will mean more jobs in the north-east as well.

Mr. Boyes: How many?

Mr. Trippier: It would be stupid and fatuous of me to predict an exact figure, but I can tell the hon. Gentleman that over the last 12 months there has been a net increase in jobs in tourism of 50,000. Opposition Members must realise that we are talking about the most dynamic sector of the British economy in terms both of wealth and job creation.

Labour Statistics

12. **Mr. Knox** asked the Paymaster General how many people were out of work in the Staffordshire, Moorlands parliamentary constituency at the most recent count.

Mr. Lang: On 6 March 1986 the number of unemployed claimants in the Staffordshire, Moorlands parliamentary constituency was 3,570.

Mr. Knox: Is my hon. Friend aware that unemployment in my constituency has risen very considerably under the two Governments in the last 12 years? How does he explain this in an area where wages and salaries are, and always have been, low, productivity is high and labour relations are excellent?

Mr. Lang: The unemployment rate in the Leek travel-to-work area is 9·1 per cent. That is certainly higher than we would wish, but it is lower than it was a year ago. My hon. Friend might like to know that unfilled vacancies at Leek and Cheadle are up by over 50 per cent. on a year ago. I commend to my hon. Friend our booklet "Action for Jobs", which contains details of over 30 specific training and employment schemes which we have launched to combat the unemployment problem. In particular, for the low-paid in his constituency the job start allowance of £20 for anyone taking a job at under £80 a week might be appropriate.

Mr. Ashley: Is the Minister aware that many people in the Staffordshire, Moorlands constituency have already got on their bikes to seek work? If the Minister got on his bike to go to look for a job in the adjacent constituency of Stoke-on-Trent, South he would find that unemployment has risen far faster under this Government than it did under the previous Labour Government. The reason for that is the failure of the Government to expand the economy. May we have some action to expand the economy in Stoke-on-Trent, South, and some action to help the economy in general?

Mr. Lang: The right hon. Gentleman will know that employment has also been expanding rapidly. As the right hon. Gentleman also knows, I was in Stoke-on-Trent yesterday at the national garden festival, and there I found substantial evidence of Government help, amounting to many millions of pounds. In the community programme, that money created about two thirds of the 1,500 or more jobs at the garden festival.

Retired Persons

13. **Mr. David Atkinson** asked the Paymaster General if he has any plans to remove retired people from the unemployment figures; and if he will make a statement.

Mr. Lang: We have no plans to do so. However, we shall continue our endeavours to ensure that those receiving benefits are genuinely available for work.

Mr. Atkinson: Will my hon. Friend confirm that unemployment figures include retired people who do not want to work, are not seeking work, and have no need to work? Does he know how many people in that category are included in the unemployment figures? Does he not agree that it gives a false impression about how many people are presently unemployed?

Mr. Lang: My hon. Friend is right. The 1984 labour force survey showed that some 60,000 people in the claimant count were not seeking work because they had retired. This underlines the fact that the unemployment count is not necessarily the best way of getting a true picture of unemployment.

Mr. Evans: Is the Minister not ashamed of the fact that all we have heard today from Tory Back Benchers are suggestions about how the unemployment figures, can be further fiddled? If the Minister wants to reduce the unemployment figures he should at least extend the job release scheme to those under the age of 62. That was the way it applied under the Labour Government.

Mr. Lang: The job release scheme has a useful role to play. Can the hon. Gentleman tell us whether it is the intention of any incoming Labour Government to reintroduce into the labour count retired people who have been removed from it?

Mr. Ralph Howell: Is my hon. Friend aware that his answer about the number of retired people included in the unemployment count is totally unsatisfactory? There is no sense in including such people in the figures. What plans has my hon. Friend for introducing a work test to establish exactly how many people are actively seeking work?

Mr. Lang: My hon. Friend is knowledgeable in these matters and takes a close interest in them. He will have heard me say that we are unhappy about the adequacy of the availability for work test and that we are looking at ways of making it more effective.

Lost Working Days

14. **Mr. Sedgemore** asked the Paymaster General how many working days have been lost through strike action in the last 12 months for which figures are available.

Mr. Kenneth Clarke: A provisional total of 2·6 million working days were lost through stoppages of work due to industrial disputes during the 12 months to 28 February 1986.

Mr. Sedgemore: How does the Minister think the Wapping dispute will affect this year's figures? Would it not help the Government, the print workers, newspaper readers and even wretched Lobby correspondents upstairs if Mr. Rupert Murdoch were to be declared an undesirable alien and if his cringing sidekick, Mr. Andrew Neil, were to be given early retirement and a clapped-out print works in lieu of compensation?

Mr. Clarke: Inflammatory remarks by the hon. Gentleman will do nothing to help the position of anybody involved in the Wapping dispute. The hon. Gentleman is naming the only substantial dispute in private industry in Britain at the moment. He seems to overlook the fact that my reply to his question showed that Britain has had the least number of days lost in the period that he asked about for 19 years.

Labour Statistics

15. **Mr. Dykes** asked the Paymaster General what information he has about the methods used to compile unemployment figures in other Organisation for Economic Co-operation and Development countries.

Mr. Lang: The OECD published "Standardised unemployment rates" in 1985. This gives a detailed description of the sources and methods it uses in compiling unemployment figures from national sources and the rates derived from these figures.

Mr. Dykes: I thank my hon. Friend for that answer, but since on a pro rata basis the United Kingdom figures appear to be higher than those in the other large countries in the OECD and the EEC, should not we be the country to take an initiative in both those bodies to stimulate the collective economy?

Mr. Lang: My hon. Friend makes an interesting point. It is difficult to make comparisons between the different methods of calculating unemployment figures, but it is interesting to note that we have a higher proportion of our work force in work than almost any other OECD country. The OECD expects employment in the United Kingdom to rise faster this year than in any other major European country.

PRIME MINISTER

Engagements

Q1. **Mr. Dykes** asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. I was present at Windsor for the arrival of their Majesties the King and Queen of Spain. In addition to my duties in this House I shall be having further meetings later today. This evening I shall be attending a state banquet in honour of their Majesties the King and Queen of Spain.

Mr. Dykes: As we are approaching my right hon. Friend's visit to Israel, and bearing in mind that we take over the EEC presidency on 1 June, may I ask her to consider carefully the advantages of another EEC initiative on the middle eastern settlement? Does she agree with many hon. Members that it is not only a matter of specific and important anti-terrorist measures, but of trying to deal with the fundamental problem of the middle east, and the Americans do not seem to be making progress in that more important area?

The Prime Minister: My hon. Friend is right to say that since the end of King Hussein's initiative there have been no new formal proposals. When King Hussein came here recently I was able to discuss certain practical steps with him and I hope to take those forward when I visit Israel in several weeks' time, and to be in touch with the United States about them. We take over the presidency on 1 July. I shall consider what my hon. Friend has said, but I think it advisable that we obtain more agreement on the steps forward before we launch on an initiative.

Mr. Kinnock: Is the action taken against the 21 Libyan students the beginning of further steps by the right hon. Lady's Government to isolate Gaddafi, including the imposition of economic sanctions and the denial of credits and subsidised foodstuffs from the EEC?

The Prime Minister: As the right hon. Gentleman is aware, my right hon. Friend the Home Secretary will later be answering a question about the deportation of Libyan students. It is an action which we felt was legitimate and desirable under all the circumstances. We are considering further matters about Libyan pilots in Britain and further action that we could take. He will be aware of the actions which the EEC decided to take and, of course, the meeting of Foreign Ministers continues.

Mr. Kinnock: In the light of that answer, may I ask the Prime Minister whether she has ruled out direct economic sanctions against Libya, as reported in the *Daily Telegraph* this morning? Does she accept that if that is true that would be cynical and inconsistent, given the support for the bombing of Libya last week?

The Prime Minister: The refusal to sell military equipment is, of course, a direct economic sanction of a specific kind which we took but which has not apparently been taken by all of the European Community. Sanctions as a whole will only work provided everybody operates them, but there are some that we take unilaterally, as the right hon. Gentleman is aware. Food matters have to be pursued through the EEC. We made our views known

strongly to the European Commission, when it cut out the management committee and decided on special export subsidies for the sale of butter to Libya.

Mr. Kinnock: In that case, will the Prime Minister make further representations and put all possible pressure on our European allies so that they excercise the power that they must have to impose economic sanctions that are more effective against Gaddafi while not being so lethal towards his people?

The Prime Minister: Yes, we are doing just that and we are particularly concerned about the Commission giving special subsidies for exports of food surpluses to Libya, and we make our views known very strongly indeed.

Mr. John Browne: Will my right hon. Friend accept that a single bombing raid in itself is unlikely to stop terrorism? None the less, it does lay down to the terrorist a serious cost. Will she agree to lay down, in face of terrorism, yet more costs, such as the introduction of the death penalty for terrorism, and even introduce counter-terror activities, in our anti-terrorist operations?

The Prime Minister: As my hon. Friend is aware, the introduction of such a penalty would be a matter for this House. It has been debated on many occasions, but so far it has never got through. That would be the first thing that would have to take place.

Q2. **Mr. Wallace** asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wallace: During her busy day, has the Prime Minister noticed early day motion 74, in the name of a number of her right hon. and hon. Friends, condemning the alleged lack of balance in BBC reports of the raid on Tripoli? Will she take this opportunity to dissociate herself from that motion? In particular, will she praise Miss Kate Adey, who, in difficult circumstances, maintained the best traditions of objective news reporting?

The Prime Minister: The Government do not control the BBC. Hon. Members are as free to say what they like about the BBC, as is any other citizen.

Sir Edward Gardner: Will my right hon. Friend do everything that she can to persuade the United States Government that no country dedicated to the defeat of terrorism can any longer afford to allow the extradition of terrorists from its jurisdiction to be impeded or frustrated by the absurd doctrine that murder perpetrated with the alleged motive of political interest is no longer murder, and so cannot be used as a ground for extradition?

The Prime Minister: I agree with my hon. and learned Friend. The point has been forcefully made and will continue to be made. This matter is being increasingly recognised.

Mr. Dalyell: At what point did the Americans tell the Prime Minister that they were going to use anti-personnel cluster bombs?

The Prime Minister: As I indicated in statements and speeches last week, we set down certain criteria for the permission. The Americans selected the targets within those criteria. It was for them to choose the weapons which —*[Interruption.]*

Mr. Speaker: Order.

The Prime Minister: —It was for them to choose the weapons to secure the defeat of those targets within the target permissions which we gave.

Q.3 **Mr. Gerald Bowden** asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Bowden: Has my right hon. Friend seen the survey recently published by the National Council for Educational Standards, which shows that the examination results in ILEA schools are 30 per cent. below the national average, while at the same time ILEA spends over 40 per cent. more per pupil? Is this not a great indictment of a Socialist, dogma-ridden education authority? It is failing in its duty to the children it is there to serve.

The Prime Minister: I agree with my hon. Friend. ILEA spends far more on the education of children than many other authorities, including those with similar problems. The results are not good. Indeed, they are worse than any other similar authority. Surely this shows that it is quiet wrong to tackle the education problem merely by pouring more money into it. Commitment and devotion are required on the part of the staff, with more choice on the part of parents.

Mr. Barnett: Is the Prime Minister aware that the Inner London education authority contains boroughs, some of which are among the most deprived in the country, that it is dealing with children coming from families speaking 145 different languages, that it has problems of quite a different nature from the problems of any other authority, and that the expenditure is entirely necessary? Speaking as a parent of children who go to ILEA schools, I am satisfied with the performance of their teachers.

The Prime Minister: I disagree with what the hon. Gentleman has said, particularly in the latter part of his question. He will be aware, for example, that ILEA will spend on each secondary school pupil in 1985-86 the sum of £1,933. Metropolitan districts, some of which have similar problems, will spend on average £1,113 on each pupil, and some of them get better results.

Mr. Teddy Taylor: In view of the failure of Foreign Ministers yesterday to agree on the banning of export rebates for Libya, is there nothing that the British Government can do to stop the use of taxpayers' funds directly to subsidise cheap food for Libya? Is not the management committee irrelevant, since on 15 March the Commission took it upon itself not to publish either the subsidy or the destination of cheap food?

The Prime Minister: As my hon. Friend is aware, my right hon. and learned Friend the Foreign Secretary raised that matter with the Commission when it circumvented the management committee and gave a particular export subsidy for exports of butter to Libya. I am afraid that unless the rest of our Community partners agree with us there is nothing we can do alone.

Mr. Steel: Is the Prime Minister aware that on Thursday new regulations come into effect in the United States which will give the United States authorities control over high-tech hardware, software and personnel in this country? In view of the Attorney-General's opinion that

such a claim is both illegal in international law and an infringement of our sovereignty, what protection will the Prime Minister give to British firms?

The Prime Minister: As the right hon. Gentleman is aware, there has already been a debate in the House on the subject, initiated by his colleague the hon. Member for Leeds, West (Mr. Meadowcroft). The position was stated in that debate and has been given a number of times since. In general we reject United States claims to extraterritorial jurisdiction in the United Kingdom. One of the right hon. Gentleman's colleagues is in touch with my right hon. Friend the Secretary of State for Trade and Industry about a particular firm. That will be pursued.

Q4. **Mrs. Beckett** asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Mrs. Beckett: Does the more conciliatory tone that the Prime Minister has offered of late mean that she now accepts that an eye for an eye and a tooth for a tooth is not the best basis for foreign policy?

The Prime Minister: The best basis for foreign policy is what is in the British interest.

Mr. Latham: Is my right hon. Friend aware that millions of people up and down the country will welcome the fact that since the Budget, and, indeed, because of the Budget, there has been a sharp and continuing fall in the level of the mortgage rate?

The Prime Minister: Yes. That is very good news for all who are purchasing their houses. Last year the number of new mortgages reached 1 million for the first time. That is also good news for home ownership.

Q5. **Mr. Gareth Wardell** asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wardell: Is the Prime Minister aware of any evidence that any of the 39 human beings, including women and children, who were killed in the American air raid in Libya had been involved in terrorist activities?

The Prime Minister: I indicated our view both in statements and in a speech. Terrorism thrives on appeasement, and Opposition Members are appeasers.

Q6. **Mr. Andrew MacKay** asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. MacKay: Is my right hon. Friend aware that after yesterday's meeting in Luxembourg many of us feel that our European partners' response to state-sponsored terrorism is woefully inadequate, particularly when, notwithstanding my right hon. and learned Friend's robust support, they could not be persuaded to close down the Libyan people's bureaux in various capitals, which are clearly being used as places from which terrorists act?

The Prime Minister: I rather agree with my hon. Friend. The European Community has gone further than it has been prepared to go before. It agreed to a severe cut in the size of people's bureaux throughout Europe. It agreed to confine members of those bureaux to the city where they are posted, to restrict the size of other official Libyan bodies to the minimum necessary and to apply a much stricter visa regime to Libyans. That is a good deal further than previously, but I agree with my hon. Friend that we should have liked a lot more to be done. We must consider how much further to go ourselves.

Mr. Buchan: Does the Prime Minister believe that her safeguarding of British interests includes allowing the Americans free choice in the nature of weapons to be used, as she said five minutes ago? Would this extend beyond the anti-personnel cluster bombs to nuclear bombs, for example? Do we get a clear answer on that?

The Prime Minister: It is a perfectly clear answer. We set down the criteria for targets which we believed were within legitimate self-defence. We were advised that the use of F111 aircraft was the best means of striking those targets. The precise methods that the United States uses is a matter for the United States within the criteria set down —*[Interruption.]* Of course it is a matter for the United States.

Mr. Buchan: In view of that inadequate reply, I beg to give notice that I shall seek to raise this matter on the Adjournment.

Libyan Nationals

3.30 pm

Mr. Gerald Kaufman (Manchester, Gorton) *(by private notice)* asked the Secretary of State for the Home Department if he will make a statement on the decision announced to the press today to expel a number of Libyan nationals from this country.

The Secretary of State for the Home Department (Mr. Douglas Hurd): Twenty one Libyan nationals have today been served with notices of intention to deport on the ground that their deportation is conducive to the public good in the interests of national security. I took this decision in the light of the latest information about the active involvement of those concerned in organising Libyan student activity in the United Kingdom in support of the Gaddafi regime. I have authorised their detention while arrangements for their deportation are made. The House will understand that, in a matter affecting national security, it would not be right for me to disclose further details of the information available to me on which I took the decision to initiate deportation action. I shall not hesitate to use my powers under the Immigration Act 1971 to deport other Libyan nationals if evidence is received of their involvement in activities which might endanger security.

Mr. Kaufman: Mr. Speaker, may I first thank you for granting this private notice question following the failure of the Home Secretary to volunteer a statement on a matter about which his Department has saturated the media for the past seven hours.

I do not question the reasons for these deportations. I do ask about the timing, and must ask the plain question: why now? How long has the Home Office had the evidence on which the Home Secretary acted? Did it obtain it before, or after, the United States bombing of Libya?

On 1 May 1984, following the murder of Woman Police Constable Yvonne Fletcher, I asked the Home Secretary's predecessor about Libyans being trained by our armed forces, whose training was described by the Minister of State for the Armed Forces as being compatible with British defence interests. Since then, have further Libyans been admitted for training at Oxford airport flying school?

Two years ago I asked about 280 Libyan nationals being trained by British Airways and other airlines, most of them near Heathrow, and within close proximity to that airport, with all that that might imply. Two hundred and fifty are still being trained at Heathrow, Gatwick and other airports. The Government have said that they have issued guidelines about security risks. Is that all that they intend to do?

Was the Home Secretary consulted in advance about the internal security implications for this country of the decision to allow the use of British bases for the bombing of Libya? If so, did he say that it was in the British interest?

Is it not a fact that it can be easier for certain overseas nationals to enter Britain to commit acts of terrorism than for an Indian grandmother to enter Britain to attend a family wedding—*[Interruption.]* It is true.

After two years of complacency following the death of WPC Fletcher, why have the Government suddenly acted with such speed? Have they at last realised, following approaches from the Opposition two years old, that some potential terrorists are at large in this country? Or does it follow the outcry against the Prime Minister's collusion over the American bombing of Libya? Is this simply a cosmetic exercise to cover up the unacceptable face of Thatcherism?

Mr. Hurd: On the right hon. Gentleman's first point, the operation had to be timed exactly, as it involved 11 police forces. I was anxious that a short, factual statement should be made publicly as soon as we had received information that the first stage had been completed. I did not want there to be any misunderstanding, in Libya or elsewhere, even in the short term, about the purpose of the operation. I am ready to keep the House informed where the scale or sensitivity of the operation requires that.

Steps are being taken to ensure that pilots and engineers being trained in this country can do no harm either at the airports or in the aircraft. There are some legal and practical complications about further action, but the Departments concerned are reviewing the matter urgently.

Of course I was consulted, and I certainly support the Government's decision, which has frequently been defended and explained in the House. The right hon. Gentleman will know that the powers that I exercised in this case are serious ones, which are defined clearly in law. Student activity in support of a foreign Government need not in itself harm national security, which is the test. However, I judged that, following the threats last week, in this case there was a threat to national security. Therefore, the answer to the right hon. Gentleman's question is that I reviewed the position last week in the light of the latest information and decided that the criteria within which I must exercise my powers were met and that the presence of those 21 students in this country was no longer conducive to national security.

Mr. Terence Higgins (Worthing): Did my right hon. Friend see the press reports last week suggesting that two of the Libyans arrested following demonstrations were in this country on visas which expired months ago? What check is made on such visas? If there is a genuine check, will my right hon. Friend ensure that such people do not stay in this country after their visas have expired?

Mr. Hurd: Yes, I saw the report. The answer to my right hon. Friend's question is yes.

Mr. A J. Beith (Berwick-upon-Tweed): Is the student who went on radio and offered to undertake a suicide mission among those to be deported? Why was he not deported earlier? Is willingness to take part in organised student activity the only relevant criterion, or will the Home Secretary consider others? Will he take special account of the position of those Libyans in this country who are opponents of Colonel Gaddafi and who would be at risk if they returned to Libya, and may even be at risk in this country?

Mr. Hurd: The answer to the hon. Gentleman's first question is yes. The person concerned has not, for some time, been in a position to act in the way that the hon. Gentleman described. The answer to the hon. Gentleman's second question is also yes. I am aware that by no means all the Libyans in this country are friendly towards, or supporters of, Colonel Gaddafi.

Sir Edward Gardner (Fylde): Do aliens who have been served with notices of intention to deport have any right of appeal?

Mr. Hurd: My decision was taken in the interests of national security under section 15(3) of the Immigration Act 1971. As my hon. and learned Friend knows, in those circumstances there is no right of appeal to the immigration appellate authorities. Those concerned have a non-statutory right to make representations to a panel of three advisers, and they have been informed of that right. Some have already indicated that they do not wish to exercise it.

Mr. Dick Douglas (Dunfermline, West): Can the Home Secretary advise us of the number of Libyan students resident in the United Kingdom? Further to the question asked by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), can the right hon. Gentleman tell us what substantial body of information about the harmful activities embarked upon by the 21 students was available post-14 April?

Mr. Hurd: About 1,800 Libyan students are in this country, but, as I have said, many of them must be reckoned as critics or opponents of the Gaddafi regime. The 21 to whom I have referred today are organisers of activity in support of the Gaddafi regime. Such activity is not in all circumstances harmful to national security. I reviewed the information about their organising activity after the events of last week and decided that the presence of these 21 people in this country in the present circumstances was no longer conducive to national security, so I took the action I have announced.

Mr. Terry Dicks (Hayes and Harlington): Why have only 21 Libyans been deported? Why not deport all Libyans now in this country, as that is what the vast majority of people in the country want?

Mr. Hurd: Because my powers are limited in the way I have said, and I have exercised these powers in the interests of national security. I shall not hesitate to exercise those powers again when it seems to me that the criteria that I have been describing are met.

Mr. Tom Clarke (Monklands, West): Is not the failure of the Government to do anything meaningful about the training of Libyan pilots and engineers supine and passive, and does that not therefore make the rest of the right hon. Gentleman's reply less than helpful and less than relevant?

Mr. Hurd: I have already answered that question. Steps have been taken to ensure that these people, whether the small number of pilots or the small number of engineers, can do no harm at the airports or in aircraft. We are considering further measures that will be necessary.

Mr. Michael Mates (Hampshire, East): I congratulate my right hon. Friend on this action. Is he looking equally closely at other nationals in this country whose Governments have been known to sponsor and support terrorism? In particular, if the evidence which has been reported is correct that Syrians might have been involved in the preparation of the bomb that nearly got to the El Al airliner, will he not flinch from taking equally robust action against Syrians, whether or not they have diplomatic immunity?

Mr. Hurd: My hon. Friend will not expect me to comment on that particular example, but the general point that he makes is right. My concern has to be not just with Libyans but with any of those whose presence in this country is not condusive to the national security.

Mr. Ron Brown (Edinburgh, Leith): Is not the expulsion of 21 individuals a crude, blatant attempt to whip up anti-Libyan hysteria in the country, remembering that the Government are very unpopular, and is it not also an attempt to justify further attacks against civilians in Libya?

Mr. Hurd: No, this is a measured and considered response to the organising activity in this country of those particular 21 people.

Mr. Nicholas Winterton (Macclesfield): While welcoming my right hon. Friend's statement this afternoon and dissociating all Conservative Members from the pathetic utterances of the right hon. Member for Manchester, Gorton (Mr. Kaufman), may I ask my right hon. Friend whether these measures are not totally inadequate? In the late 1930s the appeasers had their way, and history will prove our right hon. Friend the Prime Minister to be one of the most stalwart defenders of civilisation and freedom in the world.

Mr. Hurd: I have taken the measures that lie within my power and responsibility. Other measures have been taken. As my right hon. Friend the Prime Minister said, in our view further measures are still needed by our partners and ourselves.

Mr. Allan Roberts (Bootle): Does the Home Secretary agree that the vast majority of the British people will support strong, non-violent action against people when there is evidence to suggest that they are involved in any way in terrorism? Is this why the Government have taken this action? Does the right hon. Gentleman also agree that the British people overwhelmingly reject violent retaliation against civilians who have not been engaged in terrorism?

Mr. Hurd: I have a strong feeling that opinion is shifting on the latter point made by the hon. Gentleman. As the facts are more clearly deployed, there is a much better understanding than there was a few days ago of the strength of the arguments which led the Government to take the decision that they took.

Mr. Michael McNair-Wilson (Newbury): How large is the Libyan community in Britain, and have any limitations been placed on Libyans seeking entry?

Mr. Hurd: Of course there are limitations. That is why the remark of the right hon. Member for Manchester, Gorton (Mr. Kaufman) was so mischievous. He knows that ever since the St. James's square disaster particular care has been taken to scrutinise the entry of Libyans, under arrangements which my right hon. and learned Friend the Member for Richmond, Yorks (Mr. Brittan) announced at the time. Those arrangements have been in force ever since. I am informed that there are about 7,000 Libyans in this country subject to immigration control.

Mr. John Home Robertson (East Lothian): Is the Home Secretary aware that a significant number of Libyans, who may not have been a security risk in this country last week, are likely to be a security risk now that the Government have authorised the bombing of their homes?

Mr. Hurd: I have to look at the situation from time to time to see whether the evidence available to me justifies the use of my powers. That is what I have recently done, and shall continue to do.

Mr. Bill Walker (Tayside, North): My right hon. Friend will be aware that for some years Libyans have been undergoing engineering training in my constituency. He will also be aware that during that time they have given no trouble and that the criteria he has used are acceptable to those Libyans as well as to my constituents. Anyone found acting against the best interests of this nation should be expelled under our rules. That also applies to those students now undergoing training in Perthshire.

Mr. Hurd: I am grateful to my hon. Friend for his remarks.

Several Hon. Members *rose*——

Mr. Speaker: Order. Today is an Opposition day and we have already had an extension of Question Time. We must now move on.

Mr. Andrew Faulds (Warley, East): On a point of order, Mr. Speaker.

Mr. Speaker: I shall not take it if it is a continuation of the private notice question.

Mr. Faulds: No, it is not, Sir. Not at all. In the matter of priority of parliamentary consideration, how comes it that this private notice question on the deportation of Libyans was granted today, when the much more important matter of the use of British bases by the United States Government was not permitted on Monday, when the Foreign Office wished to make a statement but was overruled by No. 10? Why was that——

Mr. Speaker: Order. I do not know anything about that.

STATUTORY INSTRUMENTS, &c.

Mr. Speaker: With the leave of the House I will put together the Questions on the two motions relating to statutory instruments.

Ordered,

That the Value Added Tax (Land) Order 1986 (S.I., 1986, No. 704) be referred to a Standing Committee on Statutory Instruments, &c.

That the Value Added Tax (Land) (No. 2) Order 1986 (S.I., 1986, No. 716) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Cope.]*

Police Complaints Procedure (Amendment)

3.47 pm

Mr. Peter Pike (Burnley): I beg to move,

That leave be given to bring in a Bill to amend the Police and Criminal Evidence Act to establish an entitlement for a complainant to have access to the report of the police on the substance of his or her complaint; and to make related provision.

I have sought the leave of the House to introduce this Bill because I wish to remove a justified criticism of the present procedure, which was introduced under the Police and Criminal Evidence Act 1985. I have not introduced it as an anti-police measure. Indeed, in my view it is just as important to the majority of police that complaints can be investigated thoroughly and correctly, and that that can not only be done but be seen to be done.

In any free and democratic society it is essential to ensure that an individual has the right to make a complaint against those charged with protecting the community and enforcing the law and order. The number of police who give rise to such complaints, and the number of incidents, when seen in their true perspective, represent probably only a very small percentage. However, that does not mean that we do not have a problem.

The public's confidence in the police, and in their right to make a complaint in the knowledge that it will be fairly investigated, will be strengthened by the Bill. At present, after completion of an investigation, the complainant is given virtually no information by which to determine whether that investigation was carried out fairly. The complainant is ultimately notified if the Director of Public Prosecutions recommends any action. If no prosecution is recommended or instituted, the assistant chief constable then determines what disciplinary action, if any, should be taken. Many complainants feel that the action taken is not sufficient. However, it may be quite reasonable if the report has not been done fairly or adequately and the action taken is based solely on it. After all, if the basis of the report is wrong, the action taken will also be wrong.

The Bill provides for a complainant to have access to the substance of the report arising from his or her complaint. I do not expect the full details of all investigations to be given. Such a suggestion could inhibit an inquiry. In many cases there would be a substantial amount of material, but the substance of the report should sastisfy those concerned that all the relevant items had been investigated in a full and correct way.

I accept the point which has been put to me in the past 24 hours, that the individual complained about should have a right to see the substance of the report. I do not dispute that those complained against also have rights. It is possible that on a few occasions an unfair or unjustified complaint has been made. The essential point that I am pursuing is that it is important to bring this issue into the open. Secrecy breeds suspicion and allows uncertainty to remain. The problem is not new. It must have existed in almost all civilised societies. There is an old Roman saying—I shall not attempt the Latin version:

"But who is to guard the guards themselves?"

I do not pretend that the measure will end all the criticisms of the present procedure. However, it will be a welcome improvement. It will assist Members of Parliament whose constituents raise this issue with them from time to time. Frequently, they hear only one side of

the case. I recognise that, whatever the problem — whether it concerns housing or another subject — one hears only the favourable points and not the adverse factors which need to be taken into account.

I am dealing with two cases in my constituency arising from the police complaints procedure. Time does not permit me to go into the details. The point at issue is that neither complainant is satisfied with the outcome of his complaint and the resultant investigation or action. If the substance of the report were made available, the complainant would be able to see on what basis the decisions and actions had been taken, and I, too, could make such a judgment.

Both constituents feel that they have suffered an injustice and are not happy with the position. Because the investigations have been carried out by the police, albeit from another police force, my constituents do not feel that the investigations have been conducted fairly. They feel that all the points they have raised to support their cases may not have been taken into account and investigated fairly and fully. Without the substance of the report, the question must be unanswered.

When the police act unfairly or improperly, it is essential that an individual in a civilised society should be able to make a complaint, confident in the knowledge that it will be dealt with responsibly. I do not believe that such confidence exists. That is bad for the complainant, for the police and for society as a whole. The Bill will help to remove these doubts and will be an important step in strengthening and improving our present procedure. It is important that we take this step. This modest and sensible proposal will improve the position. On that basis, I hope that it will receive the support which it deserves.

Question put and agreed to.

Bill ordered to be brought in by Mr. Peter Pike, Mr. Don Dixon, Mr. Jack Straw, Mr. Tony Lloyd, Mr. Ron Davies, Mr. Sean Hughes, Mrs. Ann Clwyd, Mr. Andrew F. Bennett, Mr. Chris Smith, Mr. Allan Roberts, Mr. Gerald Bermingham and Mr. Richard Caborn.

Police Complaints Procedure (Amendment)

Mr. Peter Pike accordingly presented a Bill to amend the Police and Criminal Evidence Act to establish an entitlement for a complainant to have access to the report of the police on the substance of his or her complaint; and to make related provision: And the same was read the First time; and ordered to be read a Second time upon Friday 25 April and to be printed. [Bill 138.]

Statements and Private Notice Questions

3.55 pm

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. I apologise for raising this point of order, but it relates to the principle of a private notice question versus a statement from a Minister and is directly within your responsibility.

I put it to you, Mr. Speaker, that Ministers have now become aware of the fact that on a private notice question you quite rightly limit the time for questions from those other than the right hon. or hon. Gentleman asking the question. For example, today you gave 15 minutes of the House's valuable time for the private notice question asked by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman).

In my view, the issue is so important that the Home Secretary should have made a statement. There is no question in my mind but that you would have given more time to question the Home Secretary had he made a statement rather than having to respond to a private notice question from my right hon. Friend. The point is that you ought to consider the amount of time that you allow for supplementary questions to a private notice question.

There is now no doubt that at this time of crisis in relation to Libya, America and Great Britain, Ministers are seeking to wriggle out of their responsibilities to the House. Today, the Home Secretary should have made a statement. Because he did not, and because you were placed in such a position, other right hon. and hon. Members who wanted to ask questions were, through no fault of yours, denied the opportunity to do so. In those circumstances, you ought to consider extending the time on a private notice question if the issue is of sufficient importance to warrant a statement from the Minister.

Mr. Speaker: Order. The point is that the Government did not make a statement and I granted the private notice question. A private notice question is an extension of Question Time. The whole House knows that I have a high regard for the time given to Back Benchers. It is precisely because there is such a long list of Back Benchers wishing to speak on the two Opposition motions that I gave only 15 minutes for the private notice question.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Mr. Speaker.

Mr. Speaker: It only wastes time.

Mr. Dalyell: It will illuminate the problem. My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) very properly asked the Home Secretary whether he was consulted in advance. The Home Secretary——

Mr. Speaker: Order. The private notice question is an extension of Question Time. I cannot deal with that. The hon. Gentleman must ask a question on a matter for which I am responsible. I am not really responsible for anything like that.

Mr. Dalyell: Your responsibility is to provide clarification. Unless you give time, Mr. Speaker, it is impossible to clarify from the Home Secretary's answers whether he knew in advance. It is important to give time so that the Home Secretary's answers can be clarified, so

[Mr. Dalyell]

that we know what he really meant and whether he knew about the attack on Libya in advance, or was consulted afterwards. That is why my right hon. Friend raised a substantial issue.

Mr. Speaker: The House knows that I have an exceedingly difficult job balancing what is important and what is even more important. The two Opposition motions today are very important, and I had to make that judgment.

Mr. Gerald Kaufman (Manchester, Gorton): Further to that point of order, Mr. Speaker. I should be grateful if you would consider the genuine and important points of order that my hon. Friends have raised, in the light of a decision that you made a few weeks ago, which I thought was very helpful to the House. You will recall that on that occasion, following a point of order that I raised, a Minister then rose on a point of order and made what you turned into a statement because you said that it was an abuse of a point of order.

The point that my hon. Friends are making is that when a Minister is using the device of a private notice question to evade giving a full statement, you might consider turning that into a statement, with the consequences for questioning that would ensue from that.

Mr. Speaker: Order. The trouble is that I do not have that power. It is a matter for the Government whether they make a statement.

Mr. D. N. Campbell-Savours (Workington): Further to that point of order, Mr. Speaker——

Mr. Speaker: Order. I think that we have had enough of this.

Mr. Campbell-Savours: I understand that, Mr. Speaker. However——

Mr. Speaker: Order. Then why is the hon. Gentleman trying to raise a point of order?

Mr. Campbell-Savours: My point of order arises on an additional point.

Mr. Speaker: Order. Perhaps the hon. Gentleman will allow me to deal with the first point of order. I must balance these matters. Many hon. Members, including a maiden speaker, wish to take part in the debate that follows. I gave an extension of 15 minutes on Question Time today, and that was a good run for a private notice question.

Mr. Campbell-Savours: My point relates to the same issue, Mr. Speaker, but approaches it from a different angle. I believe that the point is very important. Is the only distinction between a private notice question and a ministerial statement that a Minister has decided that the matter warrants precedence over other business, whereas you decide that for a private notice question? To some extent, therefore, they surely have the same status. If they have the same status, there must be times and occasions when you might wish to ensure that they are given equal time in relation to procedure in debate.

Mr. Speaker: The hon. Gentleman is absolutely correct. There are times and occasions when I do that, and I have done that today.

Opposition Day

[12TH ALLOTTED DAY]

Housing

4.1 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): I beg to move,

That this House calls for a new approach to housing policy which combines investment in good housing with responses to family and individual needs reflecting the informed opinions of tenants and home buyers, in order to bring about solutions based upon choice, freedom and fairness, to improve the quality of life throughout the whole community.

Mr. Speaker: I should announce to the House that I have selected the amendment in the name of the Prime Minister.

Mr. Rooker: In the Queen's Speech last November the Prime Minister said:

"Labour could not hold a candle to our record on housing."
—[*Official Report*, 6 November 1985; Vol. 86, c. 19.]

The Government amendment to the Opposition motion today appears to reflect that view, although I notice that the name of the Minister for Housing, Urban Affairs and Construction does not appear on it. It is therefore important to set out some of the old problems as a result of the Tory record to see why new solutions are required.

Our housing is old and deteriorating. One in four homes in England pre-date the first world war. I must add that those homes are not the only homes that are deteriorating. Britain spends less of its wealth on housing than any of the 11 Common Market countries and is behind the United States, Sweden, Norway and Finland in that respect. Indeed, we are at Third world levels in relation to the wealth we spend on housing.

The period of this Government has seen the national house-building programme plummet from an average of 285,000 new homes a year under the previous Labour Government to only 180,000 a year for the first five years of the Conservative Government. That is a drop, as I have said repeatedly, of 2,000 new homes every week since the Conservatives came to power in 1979.

So far, the best year that the Conservatives have managed was 1983 when 217,000 new homes were started nationally. Unfortunately it seems to have escaped the Prime Minister's attention that her best year of home starts is 47,000 new homes below the 1978 figure which was the worst year for new home starts under the previous Labour Government. That shows above all else that the Prime Minister's claim in the debate on the Queen's Speech in November is quite preposterous.

All of us know that the Government generated a pre-election boom in home improvement grants. However, once the election was over the chopper came down quite firmly. The number of home improvement grants in 1985 is less than half of the 1984 total. The Government's Green Paper "Home improvements — a new approach", effectively spells the end of home improvement grants as a policy instrument for raising the standard of an area. Even those living in decent housing—this point escapes Ministers — need to know and be sure that their neighbours' homes will be looked after, if only for the narrow interest of preserving the value of their own homes.

The Government Green Paper, to all appearances, is finished. We have hardly heard a pip from the Government because of the overwhelming response against the proposals contained in that Green Paper.

The Government must be constantly reminded that, in the rush of pre-election time-limited bonanza, extra staff throughout the country had to be taken on by local authorities. Because of the cuts, tens of thousands of our fellow citizens who applied for grants during that time, will never receive them unless there is a substantial and vast change in Government policy. People are extremely bitter. How can they now be blamed for being reluctant to spend money on their homes when a programme of improvement might resume rendering them ineligible for the grant that they might otherwise have received.

Mr. Michael Latham (Rutland and Melton): Will the hon. Gentleman give way?

Mr. Rooker: I will give way later as I wish to make progress now.

On top of that failure, the demolition rates have also been cut. The building figures of new homes are down nationally and demolition levels are also down. It therefore follows that it is crucial that improvements are vastly stepped up. We do not need lectures from the Government, as the Labour party first introduced the system of home improvement grants for private sector home-owners.

To add to the crisis, there is also an increase in households beyond the increase in population. The Government are aware that many "hidden" homeless people are forced to share other people's homes. The legally defined homeless figure rises each year the Government are in office. In 1985 it topped 90,000. I do not see how the Government amendment fixes figures in relation to the 90,000-plus homeless families in 1985. Those people are not homeless out of choice. Their freedom is severely limited and they do not believe that the system is fair.

Is it Tory freedom and fairness which has caused an estimated 14,000 families to be in bed-and-breakfast accommodation? Are Conservative Members satisfied with the quality of life that they mention in the amendment for the estimated 750,000 handicapped people living in housing that is not suited to their needs? To add further to the crisis on the Tory record, it is known that long-stay patients in psychiatric hospitals are mainly long-stay because there is no alternative accommodation. In the face of that, how can the Government, through their manipulation of the Opposition motion, say that there is choice, freedom and fairness?

I stress two further points to highlight the Tory record on housing—the record which the Prime Minister said that the Opposition could not hold a candle to. After six years of Conservative Government—the figures relate to April 1985 — no fewer than 4 million out of the 18 million homes in England were either unfit for human habitation, lacking in basic amenities such as an inside toilet or hot and cold running water, or were in need of substantial renovation.

Mr. Tony Marlow (Northampton, North): Will the hon. Gentleman give way?

Mr. Rooker: I must continue.

That figure of 4 million represents 20 to 25 per cent. of the homes in England. That is some record and certainly shows that there is not much fairness. I give way to the first hon. Gentleman who wished to intervene.

Mr. Latham: I notice that when the hon. Gentleman was giving the figures for new housing starts, he compared the Labour party record with the Government's record. He did not give the same comparison for improvement grants. Will he do that now?

Mr. Rooker: I shall be quite happy to recount the figures. However, my point is that the Opposition's housebuilding record, as I have said, was 2,000 new starts every week better than the Government's. We were demolishing old and decrepit housing faster than the Tory Government. It naturally follows that, if we are to maintain housing standards, there must be a vast increase in improvement grants. No one can deny that, because of the pre-election boom, the Tories engineered a boom in home improvement grants to hide the cuts in new housebuilding and the further cuts in demolition. There is no denying that. That is not part of my case, but the record overall is not one of which the Government can be proud.

Mr. Marlow *rose*——

Mr. Rooker: There is also the Tory record on rents and mortgage interest. Even with the recent decreases in the latter, mortgage interest has on average been 50 per cent. higher under the Tory Government than it was under Labour.

I want to be fair to the Government. I am in favour of being fair and placing the facts on the record. The increase in the retail price index between 1979 and 1985—in the first six years of the present Government—was 74·6 per cent. At the same time, rents went up by 144 per cent., and the index for mortgage interest rose by 158 per cent. That is the scale of the increase in mortgage interest compared with inflation under the Tories. Ministers may not agree with the figures, but it was provided by the Library and confirmed by a Minister in a parliamentary answer on 28 January.

Despite those figures, the Government have the brass face to tell us that we cannot hold a candle to their record on housing. Despite that appalling catalogue, the Government are arrogant enough to claim in their amendment that they are fulfilling the housing aspirations of the British people.

Mr. Marlow: There are two aspects to the provision of housing. One is national Government and the other is the local authority. The hon. Gentleman says that a great number of houses are sadly below standard. What proportion of those houses is in Labour local authority areas? Will he also explain why, although Lambeth has much higher rates than Wandsworth, the housing situation is much worse in Lambeth than in Wandsworth, a Conservative local authority with a lower rate? What is the secret? What is the difference? Why does that happen?

Mr. Rooker: The hon. Member for Northampton, North (Mr. Marlow) always asks about Lambeth, to which he is, of course, extremely grateful for his home improvement grant.

Mr. Marlow *rose*——

Mr. Rooker: No, I shall not give way again. I did not say that the hon. Gentleman criticised Lambeth—he did that himself. I said that he is eternally grateful to Lambeth.

Mr. Marlow *rose*——

Mr. Rooker: Many of my hon. Friends——

Mr. Marlow: On a point of order, Mr. Speaker——

Mr. Speaker: Is the hon. Gentleman sure that it is not a point of frustration?

Mr. Marlow: I am not a net debtor to Lambeth.

Mr. Rooker: Millions of home owners and tenants are demanding a change of policy. What we do not save in our housing stock we shall lose. The next generation will have to foot the bill.

Mr. Marlow: Will the hon. Gentleman answer the question?

Mr. Rooker: There is no one answer. No one in his right mind would claim that there is one answer. None of my hon. Friends would claim that there is, and I am sure that the Minister would not either. However, a start must be made. The Government could make a start by redressing some of their own faults. They could, for example, lift VAT from improvements and repairs carried out by registered builders. The money lost in VAT would be saved out of the black economy. The Government made a fantastic and fundamental error in 1984 in imposing VAT. The imposition has caused considerable difficulties. Lifting the burden of VAT from improvements and repairs by registered builders would pay for itself.

A programme should be pledged to ensure that within two to three years at the most every home in the land has hot and cold water, a bath and an inside toilet. That is a very modest proposal, but each of those basic amenities is lacking in at least half a million homes.

The labour and materials are there, and, heaven knows the need is there. The investment would be a prudent one, and putting decent amenities into our houses would save the NHS a fortune.

The Government must scrap the Green Paper on home improvements. We need proposals that would not penalise home-owners as the proposals in the Green Paper seem to do. Private money could be encouraged into improvement work through public channels. That has been advocated by some Labour-controlled local authorities.

Grant procedures must be simplified to encourage those who are bewildered by the form-filling that is needed if they are to take up the opportunities. With the present lack of either newbuild or demolition, the take-up of grants needs to be positively encouraged rather than cut again as it was in 1985.

On no occasion have the Government increased the financial limits of the grants or the cheap scheme for the first-time buyers which they inherited from the Labour Government. They should do so immediately.

We need a national programme for the repair and modernisation of our 5 million or 6 million council dwellings. The Government should set it up in a way that actively involves the tenants. The Government know the scale of the problem. It is not fanciful to say that there is a demand for repair and modernisation. The Government's own report of last November on the condition of public sector housing stock itemised one area of stock after another — flats and houses categorised by age — and arrived at the need to spend £18 billion on bringing that stock up to good condition. A start should be made on a national programme actively involving tenants.

We must go further. It is crucial that tenants and home owners should have new rights to be involved in the modernisation, repair and improvement of their homes. Another of our modest proposals is that there should be a right to demand that the work is done satisfactorily before payment is made for repairs or improvement. That vital right does not exist today for local authority tenants or for home owners on the receiving end of improvement grants. They have no right to insist that the work be done to their satisfaction before the local authority can pay the builder or the contractor.

Mr. John Maples (Lewisham, West): Or the direct labour organisations.

Mr. Rooker: Yes, or the DLOs. People will not feel responsible for caring for the improved properties unless they are involved.

Some Conservative Members have joined us in another demand that we have made on three or four occasions in the past year. The money locked up in local authority bank accounts, being the proceeds of the sale of property or land, must be released. To ignore £6 billion is simply not prudent financial management. I am sure that all the Ministers at the Department of the Environment agree. However, they cannot say so, because the Treasury will not permit them to do so.

We need an immediate increase in resources devoted to the Housing Corporation, in order to enable the voluntary sector of housing authorities and co-operatives to flourish and to contribute in the area in which it can contribute so much—catering for the special needs of the young and the elderly. In addition, the voluntary sector should once again be able to concentrate on what it can do extremely well — rehabilitating rundown housing for family purposes.

I make a plea on behalf of the Opposition generally and of some Labour Members in particular who have defective housing in their constituencies.

The House must seriously consider the problems of defective housing and put muscle behind the Housing Defects Act 1984 which had all-party support. However, there must be the proviso that resources will be made available to make the Act a reality. If that is not done the House will be conning hundreds of people.

We must not throw good money after bad—nobody is asking for that. However, hundreds of thousands of families who live in defective housing — owners and tenants — need to know where they stand. They are in homes which they cannot sell and for which there is a block on improvement grants and modernisation by public sector landlords. It is crucial that we take action.

Without returning to the quick-build policies of the 1950s and 1960s — I have had to use statistics as a qualification of the scale of the damage, but we are not interested in playing the numbers game for the sake of building junk housing—which caused so much distress to people trapped in high-rise blocks and walk up deck-access flats, we must have a national comprehensive building programme for all kinds of tenure. That includes those who wish to rent, those who wish to buy and those who wish to do a bit of both through shared ownership.

Mr. Maples: The hon. Gentleman has referred to those who wish to buy, and the motion refers to choice. I am sure that he will agree that most people, given the choice, would prefer to own their homes. Can the hon. Gentleman

explain how such aspirations would be realised by the 6 million public sector tenants if a future Labour Government stopped the sale of council houses?

Mr. Rooker: A future Labour Government would not remove the right to buy—we have made that absolutely clear. It is no good the hon. Member looking surprised, for it is there, chapter and verse, in "Homes for the Future".

Mr. Robert Atkins (South Ribble): It is called a U-turn.

Mr. Rooker: It is not a U-turn. Let me give an example to prove that. In 1967 the Labour Government gave home owners of leasehold houses the right to buy the freehold, and that was without Conservative party support. Recently, the Tory Government went to the European Court to defend that piece of socially just legislation. We do not deny that we opposed the Government's proposals in the Housing Act 1980. But although our proposals are not the same as the Government's, because we want to replace what has been sold, we now accept each other's position. There is no argument about that and there is no point in the hon. Member for South Ribble (Mr. Atkins) refering to a U-turn.

We accept people's right to buy, in the same way as the Tories opposed the right for home owners to buy their freeholds which had been granted under the Labour Government. No Labour Government have ever stopped a council—whether Tory or Labour controlled—from selling houses to its tenants.

Mr. Maples *rose*——

Mr. Rooker: No, I have already given way to the hon. Gentleman.

Mr. Maples *rose*——

Mr. Rooker: No. I am sure that the hon. Gentleman will be able to make his own speech later. I give way to my hon. Friend.

Mr. George Park (Coventry, North-East): Is my hon. Friend aware that, over a quarter of a century ago the Labour-controlled council of Coventry was building houses for sale?

Mr. Rooker: The record of Labour-controlled local authorities providing homes for sale, up and down the country, is clear. If the Government half close the gap between their average levels of house building and that of the last Labour Government it would mean an extra 50,000 new homes a year. Our target is simple and we have made it clear. We will build and plan to repair and improve at a rate faster than the present rate of housing decay. The problem of house decay is serious and, if we do not meet it, future generations will have problems with which they will be unable to cope.

Poor housing is an injustice for all our community, but those who live in it live out the injustice on a daily basis. An investment in housing is an investment in people both in their homes and in their jobs. We cannot offer real choice, freedom and the fairness inherent in decent housing unless the nation wakes up and starts to put people first. That is our intention.

4.25 pm

The Minister for Housing, Urban Affairs and Construction (Mr. John Patten): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the Government's approach to housing policy which combines investment in good housing with responses to family and individual needs reflecting the informed opinions of tenants and home buyers, in order to bring about solutions based upon choice, freedom and fairness; and congratulates the Government on its achievements since 1979 in fulfilling housing aspirations and improving the quality of life throughout the whole community.'.

The amendment recognises the crucial truth about the debate. Phrase like "putting people first" or "choice, freedom and fairness" may be new themes to the Labour party, but they are not new themes for the Conservative party. They have been the basis of our housing policy for the past seven years, since the introduction of the tenant's charter and the Housing Act 1980.

It is right that I should welcome the Labour party's conversion to the importance of choice, freedom and fairness, but it has been some time coming. The Labour party's attitude to the introduction of the right-to-buy policy followed different priorities from those outlined by the hon. Member for Birmingham, Perry Barr (Mr. Rooker) when he discussed the policy in his speech.

When the Labour party was faced with one of the most popular housing policies introduced by any Government, what did it do? It opposed it. It did not put people first, it put the wishes of local authorities first. Even now, when the overwhelming popularity of the right-to-buy policy has forced the Labour party to accept it, it has done so grudgingly.

Mr. Robert Atkins: A U-turn.

Mr. John Patten: It has done a sort of U-turn, but more of that in a moment.

From the policy paper "Homes for the Future", to which my hon. Friend the Member for Lewisham, West (Mr. Maples) referred in his telling intervention, and which the Labour party conference approved six months ago, it is far from clear whether it has accepted the right-to-buy policy. I demonstrate that by quoting from the document which tells us that the right to buy

"has the effects of restricting choice for tenants".

With regard to the public sector stock, it says that the right to buy

"has only made matters worse".

Which is the real Labour party policy? That approved by the Labour party conference, or that skated over by the hon. Member for Perry Barr?

Mr. Allan Roberts (Bootle) *rose*——

Mr. Tony Banks (Newham, North-West) *rose*——

Mr. Rooker *rose*——

Mr. Patten: I shall give way in a moment. I did not interrupt the speech of the hon. Member for Perry Barr.

In that document, the Labour party proposed to allow local authorities to

"determine whether, in the light of all the circumstances, council tenants should be able to buy their houses".

That is not so much a conversion as a case of half falling off the donkey on the road to Damascus—a mixture of "Me-tooism" and totally muddled Labour party policy formulation.

Mr. Allan Roberts *rose*——

Mr. Patten: I shall give way with pleasure to the hon. Gentleman later. The U-turn referred to by my hon. Friend the Member for South Ribble (Mr. Atkins) shows how much the ground has been shifted—it is ground not of Conservative party choosing but of the choosing of British people.

Mr. Allan Roberts *rose*——

Mr. Patten: I shall give way in a moment as I promised.

Mr. Peter Riddell revealed yesterday in the *Financial Times* that Labour's own research had revealed that the party was

"in danger of being seen as rooted in the 1960s and the 1970s in its approach".

The hon. Members for Copeland (Dr. Cunningham) and for Perry Barr are trying to drag the party into the 1980s. They have some way to go yet. But how much will it all cost?

This morning a new document on housing was launched. It is a glossy new document published in the new, fashionable soft-focus colouring, blurred round the edges, such as we are accustomed to seeing in some newspapers. It refers to a new package of housing policies. But how much will it cost? My right hon. Friend the Chief Secretary to the Treasury is waiting, with his little calculator, for evidence of how much it will cost so that he can add it to the £24 billion of pledges that the Labour party has already given.

I shall give way to the hon. Member for Perry Barr if he will tell me the cost. The hon. Member for Copeland is also sitting on the Opposition Front Bench. I shall gladly give way to the hon. Gentleman and to the hon. Member for Perry Barr if they will tell me the cost of their programme. It appears either that they do not know the cost of their programme, or that if they do know how much it would cost they are refusing to tell the House.

Mr. Rooker: What is the cost of the 4 million people who are living in decaying and unfit housing? What is the cost of the people who are living in bed-and-breakfast accommodation? What is the cost of the 90,000 people who are homeless every year, and of the 4 million people in the dole queue who are being wasted?

Mr. Patten: The hon. Gentleman should be ashamed of himself. One does not answer one question by asking five or six others. If the hon. Gentleman cannot give a straight answer to a straight question, let the hon. Member for Copeland, who is in charge of the Labour party's policy on the environment, get up and tell us the cost. If he will not do so, either he does not know or he is trying to perpetrate a fraud on the electorate by putting forward an uncosted and false prospectus.

Mr. Allan Roberts: Will the Minister give way?

Mr. Patten: If the Opposition Front Bench will not tell us the cost, perhaps the hon. Member for Bootle will tell us what it is.

Mr. Roberts: I shall say something about the cost of housing investment later, Mr. Speaker, if I catch your eye. As for U-turns and public expenditure on housebuilding, one of the Government's main arguments during the proceedings in Committee, of which I was a member, on the Housing Bill of 1980, in favour of the sale of council houses was that one could use the capital receipts from the sale of council houses to replace those that had been sold. Why have the Government done a U-turn? Why will the Government not allow local authorities to spend their capital receipts on the building of houses? Has the Minister read the Labour party's document "Homes for the Future"? Is he in favour of the Labour party's commitment to replace every house that is sold by building a new one?

Mr. Patten: We are, of course——

Mr. Roberts: Answer.

Mr. Patten: That is exactly what I am going to do. The hon. Gentleman should restrain himself. He asked a direct question. The answer is that each year we are permitting a proportion of the accumulated sums of money from council house sales to be spent on new building. Not all the £6 billion is now backed by cash. Much of the £6 billion has now been spent on other purposes, so not all of it is available. We are reviewing the capital control system. We have had this argument across the Floor of the House on a number of occasions since I became Minister for Housing. A new series of questions now has to be asked about the cost of the Labour party's programme. The Opposition Front Bench refuses to give that information because it does not have it. Therefore, I give due notice that I shall return to the issue again and again.

Mr. John Powley (Norwich, South): Did my hon. Friend hear correctly the hon. Member for Bootle (Mr. Roberts), who said that it was the Labour party's policy to replace every council house that is sold with another council house? Will he speculate on the cost to the Exchequer and the financial institutions of this country of replacing about 900,000 council houses?

Mr. Patten: My hon. Friend has put his finger on the confusion in the Labour party's policy. I listened carefully to the speech of the hon. Member for Perry Barr. He said that he did not want to play the numbers game. He also said that there was a pressing need to build more and more houses. I invited him to give the answer, but he has not chosen to explain how that programme will be paid for.

Mr. Tony Banks: Will the Minister give way?

Mr. Patten: I shall give way later to the hon. Gentleman. I am conscious of the fact that during our last debate I was unable to give way to him.

It is as difficult as ever to tell what is the official policy of the Social Democratic party and the Liberal party on this issue, as expressed in their amendment on the Order Paper which has not been selected for debate. The Social Democratic party seems to accept the right to buy. That leaves the Liberal party, as I am always being reminded by the hon. Member for Perry Barr, in the extraordinary position of being the only party that does not officially accept the right to buy. The amendment of the Social Democratic party and the Liberal party does not suggest that they are about to resolve this confusion. If my right hon. and hon. Friends have not read the amendment, I recommend them to read it. It reads like a John Cleese parody of the risible results of consensus policy making.

Mr. David Alton (Liverpool, Mossley Hill): Before the Minister leaves that point, will he give way?

Mr. Patten: Perhaps I shall get a straight answer from the hon. Gentleman.

Mr. Alton: The answer is unequivocally yes, the Liberal party would retain the right to buy. The amendment specifically says that it would.

Mr. Patten: If that is now official Liberal party policy, it is extremely useful information to have from the hon. Gentleman.

The hon. Member for Perry Barr ended on the question of the right to buy and home ownership, and naturally, I began on those issues in order to take up his points. The right to buy has been successful because it recognises the wish of the great majority of the British people to own their own homes.

Mr. Tony Banks *rose——*

Mr. Patten: Mortgage famines have disappeared and mortgage rates are coming down. Mortgage rates are being significantly reduced, for the second time in a matter of weeks.

Mr. Banks: Will the Minister give way?

Mr. Patten: Before I turn to the rented sector, I shall of course give way to the hon. Gentleman.

Mr. Banks: On the Minister's point about the right to buy in the private sector, according to the most recent survey in the London borough of Newham, only 7 per cent. of the population can afford to buy a house that costs about £35,000, which is a low price in the south-east. Is the Minister aware that because of the massive unemployment and other poverty that has been brought about in Newham by this Government's policies, the right to buy in the private sector is effectively denied to the people of Newham?

Mr. Patten: In the Housing and Planning Bill we are trying to include additional incentives for flat dwellers, a substantial number of whom live in the London borough of Newham, which will make it more possible for them to buy their homes. I do not want to devote the burden of my speech to the right to buy, but I had to deal with the points that were made by the hon. Member for Perry Barr.

More choice, freedom and fairness are needed in the rented sector. I have made that point time and again since I have been Minister for Housing. I hope that the hon. Member for Perry Barr recognises that fact. The right to buy and home ownership have not been the only tunes that I have played either in debates in this House or in Standing Committee. That is one of the best ways to avoid the mistakes of the past.

The hon. Member for Perry Barr referred to choice and fairness. Council tenants did not have much choice about the design of the estates and tower blocks that were built in the 1960s and 1970s. Alas, those designs reflected what the bureaucrats and architects in central Government and local government thought was best. The people were not consulted. All those who were involved made that fundamental mistake. The result has been many of the housing problems that face us today. We are trying to deal with the failed solutions to past problems, and we are now in the third or fourth cycle of trying to solve them. I very much regret that the management record of many local authorities has not made solving those problems any easier.

I have said it before, but it has to be said again, that just as there are far too many homes standing empty in the private sector, so there are 116,000 houses and flats standing empty in the public sector. That is more than the total number of people who are accepted in this country as being homeless. In fact, 26,000 houses and flats have been standing empty for more than 12 months. Those houses and flats are an affront to the homeless of this country.

Mr. Alfred Dubs (Battersea): Will the Minister give way?

Mr. Patten: No. I have given way on many occasions, and in the interests of those right hon. and hon. Members who are hoping to speak I must make progress with my speech.

We hear a great deal from Labour-controlled local authorities, in particular, about the need for more expenditure, but rent arrears now total more than £200 million. In the worst 20 authorities alone, rent arrears equal about £94 million.

Labour authorities should tell us what they have been doing with the substantial sums of money spent on their stock. If their housing is in poor repair, how did they allow it to get into that state? What have they been doing for the past 30 or 40 years? Sheffield, for example, has been under Labour control for all but two of the last 40 years, and in the last six years alone it has spent £180 million on housing. Wolverhampton has been Labour for 30 years since the war, and in the last six years it has spent £115 million. Manchester has also enjoyed Labour control for most of the last 30 years, and it has spent £340 million on housing in the last six years.

What have these authorities been doing for so long with so much money? What has been the result? On the most recent figures available to me, Sheffield has nearly 3,000 empty homes. It is owed nearly £10 million in rent arrears — 15 per cent. of its annual rent income. Wolverhampton has nearly 2,000 empty homes—5 per cent. of its total stock—and rent arrears are nearly £3 million. Manchester has 6 per cent. of its stock standing empty—nearly 5,000 houses and flats. It is owed £4·5 million in rent arrears. What a record of the results of more than a generation of Labour control in those areas of housing. What a tribute to generations of Labour control. What an affront to the homeless.

Perhaps the hon. Member for Norwood (Mr. Fraser), who I understand will wind up the debate for the Opposition and to whose speech I look forward, will find time to comment on Lambeth's record of 1,800 empty council houses and over £9 million in rent arrears—25 per cent. of its annual rent income.

The records of many of these councils are very poor, but they cannot be held entirely to blame. Many council housing departments are simply too big to manage properly, as I think all hon. Members recognise. I know that I have the agreement of the hon. Member for Perry Barr, because he quoted some telling figures in his speech on Second Reading of the Housing and Planning Bill. He told us that seven councils have more than 50,000 houses and flats to manage, and that a further 52 councils have between 20,000 and 50,000. The hon. Gentleman was certainly not exaggerating when he said that there was scope in that size of management for the bungling depersonalised approach. He was right and I commend his courage in saying it.

We have to find ways to break up these great empires and to achieve more diversity of management and ownership. I believe that there is a growing consensus in the House that those are desirable ends, even if we might not necessarily be able to agree on all the ways of

[Mr. Patten]

achieving them. We have to encourage more tenant participation in the organisation and management of the blocks of flats, houses and estates in which they live. The Housing and Planning Bill will promote just this kind of change, and I welcome the enlightened attitude of Opposition spokesmen of all political parties in the Committee on that Bill to these new attempts to help tenants of housing in council ownership.

Mr. Marlow: My hon. Friend mentioned parts of the record of Manchester. Probably, like me, he has received a letter from a Mr. Taylor of the city of Manchester, who has been seeking to misrepresent the Housing and Planning Bill. He is not only doing that, but is threatening to set up a conference for the purpose of inviting trade unionists and other councils further to misrepresent the Bill. Can my hon. Friend say what action the Government will take to prevent Manchester from putting politics rather than people first?

Mr. Patten: I am afraid that that letter has not come through to me. Perhaps my civil servants thought that I was too weak a spirit to receive such a threat from Manchester and decided to keep it off my desk. I deplore the way in which local councils, such as Manchester, or indeed Leicester, from time to time threaten people wishing to purchase their own homes that they will diversify management of tenure in the estates on which they live.

Mr. Peter Bruinvels (Leicester, East): What message does my hon. Friend have for those constituents of mine in Leicester, East who have been trying for the last three years to buy their own flats and have been prevented because the Labour party is denying them the right to do so? Those people are desperately keen to buy their own homes, but the Leicester city council, which is Labour-controlled at the moment, is refusing to allow them to do so. They want to be property owners, and they are being denied that right. What can we do in the Housing and Planning Bill to help them?

Mr. Patten: As my right hon. Friend the Secretary of State has observed sotto voce, that is the authentic face of the Labour party at grass-roots level. What is going on in Leicester shows the yawning gulf between practice in so many Labour authorities in this land, alas, and the sensible, pragmatic and non-ideological words which come so often from Labour Front-Bench spokesmen. If my hon. Friend would like to write to me with examples of these shocking incidents, I shall look into them and see whether there is anything that I can do.

Local estate-based management is one of the key changes which my Department is advocating to local authorities through our priority estates project and the urban housing renewal unit.

Another matter that has been of great concern in recent debates on the Housing and Planning Bill is the need to bring in private investment. I must say to the hon. Member for Perry Barr that the misrepresentation by at least some parts of the Labour party of the intent of that Bill and the stories being put around in Labour party leaflets in places such as Wandsworth—I was shown a shocking example today—that the purpose of the Bill is to make it possible for tenants to be removed at will, freely and at the stroke of a pen, is wrong. The hon. Gentleman knows that. We are to have a chance to debate it on Report on Thursday. I simply want to put him on notice now that I shall do all that I possibly can to make sure that the truth is told about these proposals.

My hon. Friend the Under-Secretary of State hopes to say more about these initiatives when he replies to the debate. I should like to say how pleased we have been by the positive response that we have had from so many local authorities, many Labour authorities among them, to the offer of help by the urban housing renewal unit. More than 100 authorities have already asked for help from the UHRU and many schemes are being worked up. These authorities have realised that they do not themselves have all the answers, so they are prepared to work in partnership with central Government and with the private sector to try to provide some of the answers.

We have to look at new ways of providing rented housing. That is a theme to which we have to return in the House. The private sector certainly has a part to play, as do housing associations and other forms of investment institutions. This is critically important. These alternatives can not only offer tenants the prospect of better management, but can offer more choice, more freedom and more fairness compared with the hopelessly divided forms of housing that we have, with owner-occupation, council renting and precious little in between. This is one of the great blots on the social landscape of this country and is unique in the Western world. We have to do something to break down those barriers.

We need to spend money, too, on improving and repairing the stock. We were given the uncosted benefit of the uncosted thoughts of the hon. Member for Perry Barr and his uncharacteristically demure and self-effacing colleague the hon. Member for Copeland, who said what they were going to do, but not how they were going to pay for it, and when.

We have been spending money. We have spent a record amount on home improvements since 1979. We have spent more than £3 billion, and approximately £0·5 billion is being spent this year. It is the same in the public sector, where about £2·5 billion is being spent from the capital account and the revenue account on housing repairs and renovations—not before time. In 1978-79, the last year of the Labour Government, only £1 billion was spent. We have increased the amount of money spent on council house repairs and renovations by some 14 per cent. since 1979.

Let there be no tales from the Opposition about the Government not wishing to begin the substantial task of trying to bring back into good repair our housing stock and to undo many of the mistakes so tragically made in the last 20 or 30 years. Those are the areas in which expenditure is needed. It is not needed to play the numbers game or to provide vast new housing estates on which so much was spent in the '60s and '70s, to such disastrous effect.

Those are our priorities. We want to help those who wish to buy their own homes. We want to improve and diversify management for tenants, and we want to devote more resources to bringing back into use, by improvement and repair, houses for everyone, especially the homeless. Those are the priorities that really mean putting people first.

4.51 pm

Mr. Nick Raynsford (Fulham): I am pleased to have the opportunity to make my first speech in the House on this subject. I say that for three reasons. First, I have worked in housing for the last 14 years, a major part of which was with the housing organisation SHAC. Secondly, housing has, sadly, been neglected far too much in recent years and has been given far too low a priority, both in terms of public expenditure and emphasis by the Government. Thirdly, the Government's policy on housing is so woefully lacking that there is a crying need for a new approach and a new policy to try to ensure that many of our fellow citizens who have to endure shameful conditions of poverty and squalor and homelessness have the prospect of a decent home.

There is no doubt about the extent of the housing crisis. We know from the official figures that on the most cautious estimate something of the order of one in 10 properties are totally unsatisfactory — unfit for human habitation or suffering from a lack of basic amenities such as bathrooms and WCs, or requiring considerable expenditure to tackle disrepair. There is a huge backlog of properties in bad condition. They are to be found in the private rented sector, especially in constituencies such as mine.

I am pleased to have this opportunity to pay tribute to the two hon. Members who represented Fulham in the last 40 years — Michael Stewart, now Lord Stewart of Fulham in another place, and the late Martin Stevens whose unfortunate death led to the by-election which resulted in my election to this House. In my constituency a substantial number of properties are privately rented and many of the people who live in them have to endure appalling conditions. I was able to show those conditions to my hon. Friends the hon. Member for Copeland (Dr. Cunningham) and the hon. Member for Birmingham, Perry Bar (Mr. Rooker) when they visited Fulham a couple of months ago. They saw some of the worst conditions anywhere in Britain.

Apart from privately rented housing, many owner-occupiers live in properties that they do not have the money to maintain. They are living in houses that are literally falling to bits around them, and action is needed to tackle that problem if we are not to see a much greater problem of deterioration in owner-occupied houses. As we all know, there is a huge backlog of poor condition council properties. Many of those houses were built to prefabricated systems that have proved unsatisfactory. Those systems were often encouraged by central Government and local authorities are now being given the blame for them because they followed the advice of central Government 20 or more years ago.

There is also a serious problem of unmet housing needs. We know from surveys carried out by organisations such as Shelter that 1·25 million households are registered on council waiting lists. That is a rather imperfect measure of need, but it shows the extent of the problem. Perhaps more graphic are the shameful figures of homelessness, of which the most recent for last year were published last week. They show that 94,000 households were accepted last year by local authorities in England as homeless. That is the highest number ever recorded and an increase of some 13 per cent. on the previous year. That is a measure of unmet needs.

The problems of poor conditions and unmet housing needs have been greatly exacerbated by Government cuts in housing expenditure. I should like to put a couple of figures on the record. The Minister said a great deal about the Government's spending record, but for every £100 spent on housing in the last year of the last Labour Government, only £30 was spent by this Government last year. That is a measure of the extreme cuts in expenditure on housing for which this Government have been responsible. We spend less as a proportion of our gross domestic product on housing than any other European country. We spend less than West Germany and less than Greece. We are at the bottom of the European league for spending on residential accommodation. The figures for public sector house building are a disgrace. Ten years ago 170,000 new homes were started. Last year, the figure was just 33,000 one fifth of the level achieved 10 years ago. That is the record of this Government.

The Minister talked about the polarisation between owner-occupation and council renting and said he wanted something in the middle. Many of us want that. Many of us, including myself, have served on committees of housing associations that have been striving to provide alternative tenures. For every three homes that housing associations were providing in 1979, the last year of the Labour Government, only one is being provided now, and that is because of cuts by the Government in expenditure on housing associations. That shows the hollowness of the Minister's claim that he is seeking some additional tenure through that medium. Some £20 billion is required to meet the backlog of poor condition in the council sector, but the current allocations go only a small way towards meeting that need.

Home improvement grants have been mentioned and I should like to put some more figures on the record. The Government's policy on home improvement grants has been a classic example of stop-go-go when they seek to inflate the economy or to give an impression of activity, and stop when the Treasury says no. Last year, the number of home improvement grants approved was some 137,000, a 40 per cent. cut on the number a year before of 229,000. Is that the way to plan for the future? Is that the way to give confidence to people who want to improve their homes? Is that the way to run any public administration? The answer to those questions is no, it is a disgraceful way to proceed.

Government policy does not involve only cuts because it is also one-sided. The Government are obsessed with the owner-occupied market and in assisting the extension of owner-occupation. They ignore the needs of those people who either cannot afford or do not want to own their own homes. The right to buy has frequently been mentioned, but the chief criticism of the right to buy in the Government's own Housing Act 1980 is that it provides a benefit to those council tenants who could and want to buy, and totally neglects the needs of the homeless, the badly housed and council tenants who want to transfer to other accommodation. It is a one-sided policy that neglected the needs of an important section of the population. It is rather similar to a policy towards the National Health Service that simply looks after the interests and needs of consultants and ignores the needs of nurses. That is the same as the one-sidedness that we see in the Government's housing policy.

The one-sided approach is exemplified in the Housing and Planning Bill, 1986 which will have its Third Reading

[Mr. Nick Raynsford]

and Report stage debate in two day's time. That Bill is a measure of the Government's preoccupations. Does it attempt to tackle the need for additional home building? The answer is no. Does it attempt to tackle the need for a better improvement policy or take any further that Green Paper on improvements that was published last summer and has since been forgotten? No, there is no proposal on that score. Does it do anything to meet the needs of the homeless? No, it does not. The Housing and Planning Bill proposes a series of fiddling changes around the edge in that it allows more generous discounts on the right to buy, facilitates disposals on privatisation, and extends the almost entirely abortive assured tenancy scheme.

When he was speaking about privatisation, the Minister mentioned empty properties. He should know that over 200 properties are standing empty in Fulham Court, an estate that has been deliberately left to go to rack and ruin by the local authority while it has been attempting to sell that estate and privatise it. That is a measure of the criticism that ought to be directed at local authorities that neglect housing needs in their areas.

Those are the actions of a Government who have abandoned their responsibility to meet Britain's housing needs. In their obsession to be seen to be doing something the Government are simply fiddling around the edges, neglecting all the fundamental principles of a housing policy.

In some ways I feel rather sorry for the Minister because that is not his fault. The Government's policy is being determined not by the Department of the Environment but by the Treasury and the Department of Health and Social Security. The cuts in capital investment about which I have spoken are very much the product of the Treasury. I must stress that when the Housing Bill 1980 was going through Parliament it was the clear pledge of Ministers that local authorities would be able to use their full capital receipts in order to build new houses. That pledge has been reneged on and that is real evidence of a U-turn.

There have also been cuts in subsidies. Under this Government the subsidies available to local authorities for housing revenue accounts have been cut drastically, forcing substantial increases in the real level of rents paid by tenants. Those increases were justified by Ministers at the time on the grounds that there was a generous rent rebate system to assist those tenants who could not afford them.

Shortly afterwards—here comes another U-turn—the Department of Health and Social Security decided that the cost of that increased expenditure on rebates and allowances caused by the increase in rent levels was too much. Therefore, another Government Department cut expenditure caused by increased rents, for which the Secretary of State for the Environment and the Minister for Housing, Urban Affairs and Construction were responsible. As a result, one is seeing an increase in poverty, in rent arrears and in misery among people who do not have the means to pay their rent and who are seeing their housing benefit cut.

If one wants a further example one needs to look no further than the miserable story of the board and lodging allowances. The Department of Health and Social Security decided to cut expenditure on board and lodging allowances because it regarded this expenditure as excessive, and as a result it is creating homelessness and causing enormous misery among young people. The Department of the Environment is powerless. It has to sit back and watch another Department effectively dictating housing policy. That is a measure of the pretty pass into which the Government have allowed their housing policy to fall.

To illustrate the absurdity of the Government housing policy I want to focus on that one issue of bed and breakfast. We have here the symbol of all that is wrong about Government policy. There is an increase in homelessness and local authorities have fewer resources to meet the needs of homelessness and are placing more and more people in bed and breakfast hotels. In parallel, single people who do not qualify for assistance under the (Housing Homeless Persons) Act 1977 have to occupy board and lodging accommodation because they cannot find a home to rent, for which the DHSS has to meet the bill. As a result, we have an increased expenditure on board and lodging and bed and breakfast when it is known that it would be cheaper to pay for new houses for tenants to occupy.

For the record, on 20 December 1985, the Minister for Social Security, in answer to a question from the hon. Member for Cheltenham (Mr. Irving), gave figures showing that the cost of accommodating a family with two children in board and lodging accommodation would be some £10,800 a year in Cheltenham and £13,150 in London, but if they were housed in proper council housing the cost would be just £5,060—about half the cost of keeping people in squalor and misery in bed and breakfast accommodation. That is all that would be needed to provide a decent home for such people to live in. The Minister tried to give the Labour party a lecture about finance, economics and costs. I can only say that those figures show the economic and social lunacy of the Government's policy. They are paying more for keeping people in squalor rather than investing in new homes for people in need.

The tragedy of all that is that the unmet housing needs in Britain are not so massive as to make it impossible for Britain, if it wanted, to go a long way towards eliminating homelessness and bad housing conditions. If there were a political will and a realistic programme over the next 10 to 15 years, we could go an enormous way towards ensuring that few people, if any, had to suffer the misery of homelessness and we could eliminate slum conditions.

However, we do not have the political will at the moment and as a result we are suffering the problems that I have identified. We require a programme that ensures more investment in house construction and improvement, not a massive return to the days of high-rise and system building — that is not needed — but a sustained programme providing traditionally built houses that people want. That, sustained over 10 to 15 years, would ensure that there were sufficient homes to meet needs.

A programme of improvement, carried out by housing associations and public authorities, with an effective improvement grant system, not subject to a stop-go approach, would ensure that we tackle the backlog of bad conditions, with local authorities playing a major role in improving conditions on their poorer estates. That requires money. Not only would it improve homes but it would ensure additional employment and would go some way to tackle the scourge of unemployment.

We need a fairer subsidy system. How can we honestly proceed with a subsidy system which ensures open-ended

largesse to those people who are lucky enough to be buying their homes and paying the highest rates of tax through the mortgage interest system, when we are cutting housing benefits to the poorest tenants who depend on that benefit to try to make ends meet?

Someone with an income of over £30,000 a year would qualify for some £1,480 a year in tax relief. Someone with an income of £4,000 to £5,000 a year would qualify for about £250 in mortgage tax relief. The Labour party is not opposed to tax relief. We are in favour of helping owner-occupiers, but we are opposed to the gross distortion of tax relief which ensures that the greatest benefit goes to the wealthiest. Of the £4·75 billion that went on tax relief, over £1 billion of tax relief went to people with incomes of over £20,000 a year. How can the Government justify that when they are cutting housing benefits to people on incomes of £5,000 a year?

Finally, there is the need for freedom of choice, which requires a healthy rented sector as well as an owner-occupier sector. It requires the choice of renting from the council or from a housing association and the choice to buy. Those choices require a reasonable supply of accommodation and a fair subsidy system, recognising that people have different preferences at different stages in their lives. Older and younger people may want to rent and they may in the meantime wish to own a home. They should not be trapped into one tenure for their lifetime. They should have the option to move from one tenure to another.

That new approach, advocated by the Labour party, requires a recognition, first, of the extent of the crisis—a recognition of the needs—and, secondly, investment to meet those needs, together with the political will to carry such a policy through until the scourges of homelessness and bad housing are no longer the blot they are at the moment on British society.

5.7 pm

Mr. Den Dover (Chorley): It is with the greatest honour and pleasure that I welcome the hon. Member for Fulham (Mr. Raynsford) to the House and congratulate him on his excellent maiden speech. It is evident that we have a first-class authority on housing on the Opposition Benches and I look forward to his contributions over the years. I hope that it will not be too long before he obtains some sort of promotion.

I spent five hours one afternoon and evening recently canvassing in Fulham and I want to support what the hon. Gentleman said. There is a wide gap between the massive council estate with multi-storeyed housing, such as the Clement Attlee estate that I canvassed during those five hours, and the good rented or privately owned accommodation of the professionally up and coming people in Fulham.

It is one of the Government's aims to narrow the gap between those two extremes. I should like to pay tribute to the work of the London Docklands Development Corporation in the East End, where we now see housing for sale and the breakdown of the enormous housing estates owned by the council. Some 96 per cent. of housing in that area is owned by the council.

In addition to congratulating the hon. Gentleman, I want to back up his compliments to the former Member, the late Martin Stevens. He entered this House, together with so many of my other colleagues and myself, in 1979, and it is a compliment to his efforts that his name was mentioned on the doorstep of many council flats and homes during our canvassing. I would like to pay tribute to his efforts.

One of the Governments undertakings over the last seven years has been the priority estates programme. It is no good seeing these massive council estates with enormous voids — some 5 or 10 per cent. of houses empty — without saying, "What can we do about it?" We speak about how much homelessness there is, the lack of facilities, the lack of hot and cold water and of bathrooms in many houses. It is no good if we allow so many council houses to be empty. The best approach is to make sure that the tenants of those council estates manage their own affairs. The local authority housing management is too remote, perhaps being five, 10 or 15 miles away from the point of action. That is not good. Tenant committees are needed, with authority to spend, and to make decisions.

Where we have seen the priority estates programme working, just south of the river, we see the voids vanish within a matter of weeks and much better cost-effectiveness in the management of those estates. There are people actively wanting to live on those estates, instead of trying to get out of them. These are the advantages of local management and choice by the local tenants.

Regarding the improvement programme, I agree that the Government have seen a massive expansion, followed by something which is almost grinding down to a halt. It is that very word — expansion — which is so labour-intensive, which does not suck in imports, and which could help ease the unemployment situation in the construction industry, where there are already some 400,000 people unemployed. Something needs to be done about this.

More needs to be spent on improvements. I criticise the Government in that they have failed to allow the capital receipts which have flowed into the council coffers from the sale of council houses, in accordance with Government policy under the 1980 Housing Act, to be spent on doing up rundown housing estates. If that money is not spent now, we shall have a much bigger bill to pick up in later years. Will the present formula ensure that the more houses a local authority sells, the more it will be able to spend money on doing up those housing estates?

It is a national cake and if one authority sells perhaps 300 or 400 homes, and another sells none, they all take a share. That cannot make sense. I hope that, when we allow them to use capital receipts, it will be on the basis of being in proportion to the houses that they have sold.

I feel that the Government have made a massive change over the last seven years. They have reduced housing subsidies, which were far too high, and we have seen housing ownership and sale of council houses which I greatly applaud. There is nothing wrong in giving people what they want. The swing towards more and more private houses being built, without any drain on local authorities or the Government, is much better than having unwanted, unnecessary council houses. The Opposition's pledge to build one new council house for every one sold is silly, and will be seen as such in later years.

5.15 pm

Mr. John Cartwright (Woolwich): I should like to add my congratulations to those already offered to the hon. Member for Fulham (Mr. Raynsford) on his impressive maiden speech. I have had the benefit of being briefed over

[Mr. John Cartwright]

the years on housing issues by the hon. Member in his previous incarnation, and it was wholly appropriate that he should make his first speech to the House in this debate. Those who recall our maiden speeches in this Chamber will have envied the assurance and style with which he addressed the House. We were impressed by the sincerity which he brought to the debate, and his detailed knowledge of the issues involved. I am sure the whole House looks forward to hearing him again on this and other issues.

The motif of choice, freedom and fairness now seems to be the watchword when it comes to discussion of housing issues. I echo what I took to be the message from the hon. Member for Fulham—that those are not the priorities, important though they be. The first priority must surely be greater investment. We are simply not building enough new homes, nor are we investing enough in the maintenance of our existing housing stock to maintain it in a reasonable state of repair.

There is a wide measure of agreement that we now need about 145,000 new homes a year up until 1991 simply to meet the growth in the formation of new households. If we add another 60,000 to 80,000 new homes a year to make good the losses through slum clearance and changing employment patterns, that means that we ought to be building something between 205,000 and 215,000 new homes a year. We have not achieved that since 1980. The 1985 completions were only 187,000 new dwellings.

We are as a result storing up problems for ourselves. Some of those problems are hidden in the overall national statistics. It is a sad fact that the big cities and urban areas are the worst hit by our current housing problems. It is there that we find the biggest concentration of unemployment, the biggest concentrations of low incomes, and, therefore, poor housing.

Those who represent these areas know all too well what this means to ordinary people. Homelessness is growing, waiting lists are getting longer, young married couples are forced to live with their parents at the start of their married lives. Families are divided, transfers are more difficult, and overcrowding of council property is now a fact of life in many of our urban areas. All these problems we see at our advice services every week. They were problems that we were beginning to overcome in the late seventies but they have returned to haunt us, with little prospect of any early solution.

They have brought with them some new problems—for example, the problem in London of the young single homeless. It is an unusual Friday night for me when I do not have at my surgery a young person whose parents have moved away from London, leaving him high and dry. These young people are moving around sleeping on floors, occasionally in cars. This underlines the need for more investment in housing.

Looking at the condition of the existing housing stock, the Department's own survey reminds us that something like £19 billion is needed to bring housing up to a reasonable standard of repair at a cost of about £5,000 per home.

These are cold statistics. For those of us who live with the problem, they translate into things such as dampness and condensation, mould growth and fungus, which we see in council flats throughout the winter months. They translate into inadequate, inefficient heating systems, with people unable to maintain an adequate level of heating in more than one room. They mean rotting window frames, peeling paint, leaking roofs, and all the rest of the defects in rundown, inner-city council estates.

If the Minister feels that I may be making a political point, I refer him to what was said recently by the Group of Eight, the body which brings together the construction industry and the housing professionals. They went to see the Minister on 13 March, and the RIBA president, Mr. Larry Rolland, commented on what they told him. He said:

> "The Government is failing to fulfil its responsibilities in the face of massive and growing deterioration in the stock of local authority housing: the longer work is delayed, the more disproportionate will be the cost."

The Group of Eight went on to make clear

> "its view that the total amount of . . . planned spending by Government on construction was quite inadequate in relation to the scale of the problem."

That is the view of the industry and of professionals.

There are similar problems in private rented accommodation and in owner-occupied housing. Yesterday the Association of Metropolitan Authorities published the provisional results of its 1985 house condition survey in Greater London. To be fair, it shows some improvement compared to the last official survey in 1979. Only 6 per cent. of housing stock is unfit, compared to 9 per cent. in 1979. Property lacking basic amenities has dropped from 9 per cent. to 4 per cent. of the stock. That is the impact of the generous improvement grants made available up to the time of the last general election. They hit a peak of £183 million in 1984-85 but, as we all know, they are now much more tightly rationed.

The interesting thing about the survey by the AMA is its suggestion that 500,000 homes, or one home in every five, in Greater London now need repairs costing more than £5,000; that is an increase of 28 per cent. compared with 1979. Of the homes needing such repair, 54 per cent. are owner-occupied. That underlines the broad spread of the problem of disrepair in housing stock. The case for a sensible programme of repair, rehabilitation and improvement of housing is absolutely overwhelming, even on the basis of the old proverbial view that a stitch in time saves nine.

There is considerable agreement among all parties that we need greater choice in housing. For many people there is no choice. All they can do is put their names on an ever longer council waiting list because there is no way in which they will ever be able to afford homes of their own. Their income is simply too low to encompass that possibility. Others in slightly happier circumstances are restricted; they can choose only between going on to a council waiting list or buying a home of their own, even when neither choice is best for them and when both are difficult. For many young people with the necessary resources, buying is often easier than renting because it is easier to find a house to buy than to find a decent property as a sensible rent.

I think we all accept that we are looking for new forms of rented housing to meet that demand. As a result of the growing consensus, I hope we can find ways of bringing together the skills of the building societies and the other financial institutions who can generate the funds that are needed; the skills of the volume builders who can build what people want to live in; and finally the skills of the housing associations which have proved that it is possible to provide efficient and sensitive localised housing

management. If we can bring together all those skills, I hope we can provide a new source of rented accommodation which we in the Alliance refer to as social housing but which will provide an alternative to local authority renting for those who desperately need rented homes.

I endorse everything that has been said so far about the need to break up large-scale, centralised, local council housing management. All too often it has proved to be neither sensitive nor efficient. We want to encourage a variety of different approaches. By all means, let us have localised management, but let us try much harder than we have in the past to encourage genuine housing co-operatives in which tenants can run their own affairs and their own homes. There is limited experience of this yet, but many tenants in my constituency say, "We could not make a worse job of it than the local authority." Some of us hope that they might do a better job.

Apart from housing co-operatives, we have advocated neighbourhood housing trusts, bringing together tenants, representatives of the council and perhaps outside experts. There is a range of different approaches under which we could devolve more power to ordinary people. The aim must be to do just that—to give tenants much more control over their homes and over their environment. If we are looking seriously for greater choice, we should be doing more to help first-time buyers by encouraging more low-start mortgages, and more shared ownership in which people buy part of their home and rent another part.

Why have the Government not persevered with the concept of "do-it-yourself" shared ownership which was tried as an experiment a couple of years ago? Housing associations acted as agencies. When people found their own home in the private market they used the housing association as a vehicle for the purpose of shared ownership. That was an imaginative scheme and it was extremely popular. I have the sense that perhaps it was not so popular with the Treasury; that may be why it was not developed to a greater extent. I hope such imaginative and enterprising schemes will be reconsidered. The home purchase assistance scheme, under which grants from public funds were made to match the savings of individuals towards a deposit, was another approach to bring home ownership within the grasp of more people.

When talking about ways of assisting people to own their own homes, it is only reasonable to deal with the interest which has been exhibited by Conservative Members in the position of the alliance on mortgage tax relief. I cannot understand why there should be confusion. We made it clear in our general election manifesto that we would retain mortgage tax relief, but that we would limit it to the standard rate of tax. That has been our position since 1983, and it remains so. I recognise from my constituency experience that tax relief is an important element in enabling people with limited means to own their own homes. Neither I nor the alliance is in the business of changing the rules of the game after people have started to play.

If we are talking about fairness, we should point out on the other side that it is not reasonable for councils to put up rents to such an extent that they can subsidise the rates charged to all ratepayers as a result of the profits made from council tenant. That is not a fair approach; nor are the cuts in housing benefit which the least well off are now suffering.

One wider problem that flows from the absence of choice in housing, is the inhibition it places on mobility. People can no longer move around the country seeking work because of the problem of moving home. Often my constituents want to move to another London borough because of a change of job. It is easier to help people to emigrate to Australia, Canada and New Zealand than to enable them to shift from one London borough to another.

There are also people who have followed the advice of the Government; they have got on their bikes and gone out to seek work. Some have come to London and have found work—even if not brilliantly paid. They then come to my advice centre on Friday nights because it is impossible to find anywhere to live in London. So they have a choice which I would not want to inflict on anyone—a job in one part of the country with no home, or a home in another part of the country and no job. It must be a priority in housing to tackle such mobility problems.

Despite the knockabout in the earlier part of the debate, there is a growing measure of agreement among all parties about the need for new approaches to housing. Housing has been a major social problem throughout the post-war period. It is about time we solved that problem. I think we are now agreed that there is no one solution, be it owner-occupation put forward by one side or council renting put forward by the other side. Both have a contribution to make, but we need to encourage many other contributions. New approaches are urgently needed if we are to get more and better housing.

If we are to get the much greater private investment which is essential to the solution of the housing problem the Government should seek to build on the growing consensus that is emerging. We will only get more private investment, if investors believe that there will be stability and a measure of agreement, whoever is in power in Whitehall. We cannot expect people to invest if they believe that housing policy will be totally changed as a result of change of Government.

Bad and inadequate housing is at the root of many of the problems of our great cities and urban areas. I hope that, even at this comparatively late stage, the Government will give the housing problem the priority that it richly deserves.

5.29 pm

Mr. Michael Latham (Rutland and Melton): Before I say a word about the speech of the hon. Member for Woolwich (Mr. Cartwright), may I echo the congratulations of the House on the maiden speech of the hon. Member for Fulham (Mr. Raynsford)? It was a remarkably fine performance. He is right to come to the House and talk about housing, as he has a deep knowledge of it. When I was on the board of Shelter and he was director of SHAC, I often used to read his papers, which were of great benefit to homeless people in the country. We shall look forward to hearing from him many times on this subject. Many of us were pleased that he referred to his distinguished predecessor, Martin Stevens, a man who was greatly respected and admired in the House and in his constituency, as the hon. Gentleman rightly said.

It is a pleasure to follow the speech of the hon. Member for Woolwich—as always, because he too has a deep knowledge of housing. He and I have followed each other in housing debates many times in past years. The hon. Gentleman was right to mention the importance of tenant participation. The one thing that has clearly come out of

[Mr. Michael Latham]

the initiatives taken by the Government, whether it be the priority estates project or the urban housing renewal unit, is the need for new thinking in the management of existing estates. The hon. Member for Birmingham, Perry Barr (Mr. Rooker) is well aware of this, and has said so in speeches. I think that there is a broad consensus on this matter. It is important that we develop it and concentrate on it.

I hope that my hon. Friend will make sure that the urban housing renewal unit is not simply involved in a monitoring activity but is up front pushing local authorities to get things done so that we can get effective reports back to the House of what is happening on the ground with regard to the achievement of the urban housing renewal unit.

Several Members have mentioned improvement work. My hon. Friend the Member for Chorley (Mr. Dover) concentrated particularly on the capital receipts question, as did the hon. Member for Perry Barr. First, I must declare an interest, as I always do when speaking on housing and building. I am a long-standing director of a building company, and have been involved in this industry for many years.

I have said many times in the House that in my view improvement work is one of the single most vital aspects of construction activity. First, it is the most labour and craft intensive. Secondly, it is the one most directly related to the aspirations of ordinary folk in improving their own homes. Thirdly, in my view it is particularly good value for money. That is why personally I welcome the action that the Government have taken over the years in substantially increasing the improvement grant programme.

I interrupted the hon. Member for Perry Barr, to ask him to give the figures. He had, perfectly properly from his point of view, contrasted the public sector housing build starts of this Government and their predecessor.

Mr. Rooker: That is not true. I took the national building programme, public and private together. I never at any time distinguished between the public sector and the private sector.

Mr. Latham: I stand immediately corrected by the hon. Gentleman, and accept what he says. However, I think that he would also say—because he referred to public sector starts—that that was particularly in his mind. Both he and the hon. Member for Fulham made a contrast between this Government and their predecessor in regard to public sector starts. There is no doubt that there has been a significant reduction in public sector starts under this Government.

Everybody knows, as the hon. Member for Woolwich hinted, that housing thinking has moved on since the 1960s. We no longer talk, as Anthony Greenwood did, of 250,000 council houses a year. These mass building programmes are no longer necessary or desirable. They have created the very problems that the House is addressing today and that were addressed by both the Minister and the hon. Member for Perry Barr, from the Front Bench. The problems of squalor, social deprivation, tower blocks and so on came directly from the mass building programmes of the 1960s and 1970s.

The Government have been right, in my view, to shift the emphasis in two directions — first, towards improvement work and secondly, to encouraging people to get into home ownership. There has been a significant increase in that regard, about which I shall say a word later.

I am disappointed that there has been a reduction in the number of improvement grants in the last year or so. Having said that, and having been critical of the Green Paper which was produced last year by my hon. Friend's predecessor, I accept immediately that there was a need for change and reform in the improvement grant system. Improvement grants were being made to people who did not need them. This was said by the Select Committee on Public Accounts, on which I serve, and it has been accepted that there was a need for change. Nevertheless, I urge my hon. Friend to bring forward new Government proposals. Last year's Green Paper has in effect disappeared down a black hole, so let us have some new proposals and a reasonably steady level of provision of improvement sector work.

I wish to make a suggestion to my hon. Friend which I have made before in the Public Accounts Committee and on the Floor of the House. In my view there is a very real case for transferring responsibility for improvement grant work to the building societies, lock, stock and barrel. To all intents and purposes the local authorities act as agents for central Government in this regard. The vast majority of the money advanced by local authorities for improvement grant work is refunded by the Government in form of loan, grant or whatever.

That being so, there is a real case—I am a vice-president of the Building Societies Association—for telling the building societies movement as a whole, particularly in the new era of greater freedom that will result from the Building Societies Bill which is now before the House, "Here is the figure that we as the Government are prepared to offer you this year and next year in improvement work. Take it, recycle it and offer it to people by way of improvement grants. You can charge an administration cost of 1 or 2 per cent." That is how it will be dealt with — no clawbacks, no holdbacks, no penalties, no targets and no bureaucratic problems of staffing such as local authorities have. In that way, we would deliver a more effective improvement grant programme to the people of this country. I commend that thought to my hon. Friend for serious consideration.

As for shoddy workmanship and cowboys, which were mentioned by the hon. Member for Perry Barr, I express some disappointment to my hon. Friend about the response of the Green Paper and about the lack of action since. The Green Paper of last year said that the Government hoped that the building societies and builders would have discussions to ascertain whether the building societies were prepared to limit finance—mortgage or grant—to builders who were covered by a warranty scheme.

There is no need for any further discussion. This should be got on with now. In the same way, local authorities should be restricting their grants to responsible builders who have proper warranty schemes. This was recommended several years ago by the Director General of Fair Trading. I believe that the time for action is now, and I hope that my hon. Friend will talk it over with the Department of Trade and Industry to get something done about it. As the Director General of Fair Trading has shown, far too many people are getting ripped off by cowboys and shoddy workmanship. Every hon. Member knows this, from his constituency postbag.

The time for action is now, with no more discussions or working parties. There are clear proposals, and warranty schemes are in place. Let us get on with restricting the grant work to builders who are involved in such schemes.

With regard to private sector housing, there are five points in a private builder's game plan—finance, land, marketing, buildings and sales. Marketing and sales are entirely a matter for the industry. They are not within the control of Government or part of Government. Building is effectively controlled by the National Housebuilding Council, and I would like to see the council involving itself in improvement work also. On finance—about which I asked the Prime Minister a question today—all the signs are that we are moving into an era of lower mortgage rates, which is welcomed by every hon. Member and by millions of home owners. All the mechanisms, therefore, are in place for a substantial increase in private sector housebuilding in the coming 12 to 15 months, and there is no reason why that should not be so.

It is important that we achieve consensus on the one matter that has not been mentioned at all this afternoon, and which is not mentioned in either the motion or the amendment — the question of land and planning. I do not know the Labour party proposals on that matter; they were certainly not included in the policy document put to its party conference last year.

As we approach the election—I hope and expect this Government to be returned to office, but Britain is a democracy and people will look at different proposals—I hope that the Labour party will not come forward with proposals for community land acts, land commissions, large development land taxes and all the other things that stifled the market in the past.

Mr. Allan Roberts (Bootle): The private sector built more houses for sale, as did the volume builders, under the previous Labour Government than it has under this Government, despite the Community Land Act.

Mr. Latham: I remember serving for hours and hours and hours on the Committee stage of that Bill, together with my hon. Friend the Member for Hove (Mr. Sainsbury). If the hon. Gentleman really thinks that the building industry believes that the Community Land Act did it any good, I suggest that he talks to it——

Mr. Roberts: I did not say that.

Mr. Latham: I know that the hon. Gentleman did not say that, but the reality is that the Act had a severe cramping effect on the industry. Let us continue with consensus on this matter.

I agree with the hon. Member for Fulham that we need more housing debates. I really want to hear more about the vital role that land and planning have to play in the release of housing for our people.

I commend my hon. Friend the Minister on his start as Minister for Housing, Urban Affairs and Construction. He is showing great energy and dash, and I wholeheartedly support him.

5.41 pm

Mr. Kevin Barron (Rother Valley): It was a pleasure to listen to the maiden speech of my hon. Friend the Member for Fulham (Mr. Raynsford). I am sure that he dearly wanted to get off his chest the good speech that he made, especially in view of his activities before entering the House. Many of us felt that way when we made our maiden speeches.

I want briefly to speak against the Government's amendment, which I believe to be hypocritical in view of their housing record over the past six years. There has been a reduction in the housing investment programme allocations of about 70 per cent. under this Government, and some of the legislation of the past two years has done nothing to meet the housing need. I refer especially to the Housing Defects Act 1984. The Opposition did not oppose its passage through the House, although we frequently warned about its pitfalls. Indeed, the Act is seriously defective in what it sets out to do.

Four villages in my constituency have large estates of houses classified as defective under the Act. The Act gives the Rotherham metropolitan borough council the responsibility to make grants to reinstate those homes to a standard where they are saleable and mortgageable. It also gives the council power to buy back those homes from people who have bought them from public bodies. However, the council is in tremendous difficulties with the implementation of the Act.

One major problem is that there is no reinstatement scheme to repair Reema houses. We are still waiting for a scheme to be accepted by the Department of the Environment so that money can be awarded. There is also the problem of lack of funds.

The Minister spoke about what the Government have been doing on housing, and he referred to Labour authorities such as Sheffield and Lambeth. It is a pity that he did not go a few miles down the road from Sheffield to Rotherham, which has a serious housing problem. Its housing investment programme allocation for the financial year 1986-87 has been cut by just under £1 million, from £7 million to £6 million. In 1985, when the HIP allocation was £7 million, it also had an allowance of £117,000 to spend under the Housing Defects Act to alleviate problems on these estates. There is no such money this year. The Minister has made available an additional £30 million to assist local authorities which have been obliged to sort out problems under the Act, but not one penny of that new money will go to the Yorkshire and Humberside region — it has been spread between the south-west and the midlands.

That leaves the question of what we do on those estates, given the attitude of the owners of the houses that have not been sold. I am sure that many right hon. and hon. Members face this problem. The Act provides that people who bought houses from public bodies should receive help. The problem in my constituency, however, is what to do about the houses on the estates still in the hands of public bodies such as the National Coal Board.

The NCB has told me on numerous occasions that its policy has been to sell those houses to the sitting tenants. However, that cannot happen under the Act because grant would not be available to reinstate the homes to mortgageable standard. The NCB has also offered whole estates to the local authority. Indeed, before this Government took office my local authority bought a whole estate at Laughton Common. It has resold nine of those houses, and is quite prepared to do the same with the remainder of the estate if money is forthcoming. People living on the estate are secure in their belief that the local

[Mr. Kevin Barron]

authority will do that. However, it no longer has any funds to buy such estates and, indeed, would not wish to do so because they are now classified as defective under the Act.

Another option suggested by the NCB is to sell the houses on the open market. On 6 December 1985, during my Adjournment debate on this matter, the Minister said that he had good news for the Rother Valley. He said:

"I understand that a private sector party is interested in acquiring a considerable number of the National Coal Board's empty Reema properties in the hon. Gentleman's constituency. I can give the House the good news that agreement has now been reached on the sale of 21 vacant NCB houses in Maltby. I hope that the hon. Gentleman will be as pleased as I am to hear that news." — [*Official Report*, 6 December 1985; Vol. 88, c. 603.]

My information is that that sale fell through because the buyer discovered that he could not obtain assistance under the Act to repair the houses, if that became necessary, so that they would be at a standard in which people could live.

Currently, the NCB appears about to accept an offer for both the empty and the tenanted houses on the Maltby estate, with more than 250 houses now up for sale. The Minister will know what I said about this matter in December, and I shall not change what I said then. If it is true, as we read on the Order Paper, that the Government have been so good in dealing with housing, I want to know from the Minister what will happen on that estate.

If the 250 homes are sold to the private sector, it presumably will not have the money that the Minister has talked about to reinstate them, to bring them up to a stage at which they will be mortgageable. Indeed, whoever buys the homes may decide that people can live in them for another 10 years, paying rent, so that the price paid for them will be recouped and the homes can then be discarded. What will happen when the Housing Defects Act is implemented on that estate by the local authority? For the other 98 homes there will supposedly be grants so that they can be brought up to a mortgageable level. They will be reinstated and made good. Presumably the other 250 homes will remain in a state of disrepair.

I warned the Minister in December that the Housing Defects Act was deficient and would leave many problems unsolved unless the Minister took action. My local authority believes that that is still the situation. It has been asked to give grants under the Housing Defects Act to bring the 98 houses at Maltby up to a mortgageable level, but at the same time no help has been provided for the other 250 houses. This makes nonsense of the matter. Indeed, it is wrong to ask the local authority to spend public money in this way, because even when that money has been spent and the 98 homes are reinstated it may still be impossible to sell them because of the condition of the neighbouring houses, which could even be attached. Thus, the problem that we have had since the Act was put on the statute book has still not been solved.

We really need action now, so that we can protect the tenants and home owners on these estates. Maltby seems to be in the firing line at present because of the attitude of the National Coal Board towards selling the tenanted homes that it owns, but I am also concerned about houses in my constituency at Kiveton Park and Aston. If there is no reinstatement of the homes being sold by the National Coal Board, at least three estates in my constituency will be blighted, not because there is any major structural default in the houses—for many years I lived on the estate at Maltby—but because of an Act introduced by the Government which protects only the people who bought homes from public bodies and does not seek to protect other homes which are presently owned by public bodies.

I shall use every opportunity that I can to bring this matter to the Minister's attention. I understand the need to compensate people who brought homes in good faith from public bodies, but a serious problem in my constituency has been created by the very Act that has compensated others, and the problem will not go away. The problem will not be solved by allowing public bodies to sell homes to the private sector. Presumably grants will not be available to reinstate such homes to the level achieved in homes bought in terms of the Act.

Even at this late stage, I ask the Minister to talk immediately to the National Coal Board to stop the sale of homes unless they are dealt with in the same way as the other 98 homes which were reinstated, so that they are brought up to the standard that is referred to in the Minister's amendment—housing fit for people to live in and bring families up in. Under the Housing Defects Act, the situation on the three housing estates in my constituency will be the opposite of the statement on the Order Paper.

5.55 pm

Mr. Mike Woodcock (Ellesmere Port and Neston): In spite of the comments we have heard this afternoon, much has happened over the past three years to improve housing policy in this country. In particular, thanks to the policies of the Government, we have moved much closer to a true property-owning democracy. Private ownership is, and should be, the first and major plank in the nation's and the Government's housing policy. The Government should do all that is possible to encourage it. Private ownership makes people more responsible; it frees state resources; it brings greater security; it promotes family life and it improves the environment. Long may we continue to support through mortgage tax relief the sales of council houses, incentives to renovate older homes and, we hope, through the reform of the rating system, private ownership.

The second plank in our housing policy will probably continue to be public sector housing. While I believe that this is a poor option next to private ownership, nevertheless, it is invaluable especially in areas of social need. However, necessary as it is, it should be a diminishing part of the nation's housing policy, because there is no reason why state resources should be deployed where private individuals are capable of providing for their own housing needs. This afternoon I wish to speak about the smallest plank in our nation's housing policy, and I refer to the private rented sector.

Mr. Allan Roberts *rose*——

Mr. Woodcock: I will not give way at this stage.

The private rented sector was once the largest plank in the nation's housing policy, but it is now, I am delighted to say, the smallest. But, while it is the smallest plank, it is still a necessary part of our housing policy, and an area that successive Governments have attempted to reform. However, far from improving the situation, they have helped to destroy that plank. How has that happened? One

central reason is that successive Governments have paid more attention to electoral advantage than to what is fair, reasonable and in the best long-term interests of the housing market. The fact is that there always have been and always will be more tenants than there are landlords, and that has tempted Governments of both persuasions to carry forward reforms that are popular with tenants and to ignore reforms that might be popular among landlords. The result has been a continuing decline in the private rented sector; an increased reluctance to relet properties by private landlords; an increase in interest by irresponsible landlords; and a grave shortage of accommodation. All this has been to the advantage of no one.

There will always be those who choose or need to rent, such as young people who are either not earning enough or have no desire to buy their own home at that point of their lives; people who stay in an area for only a relatively short time, such as transient and temporary workers; people who tragically are from broken marriages; people who prefer to rent privately rather than from the public sector; people who prefer not to live on council estates; and people who want something better than the public sector can provide. All these people need a healthy private rented sector, and they find it almost impossible to find the kind of place they wish to rent.

On the other hand, thanks largely to the Government's policies, a vast number of people in this country have money that they wish to invest. Some people recognise the advantage of investing in property. Many people would be willing to invest in the private rented sector if they could get fair treatment. Those two groups—those who want to rent property and those who could provide the property to rent — should come together. However, far from encouraging that, our present policies are preventing it. Our laws have moved too far in terms of protecting tenants and have failed to consider the legitimate interests of landlords. By passing successive rent legislation, this House has added to the national housing problem and prevented many people from obtaining a decent roof over their heads.

No one will deny that there are bad landlords and that tenants, like other consumers, need protection from unscrupulous people. However, landlords also need a fair deal. I therefore ask the Government why it should not be possible for landlords and tenants freely to agree rents that are legally enforceable. Why are local authorities entitled to register rents of private property even in cases where neither the landlord nor the tenant wants that to happen? In so doing, they help to destroy the private rented sector in an area, an opportunity that some Left-wing councils exploit to the full.

Why should it be possible for local authorities to continue the registration process, even when the tenant in whom they had an interest has left the property? Why should it be possible for private landlords to be barred from representing themselves in county courts on possession actions, when tenants are free to represent themselves? Why do county courts continually, year after year, have such backlogs of actions that landlords are denied justice merely by the passage of time? Why should it not be possible for county courts to enforce their judgments on housing matters?

Mr. Marlow: Would my hon. Friend like to point out to the Labour party that many of those "landlords" are little old ladies who have been left a small asset by their husbands, which nevertheless forms a significant part of their income? If the Labour party cared, it would probably care for some of those old ladies.

Mr. Allan Roberts: The hon. Gentleman should declare his interests.

Mr. Marlow: The hon. Gentleman knows them.

Mr. Woodcock: My hon. Friend the Member for Northampton, North (Mr. Marlow) is quite right. Landlords come in all shapes and sizes, as do politicians. But far from discouraging investment in the private rented sector, we would do well to encourage it. That would be to everyone's advantage. I shall give one further and very valid reason for the Government taking action over the private rented sector. The present Rent Acts significantly contribute to unemployment. Government interference in a free housing market results in considerable waste and in a lot of overuse and underuse of accommodation. Above all, it leads to an immobility of labour.

We have heard much about the need for unemployed people to get on their bikes in search of employment. My constituency has a very high unemployment rate. Many people have told me that they have been round the country searching for jobs, but find that local authorities are unwilling to provide accommodation——

Mr. Allan Roberts: Unable.

Mr. Woodcock: Local authorities are unwilling and unable to provide accommodation unless the person has a job. However, the person cannot get a job unless he has a house. The law does not help the private rented sector to meet that need.

Professor Patrick Minford, one of the best known monetarist economists in this country, recently claimed in an article in the *Economic Affairs* magazine that one fifth of the rise in unemployment since 1960 could directly be explained by our Rent Acts. Perhaps the Minister will take note of Professor Minford's arguments.

I shall make a few suggestions about how my hon. Friend the Minister could improve housing, and could demonstrate the Government's professed belief in the private rented sector. First, why not make rent agreements freely entered into by landlords and tenants legally binding? Secondly, either remove the local authority's statutory right to register rents on private property, or give local authority tenants the same statutory right to a fair rent as private tenants have. Thirdly, remove the county court's discretion to bar landlords from representing themselves in possession actions. Fourthly, require county courts to enforce their own possession judgments. Fifthly, give a statutory right to have possession cases heard quickly. Sixthly, make shorthold tenancies enforceable for a term agreed at the outset. Finally, make fair rents payable on registration, at the time when they are deemed to be fair, and not a year later.

If the Government did those things, there would be a significant improvement in the nation's problems, a terrific increase in private investment, a freeing of state resources, and the Government would demonstrate their belief in the private rented sector as well as making a considerable improvement to the unemployment problem. The Government have shown themselves willing to take actions which may not be electorally popular but which they believe to be right and just. I ask whether the time has not come for the Government to take such actions in the private rented sector.

6.3 pm

Mr. Tom Pendry (Stalybridge and Hyde): I intend to be brief in this all too short debate. Unlike many hon. Members, I am not a housing expert. Of course, I exclude the hon. Member for Ellesmere Port and Neston (Mr. Woodcock) from the charge of having some expertise. However, one does not need to be an expert to recognise the housing problems that exist. I make no apology for saying that I shall relate my remarks to the housing problems that the Government are causing my constituents. Like my hon. Friend the Member for Rother Valley (Mr. Barron), I shall devote my speech—much of which has been shed because of the lack of time—to doing just that. My local authority is little different from many others, at least in the Greater Manchester area. Consequently, many of my points are quite general.

The House will know that in its 1983 manifesto the Tory party clearly said:

"Our goal is to make Britain the best housed nation in Europe".

One did not have to listen too long to the excellent maiden speech of my hon. Friend the Member for Fulham (Mr. Raynsford) to know that that is already a pretty sick joke. As my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) said, both public and private sector housing are being hit by the Government. Council tenants are the victims of cruel cuts in the housing budget, which is barely a third of what it was under the last Labour Government. People in the private sector are being hit by the clampdown on improvement grants. Many owners are trapped in homes needing major repairs, but they cannot afford to do them.

My hon. Friend the Member for Perry Barr has recently visited Tameside and can vouch for what I am about to say. That local authority has over 5,000 families whose homes are unfit for habitation, and more than 10,000 council homes — half its stock — which do not have adequate heating. About 1,000 of the pre-war council homes are in urgent need of modernisation. Perhaps I can attract the attention of the hon. Member for Leicester, East (Mr. Bruinvels) by saying that they have problems in Leicester also. Indeed, it is a pity that we do not hear more about them from the hon. Gentleman.

Such problems are not confined to the public sector. In the private sector in Tameside, 3,000 homes are unfit for habitation and 2,500 lack basic amenities. Indeed, 12,130 properties need repairs costing over £3,000 per property, and 7,000 of them need repairs that will cost in excess of £7,500 per property. The cost of outstanding repairs to the pre-1919 properties in the private sector is estimated to be £103 million, or 31 times the council's renewal budget for 1985-86.

Those are the startling facts that we have to face when we go back to our constituencies and surgeries and hear about the sad cases of our constituents. Moreover, 1,135 Tameside families have been accepted as homeless. there are 6,000 on the general waiting list. A further 3,220 people are seeking transfers for one reason or another. Almost 2,700 of them are pensioners. Indeed, 1,500 are aged over 70. About 1,500 single people aged under 25 are also on the waiting list. From my surgery I know of one casualty of the system who is aged 65. She is a widow with an artificial leg, and she suffers from bronchitis. Her home in Hyde, in which she has lived for the past 40 years, is crumbling. She has an outside toilet and a stone sink, and her home is bitterly cold in winter. The council scheme to modernise it is estimated to cost £11,000, but has been postponed because of Government action.

By now the House will have a good idea of the problems in my constituency, but I must go on. The recitation of these facts may be tedious to Conservative Members, but the problems are rather more than tedious to those who have to face them day in, day out. Tameside's housing investment programme allocation for 1985-86 is worth only 45 per cent. of the value in 1979-80 and that causes us great concern. Its housing investment programme bid for 1985-86 was £23·5 million, but the actual allocation was just over £10 million. How can the local authority be expected to cope with such immense problems? I hope that the Minister will give us a hint when he replies. However, I very much doubt whether he is even listening to the debate.

The cut in this year's programme has meant that Tameside's plan to build 140 new dwellings has been shelved, and there are no new public sector starts for 1985-86. Plans to modernise 450 council properties have been cut, and now only 240 properties are included. Tameside's bid for its programme this year was estimated by the council to be £24·7 million. The Government promised it £10 million, but the actual amount is £8·4 million. I hope that as a result of this debate the Under-Secretary of State will at least review the shabbily low figure that has been provided for my local authority.

As my hon. Friends who represent other constituencies in Tameside know, because we are forever telling the House, Tameside is a low-wage area. More than 75 per cent. of council house tenants are in receipt of housing benefit. The financial circumstances of most of those people mean that they cannot even consider owning a house. As many of my colleagues have said, purchasing a house is not an option available to them. It is an academic question.

The council estimates that a total housing programme of £42 million per annum sustained over a five-year period, is needed, to make meaningful inroads into the housing problems in my borough. The council and I recognise that the amount available will not be anywhere near £42 million per annum, but we expect to receive a more realistic sum.

Recently, the chairman of the housing committee in my constituency, Councillor Peter Baily, sent the Minister a document entitled, "The Case for Housing Investment in Tameside". If the Minister has lost the document, I can provide him with another copy. If he reads it, he will recognise that there are gigantic problems. This morning the chairman of the housing committee said to me:

"The size of the problem in this borough can only be resolved by an injection of Government cash of sizeable proportions and releasing hundreds of local skilled building craftsmen who are languishing on the dole."

I am sure that those comments could be echoed by other hon. Members.

I promised you, Mr. Deputy Speaker, that I would speak briefly. Therefore, I conclude by saying that the Minister must recognise that one reason why the Government lost the Fulham by-election and are doing badly in the polls is that they do not have a socio-economic strategy for salvaging local housing. In view of the Government's unpopularity, I hope they will consider that now is the right and proper time to do something positive. If they do not do so, it will be just another nail in their

coffin. I assure the Government that when their funeral takes place there will be a rush by many of the homeless people of Tameside to be pallbearers.

6.12 pm

Mr. John Powley (Norwich, South): I suspect that not many hon. Members or people outside the House would disagree with the sentiment expressed in the title of this debate which, according to the business statement, is, "Housing — putting people first." I support that sentiment. The motion moved by the hon. Member for Birmingham, Perry Barr (Mr. Rooker) contains sweet words and nice-sounding phrases. It contains words with which one could easily agree. Indeed, any stranger to this planet would probably support a number of aspects of the motion, but there is a problem.

Many of my hon. Friends have been involved in housing for a considerable time. We are aware that the motion, nice-sounding though it is, is in sharp conflict with the performance of the Labour party when it had the opportunity to put housing policies into practice. It is as well to recall the Labour party's performance. It sought to municipalise as much housing as possible. It had a declared policy of building as many council houses as possible and of buying up as much land as it could on which to build council houses.

A number of my colleagues have referred to some of the social and economic problems which the Government inherited simply because there was a mad scramble, in the vain hope of solving the housing problems, to build more council houses. As the waiting lists became ever longer, more council houses were built. Local authorities were on a treadmill, which resulted in a great deal of heartache and caused social and economic problems in many cities and towns.

The Labour party's policy of municipalisation did nothing to solve the housing problem. All it did was to shift the tenure of a house from owner-occupied to tenanted. I know from experience in local government that many Socialist-controlled local authorities deliberately built council estates in previously Conservative-represented wards simply to change the political balance in those wards.

Mr. Tony Banks: Nonsense.

Mr. Powley: The hon. Gentleman says that that is nonsense, but we all know that it is true. Many Labour-controlled local authorities followed that policy. The Labour Government sought to buy the council tenant's vote by one means or another. The Labour party came to office in 1974 on the promise that it would apply a rent freeze. Of course, it forgot that the housing revenue account would have to be propped up by the ratepayer. There is no such thing as a rent freeze, because at the end of the day somebody has to pay the bill. I mention a few of the Labour party's policies to emphasise that the words in the motion are one thing, while the practices have been quite the opposite.

Despite the support, or half-support, of the Labour party for the sale of council houses in one form or another, I urge caution. The Labour party's words will never be put into practice, even if it were to gain office. Housing matters are administered by local authorities. The quite definite policy of local authorities which are controlled by Labour party groups is to oppose the sale of council houses. If a Labour Government said, "Our policy is to sell council houses," would they instruct Labour local authorities to sell council houses?

Mr. Tony Banks *rose*——

Mr. Powley: If that happened, I suspect that a way would be found for local authorities not to sell council houses. My local authority has sought, by every means possible, to oppose the sale of council houses. In 1980 it opposed the right-to-buy principle. It changed the tenure of some tenants in my area, which meant that they were unable to exercise their right to buy if they had exchanged a house. A number of means were devised by Norwich city council to inhibit the sale of council houses. I do not doubt that if it came to pass, Labour-controlled authorities would seek to inhibit the sale of council houses and deny tenants the opportunities that they desire.

I turn to a few points which are important if we are to improve the housing stock. We need to increase the number of council homes which are offered for sale, especially in my constituency, which has an abominably low level of owner-occupied housing. About 35 per cent. of homes are owner-occupied and 52 per cent. are tenanted. Those percentages must be reversed if we are to improve housing conditions in my constituency.

We need a waiting list in all areas of the country which accurately reflects true housing need and not just the wants of some people and some local authorities which seek to inflate their waiting lists just to try to convince a Minister that they need more in their housing investment programme allocation.

We need to dispose of much of the land held by local authorities and nationalised industries so that private housing can be built. We need a bigger switch of resources from new build because, as my hon. Friend the Member for Rutland and Melton (Mr. Latham) said, the need for large council house building is now virtually at an end. We need to switch our resources from new build to improvement and repair. That must go on to a greater extent than at present. We need greater efficiency among many of our local authorities for the operation and management of our council estates and the operation of our repairs and direct labour organisations, much as I dislike them.

I believe that were we to follow some of those policies, many of which were implemented by Conservative-controlled councils when they had the opportunity, there would be a distinct improvement in the quality of housing and it would reflect what the motion says. It would be putting people first in housing matters.

6.21 pm

Mr. Frank Cook (Stockton, North): Two things have given me some delight this afternoon. The first was the speech of my hon. Friend the Member for Fulham, (Mr. Raynsford). The authority with which he made that speech and the confidence that was displayed was, I suggest, a pleasure to all in the Chamber. I count it a privilege to be able to call him Friend rather than Member. My second delight is that we are graced with the presence of a Clerk somewhat more comely than the usual more hirsute incumbents who give us the benefit of their sterling assistance as we pursue our procedures in the Chamber.

I do not have the experience of my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) to

[Mr. Frank Cook]

comment on housing as a national issue. I leave that his greater expertise. However, I offer for the consideration of the House some comments on housing in my parish of Stockton in Cleveland. It is important to realise from the outset that not for ten years has Stockton district had the freedom of action in the democratic decision-making process afforded by Labour control at both national and local level.

Stockton has about 18,500 units in its housing stock. That is about a 10 per cent. reduction on the figure held in 1979 when the Government took office. Therefore, one can see that there has been an obedient, if somewhat reluctant, response to the Government's doctrinaire requirements of house sales. In the past five years, that same Government have filched more than £30 million from the subsidy of the housing revenue account. In 1979 that subsidy was £4 million per year. Extrapolating from that, based on an index of escalation — even the deliberately misleading index published by the Government's ministry of massage parlours — the subsidy should now stand at more than £6 million per year. In fact, it is nil. It was zero last year and the year before.

The last time the Government gave any positive direct financial support to the housing revenue account was five years ago, when they chipped in the princely sum of £13,000—not even the cost of a dog kennel in Dulwich. The Government have filched £30 million when more than 27 per cent. of Stockton district council's housing stock is more than 25 years old and badly in need of major renovation and the urgent attention that that term implies.

It is true that in Stockton at present the average basic rent is £18·12 per unit per week. It can be logically reasoned from that that if the Government were now providing subsidy in real terms, as they profess, and as previous Governments did, that rent would be a mere £12 per week. In other words, they have deliberately imposed, through policy decisions, a £6 per week deduction from the pockets of Stockton tenants. That is a cynical and Scrooge-like mechanism to squeeze the most from those who can afford the least.

Stockton's spend this year under the housing investment programme will be £13·5 million. If the Government had not sought to interfere over the intervening years, it would have been nearly £30 million, much more in line with real needs if we bear in mind the terms of the motion and the amendment which is to provide

"good housing with responses to family and individual needs".

I shall turn briefly to Stockton's housing capital programme. It is true that, under a Labour Government, Stockton district council averaged 330 new builds per year, even under a Tory-controlled council. Now, under the Tory Government, it can achieve an average of only 55.

However, under the Government's restrictions, the council has managed to average a yearly total of 540 housing improvement completions. That is despite the fact that its total bid over the previous five years for housing improvement was £64·5 million and its sanction allocation from the Government has been a mere £23 million. That is 74·5 per cent. less that it deems necessary. In this year alone the Government have limited their housing investment programme allocation to £3·3 million, when Stockton has provided hard evidence that more than £15 million is necessary, even by the Government's own standards.

How then, with all those restrictions, has Stockton council succeeded in averaging 540 housing improvements with all the odds stacked against it? It has been done by imaginative application of initiative and creative accounting—in the interests of its tenants, of course.

Mr. John Patten: Tell us more about that.

Mr. Cook: I shall tell you in a minute.

Mr. Rooker: Do not tell them.

Mr. Cook: If the Government dispute that, are they saying that the houses should not have been refurbished? The creative accountancy took the form of exploiting loopholes left in the Government's restraints. *[Laughter.]* My hon. Friends know, regardless of the Tories' hilarity, that we have now learned that the Government intend to close those loopholes. In other words, not only does the regime want to halt housebuilding, it wants to stop renovation schemes too. Otherwise, what is its motivation for pursuing such measures?

In the brief time left, I wish to make specific reference to Stockton's submission for assistance under the urban housing renewal programme and the community refurbishment scheme for the Clarences in Cleveland, where conditions are appalling. I challenge the Minister to visit that estate to see for himself the distress imposed upon tenants whose only crime is imposed indolence and concomitant low incomes. If the Minister will not agree to visit the area, will he at least consent to examine this small album of photographs which graphically record that estate's grievous need for urgent assistance — proof positive of the need for response to family and individual needs. I am confident that he will then give a positive response to Stockton's application on behalf of the Clarences.

In support of that, I quote Stockton housing department's most recent report:

"If a decision should be delayed until September"—

I hope that the Minister is listening; he appears not to be—

"or October of this year, then obviously it will not be possible to spend any money that might be allocated before March of 1987."

That means that the inhabitants of that estate could well be condemned to a further three winters exactly like the last. A decision is needed now. Can the Minister please assure me that he will give that matter his most urgent attention?

6.29 pm

Mr. John Fraser (Norwood): It is my most pleasant duty to congratulate my hon. Friend the Member for Fulham (Mr. Raynsford) on both his election and his maiden speech. Many people have to come to the House and build a reputation but my hon. Friend the Member for Fulham comes to the House with an established reputation. I have known my hon. Friend for many years. He has worked with Housing Advice, and for the housing association movement, and is greatly respected. My hon. Friend is fortunate to come to the House with such a reputation and I am sure he will establish a similar one for himself on other matters.

My hon. Friend's success in the by-election was not simply a personal triumph. All the opinion polls in Fulham

revealed that the two major issues were housing and unemployment. The electorate in Fulham gave a decisive and unequivocal verdict about the Government's policies on those two major issues. Those matters will determine the results of other elections in many seats in the next general election.

The Opposition have proposed the motion tonight because we believe that people should come first and have a right to a home at a price that they can afford, with choice and flexibility over where they live, control over their own homes and environment and the right to a home that is dry, warm, and well maintained. A home with such characteristics is an essential precondition to a happy and healthy life, to the stability of the family, to mobility of employment, and to security and contentment in old age. We believe that caring about people means caring about their homes.

There are two tragic aspects of Britain's housing conditions today. The first is the condition of the housing stock. Some 3·9 million families live in homes which are either unfit for human habitation, lack the basic amenities or are in need of substantial repair. Those figures are based on returns recently sent to the Department of Employment on the housing investment programme returns. I can also quote the figure of just under 100,000 families who last year were literally homeless and vulnerable. That is an escalating, shameful and costly total.

Another measure of the tragic state of Britain's housing is revealed in the description by the Audit Commission. The Audit Commission is no ally of the Labour party and it does not write our political pamphlets. It certainly does not write them in Lambeth. The commission did not misuse language when it described the crisis in council housing and the 85 per cent. of council-owned dwellings requiring repairs and improvements. I could continue to cite the condition of people and their homes and the increasing number of people who live in homes that are damp or in poor repair, with leaking roofs, dry rot, and so on. Many of these people are owner-occupiers, the elderly or the less well-off, who are the victims of the current recession.

Mr. Marlow: Will the hon. Gentleman give way?

Mr. Fraser: No, I will not give way.

The main feature about the housing crisis is that there is no division between the tenant and the owner-occupier. It is becoming more and more apparent from the crisis that there is a community of interest between those who live in the poorer owner-occupied homes, those in the privately rented sector, and those in council accommodation. All these people share the consequences of the famine of funds that has been imposed by the Treasury and probably reluctantly agreed to by the Minister for Housing, Urban Affairs and Construction. The Treasury has done for the homeless of this country what drought did for the hungry in Africa.

The second tragic aspect of British housing is that the acute shortages and the poor condition of much of the housing stock is actually avoidable. We are not faced with an act of God; rather we are faced with a tragedy which I should perhaps not call man-made or person-made, but woman-made. It is a woman-made disaster.

As my hon. Friend the Member for Fulham said, the political will is lacking. There is no shortage of funds to invest in housing in Britain. All of us with mortgages receive letters from the building societies inviting us to spend more of their money. Each building society is competing with the other to lend money. The building societies in turn are competing with the banks to lend money and both institutions are awash with cash. The local authorities are not short of money to spend on housing. Indeed, the amount of capital receipts which are unspent and largely unspendable, at £6,000 million, is four times greater than the housing investment programme permitted by the Government on the last occasion.

The real Minister for Housing is the Chancellor of the Exchequer. The Treasury is more in the business of forging shackles for local authorities than in the business of building homes. My hon. Friend the Member for Stockton, North (Mr. Cook) spoke about loopholes. He should have taken care, as his words were given careful attention by that stooge of the Treasury who calls himself the Minister for Housing, Urban Affairs and Construction. We heard the Minister asking for more details about the loopholes from a sedentary position because he will want to work that information into his draft document on the limitations of capital spending by local authorities.

Mr. Marlow *rose*——

Mr. Fraser: There are no insuperable problems to the solving of our housing problems. The fault lies with the Treasury and the pace at which it has allowed local authorities to spend their money or the money that is freely available on the open market.

The scale of the failure to deal with the housing problems is illustrated by the evidence of the Association of Metropolitan Authorities to the Duke of Edinburgh's inquiry. It calculated that at the present rates of building —which includes both private and public building—it would take 900 years to replace the existing housing stock. To put that another way, if William the Conqueror, who landed in 1066, had adopted in addition to administrative and constitutional changes a housing policy which involved replacing the hovels and shacks of the conquered Saxon kingdom, and if he had moved at the same rate as the Conservative Government, he would have come to the House of Commons now and said "Je l'ai fini".

The figures of new housing starts are available. If we compare the figures for the last complete year of starts under the Labour Government—1978—with the present figure, the reduction in new house starts in the public sector is approximately 92,000. That figure has not been compensated in any meaningful way by an increase in private sector housing. The completion figures are equally dismal. The Government cannot pretend that there has been a change of emphasis and that somehow private sector housebuilding has compensated for the loss of between 70,000 and 90,000 local authority homes a year while the Government have been in office. Last year, fewer houses were completed for private purchase than in 1978.

Lambeth's housing record has been attacked and compared with that of Wandsworth. However, I want to reveal a few of the facts about Wandsworth's housing programme. Last year, on the latest figures available, Wandsworth did not start one social home and it did not finish any social homes. It did not have any social housing under construction, yet, at the same time, there were 204 families either in bed and breakfast accommodation or in hostels. That statistic of no public housing was repeated

[Mr. Fraser]

in Hammersmith, Fulham, Merton, Sutton, and many of the surrounding boroughs that could make a real contribution to housing in areas of acute housing stress. That is one aspect of how local Tory boroughs follow their Tory masters in Westminster.

Last week I visited the Tory-controlled borough of Reading. That authority is not untypical of many Tory authorities. As soon as the Tories took control of the authority in 1983 they stopped building council homes, in spite of the fact that 120 families were homeless and 3,200 people were on the housing waiting list. Reading is in the affluent silicon valley and in the relatively affluent Thames Valley.

Reading reveals a new and ugly consequence of the Government's housing policy. The hoods and the heavies line up outside the post offices in Reading to collect the money from people who live in bed and breakfast accommodation before those people step off the pavement. Indeed, there have been times in Reading when the police have had to be called in to stop that ugly trade in homelessness. Homelessness has become a boom business in Britain. Millionaires make fortunes out of it.

When the police in Reading interfered with the collection of giro money for bed and breakfast accommodation, the hoods and heavies working for the landlords went round and collected the giros themselves and gave the tenants the change, making sure that the exploitation continued and the money went to those who run those squalid places. That is the picture of housing in one of the more affluent parts of Britain.

Many people are stuck because of the ending of improvement grants. I believe that about a quarter of a million people are waiting for improvement grants that have been cut as a result of the reduction in the housing investment programme.

Mr. Jonathan Sayeed (Bristol, East): Will the hon. Gentleman give way?

Mr. Fraser: No, time is too short.

Someone came to see me the other day. His was a typical case. He had come from the West Indies during the second world war to join the Air Force and serve this country. In his sixties, his health became poor and he fell upon hard times. Because of his ill-health he was not able to put his repair grant application in on time. Because of the moratorium on spending, Lambeth cut out its improvement and repair grant policy, as did Croydon and many other local authorities, both Labour and Conservative. The man was beside himself. How was he to stop the rain coming through his roof? His neighbours were besides themselves, too. They did not know how they were to stop the rain coming into their houses, either.

It happened that the man suffered a stroke, so serious that a stair-lift had to be put into his house. He was therefore deemed to be so disabled as to qualify for an improvement grant on compassionate grounds.

That is the scale of the problem of housing and repair improvement grants. It is repeated in many other districts. Many people who are fortunate enough to be able-bodied live in despair and terror about what is to become of their homes. There is no opportunity for them to resort to rented housing. That is what has happened to housing as a direct result of the Government's policy.

Mr. Sayeed: Will the hon. Gentleman give way?

Mr. Fraser: The grants boom before the 1983 election was bribery, but we welcomed it. However, within a year that pattern of grant had been cut by 40 per cent., and cuts are still being made.

The Government have a housing policy with gimmicks. There is the urban housing renewal unit. There is clause 5 of the Housing and Planning Bill, for evicting tenants. We will discuss that on Thursday. However, what Government policy amounts to is a row of gimmicks and no guts. It is a policy that is increasingly earning—as in Fulham two weeks ago—the outrage and contempt of the public.

The Labour party has the necessary political will. The funds are available; there is enough money in the kitty to deal with the housing problem. We shall use energy, ingenuity and investment to increase the provision of housing across all forms of tenure. We have no ideological attachment to renting, buying or indeed swapping between different tenures. Our ideological attachment is to the meeting of need, and we have no obsession with tenure. We will emphasise quality as well as quantity—quality of construction, conversion, management and cost in use. We reject a housing programme based on the proposition that if people are hungry enough they will eat.

We also believe that as far as possible there should be a choice of tenures and the chance to change from one form of tenure to another. We believe in the development of a subsidy system that is fair across the tenures and is geared to meeting need and stimulating housing investment. In the case of mortgage interest relief, the greatest benefit goes to the higher rate taxpayers. We believe in fairness across the tenures, and that is what we shall achieve.

Our emphasis will be on people and their wishes and choices. We reject a housing policy in which a year of spend, spend, spend, such as 1982, can be followed a year later by cut, cut, cut. We reject a policy based on an obsession with tenure and little else, and we reject Tory policies that are a shabby abdication of the Government's central responsibility for meeting housing need. We reject those policies and ask the House to support our motion.

6.46 pm

The Parliamentary Under-Secretary of State for the Environment (Sir George Young): I begin on a happy note by joining all those who have complimented the hon. Member for Fulham (Mr. Raynsford) on his maiden speech. I make no secret of the fact that I spent several hours in Fulham trying to impede the hon. Gentleman's entry to the House. Like other hon. Members, I was struck by the depth of affection and warmth shown to his predecessor, Martin Stevens, to whom many people have paid tribute.

The hon. Gentleman made a well-informed speech. That is no less than I would expect from someone whose organisation has been funded by my Department for eight years. I see that the miserly £69,000 paid to SHAC in 1978 had been generously increased to £128,300 by 1985.

In housing terms the hon. Member's status in Fulham is that not of a secure tenant, but a licensee. He is well known as a housing expert and I am sure that we will all welcome his contribution to debates on the subject.

I have a small quarrel with the hon. Gentleman. I believe that he said that for every £100 spent on housing under Labour £30 is spent now. Those figures conveniently omit capital receipts, and are based on HIP

allocations. If he includes capital receipts, and arrives at the figure that is spent rather than the provision, he will find that the answer is somewhat different.

Whatever mistake the hon. Member for Fulham may have made pales into insignificance in comparison with what the hon. Member for Norwood (Mr. Fraser) has just said. He said that he regretted the ending of improvement grants. In 1979 we spent £90 million on improvement grants. Last year we spent £450 million. Yet the hon. Gentleman has the audacity to say that improvement grants have been ended. In fact, much more money is being spent in that way than was spent under Labour.

My hon. Friend the Member for Chorley (Mr. Dover) endorsed the priority estates project. The project has encouraged the local management of tenanted estates. Measures contained in the Housing and Planning Bill, which we are to discuss on Thursday, are designed to continue and accelerate the progress of innovation in forms of tenure and management.

The hon. Member for Woolwich (Mr. Cartwright) mentioned the AMA survey. I believe that he gave a somewhat partial quotation. The survey indeed shows that the number of properties needing repairs that would cost more than £5,000 rose slightly from 18 to 19 per cent. What the hon. Gentleman did not say was that the study also suggests that the number of statutorily unfit dwellings fell from 9 to 6 per cent. of the stock, and of dwellings lacking standard amenities from 9 per cent. to 4 per cent.

Mr. Cartwright: The hon. Gentleman should read *Hansard* tomorrow. I mentioned that point.

Mr. Young: I shall be delighted to read that in *Hansard*. The picture given in the AMA survey was not all bad.

The hon. Gentleman also asked about do-it-yourself shared ownership. My Department wrote to all local authorities in January 1983 telling them that they no longer needed specific approval from my Department to carry out do-it-yourself shared ownership. I understand that a small number are doing so. In addition, there is nothing to stop local authorities funding housing associations to carry out do-it-yourself shared ownership, and I understand that a number are doing so.

My hon. Friend the Member for Rutland and Melton (Mr. Latham) I mentioned tenant co-operatives. Everyone is in favour of tenant involvement and tenant co-operatives. He asked whether we could have progress reports on the urban housing renewal unit. I shall be happy to answer any questions about that. In opening the debate my hon. Friend said that there was an enthusiastic response, not least from the members of the AMA which had been initially somewhat hostile. The idea is that the unit should be a catalyst and should try to prod local authorities to consider new solutions for the difficult problems faced on unpopular estates.

Of course we shall consider my hon. Friend's suggestion that improvement grants should be run by the building societies, but obviously that is something that we shall discuss with the Building Societies Association.

The hon. Member for Rother Valley (Mr. Barron) raised a constituency matter which followed up on his recent adjournment debate. My Department is in touch with the Department of Energy concerning the houses he mentioned on the National Coal Board's estate at Maltby. My Department is considering the implication of the proposed sales to a private buyer.

On a happier note, the hon. Member mentioned a scheme for improving Reema housing. I understand that a system of repair to these houses is currently with PRC Homes Ltd. for appraisal. I shall keep the hon. Member informed of important developments.

My hon. Friend the Member for Ellesmere Port and Neston (Mr. Woodcock) spoke of the need to involve the responsible private sector and to initiate some movement in that area in the interests of job mobility. My hon. Friend put forward a five-point agenda of worthwhile suggestions of how that could be done, for which we are grateful.

My hon. Friend the Member for Norwich, South (Mr. Powley) reminded the House of the reluctance of some local authorities to sell council houses. The Labour party policy on the right to buy is now crystal clear. Tenants in our inner cities will have the right to buy and local authorities are to have the right not to sell. One cannot have a fairer policy than that.

The hon. Member for Stockton, North (Mr. Cook) made a valid point that my department should approve earlier in the year the schemes which are submitted under the urban housing renewal unit. Thus the spending can be achieved during the current year We have already approved a number of schemes this year and, of course, we intend to make decisions as soon as possible to achieve spending in the current year.

Many of us read in yesterday's press of the Labour party's campaign of freedom and fairness which is launched today. *The Times* said that the drive will concentrate, among other things, on housing. Some of us hoped that today's debate would witness the launch of some fresh initiative and existing new policies on housing. Nothing new has emerged from the Opposition Front Bench. Most of the sensible proposals that it put forward are already being implemented.

Mr. Terry Lewis (Worsley): Where?

Sir George Young: I shall come to that in a moment.

I hope that the Opposition Front Bench can persuade its colleagues in London that housing is an important issue. I have a copy of the Labour party manifesto for the London borough of Ealing. Of its 81 pages, four cover the policy for policing in Ealing and 10 cover policies for women —including a policy for banning suggestive calendars at the works depots. But how much is there on housing? Twenty-one lines in the manifesto are devoted to housing, tucked away in the planning and environment section. There is more space on nuclear policy, on fairs, circuses and zoos, and on animal products, than there is on housing. In Ealing we shall have an exciting new policy of a ban on the sale of kittens in pet shops. There will be a borough pet-watch scheme.

The section on housing contains no new ideas, but simply a commitment to a massive campaign of municipal building. That is a return to the quick-build policies of the 1950s and the 1960s which were rightly condemned by the hon. Member for Birmingham, Perry Barr (Mr. Rooker). There was no mention of partnership with the private sector, tenants' involvement, or the other ideas which were mentioned in the debate. It represents a step backwards.

The hon. Member for Norwood (Mr. Fraser) mentioned Wandsworth. Wandsworth has pursued an active sales policy—it has sold almost 7,000 council dwellings and around 4,000 of the dwellings have been bought by sitting

[Sir George Young]

tenants. On balance, priority has been given to council tenants who account for half the 15,000 to 20,000 potential purchasers on the council's special waiting list for the purchase of former council properties.

Co-operation with the private sector has been a great success in Wandsworth. For some estates the only realistic policy is disposal to the private sector for resale. Some have doubted whether there was a market for high-rise council blocks. Recently, however, Wandsworth successfully disposed of the Livingstone estate to Regalian Properties. That demonstrates that there is a substantial market. The first 24 refurbished flats which were put up for sale by Regalian were sold within two and a half hours of being put on the market.

The sales have provided substantial capital receipts for Wandsworth, a prescribed proportion of which can be re-invested in housing. In 1985-86 Wandsworth expected to supplement its HIP allocation of £17 million with some £36 million of capital receipts — £31 million from housing. In the past year, Wandsworth has raised more housing capital receipts than any other London borough.

Wandsworth has demonstrated that sales have not led to an increase in the waiting list if priority is given to council tenants, who help to create additional vacancies for lettings. Sales have also provided additional resources to make faster progress in tackling the problems that remain.

During the debate, there were a number of criticisms about the Government's economic policy. It is beneficial to consider some of the impacts of that policy on housing. In 1979 the mortgage rate reached 15 per cent. Since then it has fluctuated but it has now fallen to 11 per cent. and some societies hope that there will be a further reduction. A person with an average building society mortgage would have been paying £137 per month in November 1979. With the present mortgage rate of 11 per cent. that person pays £110 per month — saving £27 per month. That equates to a reduction in income tax of roughly 4p in the pound.

As interest rates fall and as earnings continue to rise, home ownership has become attainable for more people. That has enabled the public sector to concentrate its resources on those who cannot or do not want to buy. An inevitable consequence of Opposition policies would be a rise in interest rates, a rise in mortgage rates, and therefore a growing dependence of more people on the public sector.

The hon. Member for Perry Barr criticised the imposition of VAT on repairs and improvements. I wonder whether the hon. Gentleman can tell the House whether the Labour party is now committed to lifting VAT on repairs and improvements? What would the cost be? From the hon. Gentleman's reluctance to come to the Dispatch Box, I take it that there is no commitment.

Mr. Rooker: When the Government imposed VAT in the 1984 Budget we said that we would remove it. That is not a new policy, it is existing Labour party policy.

Sir George Young: It is most helpful to have that commitment on the record. The hon. Gentleman may be aware that we are trying to cost the Opposition's expensive policies, and we are grateful for that further commitment.

The homeless or those on the waiting list are disadvantaged if they have to compete with more people for public sector accommodation if private accommodation for sale has been made more expensive because mortgage rates have been driven up by economic policies which push up interest rates.

The Government's economic policies have also benefited council house rents. By keeping inflation down we have enabled council rent increases to be kept at a low level. On average, weekly rents have risen by only 70p in each of the past three years. The Government's economic policies have benefited not only owner-occupiers but local authority tenants.

A couple of hon. Members mentioned improvement grants and asked for the Government's reaction to the Green Paper. The Green Paper produced some worthwhile responses. Some parts of that Green Paper have been welcomed in the debate, especially the section which asked for verification that the money had been well spent. It was suggested that the money should be linked to policies that have guarantees. Other parts of the Green Paper were not so well received. The Government will come forward with conclusions on the Green Paper as soon as possible.

The hon. Member for Perry Barr said that Labour party policy was to focus on choice, freedom and fairness. That is an excellent description of the approach to housing policy which has been followed by the Government since 1979. We welcome the conversion of Opposition Members to our point of view. In my reply to this debate I have tried, modestly, to point to some of the considerable achievements in Government policy in the past seven years. However, we are under no illusion about the scale of the problems that still remain, especially those of homelessness and of disrepair to the housing stock. We shall continue to make every effort to tackle the problems that remain, to look for new and imaginative solutions and to bring together all the available resources in both the public and the private sectors.

Despite the inevitable rhetoric in some of the speeches, there is in fact much common ground between us about the way in which we should proceed. It is on those sensible policies that we propose to make progress. I commend to the House the motion, as amended.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 173, Noes 269.

Division No. 151] **[7 pm**

AYES

Abse, Leo	Brown, Gordon *(D'f'mline E)*
Adams, Allen *(Paisley N)*	Brown, Hugh D. *(Provan)*
Alton, David	Brown, N. *(N'c'tle-u-Tyne E)*
Anderson, Donald	Brown, Ron *(E'burgh, Leith)*
Archer, Rt Hon Peter	Buchan, Norman
Ashdown, Paddy	Caborn, Richard
Ashley, Rt Hon Jack	Callaghan, Rt Hon J.
Atkinson, N. *(Tottenham)*	Callaghan, Jim *(Heyw'd & M)*
Bagier, Gordon A. T.	Campbell, Ian
Barnett, Guy	Campbell-Savours, Dale
Barron, Kevin	Canavan, Dennis
Beckett, Mrs Margaret	Carter-Jones, Lewis
Beith, A. J.	Cartwright, John
Bell, Stuart	Clark, Dr David *(S Shields)*
Benn, Rt Hon Tony	Clarke, Thomas
Bennett, A. *(Dent'n & Red'sh)*	Clay, Robert
Bermingham, Gerald	Clelland, David Gordon
Bidwell, Sydney	Clwyd, Mrs Ann
Blair, Anthony	Cocks, Rt Hon M. *(Bristol S)*
Boothroyd, Miss Betty	Conlan, Bernard
Boyes, Roland	Cook, Frank *(Stockton North)*
Bray, Dr Jeremy	Corbett, Robin

Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freud, Clement
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hancock, Michael
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Janner, Hon Greville
Jenkins, Rt Hon Roy *(Hillh'd)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Lambie, David
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Park, George
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Raynsford, Nick
Redmond, Martin
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Ross, Stephen *(Isle of Wight)*
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ron Davies and
Mr. Sean Hughes.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butler, Rt Hon Sir Adam
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Colvin, Michael
Conway, Derek
Coombs, Simon
Cope, John
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord J.
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Galley, Roy
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, C. *(High Peak)*
Hawksley, Warren
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Heseltine, Rt Hon Michael
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
McCurley, Mrs Anna
MacGregor, Rt Hon John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
McNair-Wilson, M. *(N'bury)*
McQuarrie, Albert
Major, John
Malone, Gerald
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mather, Carol
Maxwell-Hyslop, Robin
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Needham, Richard
Newton, Tony

Norris, Steven
Onslow, Cranley
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Powell, William *(Corby)*
Powley, John
Proctor, K. Harvey
Pym, Rt Hon Francis
Raison, Rt Hon Timothy
Renton, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Ian *(Hertf'dshire N)*
Sumberg, David
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walker, Bill *(T'side N)*
Waller, Gary
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Francis Maude.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments) and agreed to.*

Mr. Deputy Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's approach to housing policy which combines investment in good housing with responses to family and individual needs reflecting the informed opinions of tenants and home buyers, in order to bring about solutions based upon choice, freedom and fairness; and congratulates the Government on its achievements since 1979 in fulfilling housing aspirations and improving the quality of life throughout the whole community.

Transport

7.13 pm

Mr. Roger Stott (Wigan): I beg to move,

That this House strongly condemns the Government for the crisis in public transport which is the direct result of de-regulation of bus services, the abolition of the metropolitan councils and the drastic reduction in finance for public transport; and urges the Government to emulate the proven success of Labour transport policies implemented by Labour councils throughout Britain, which are based upon choice, freedom and fairness, to improve the quality of life for the whole community and particularly for those who depend entirely upon public transport.

Mr. Deputy Speaker (Sir Paul Dean): Mr. Speaker has selected the amendment in the name of the Prime Minister.

Mr. Stott: Since 1981, apart from a very brief period when I shadowed information technology, I have been on the Opposition transport team on the Front Bench. During that time I have watched the various Secretaries of State for Transport come and go. Apart from the present Secretary of State for Northern Ireland, every one of them has put through legislation that has seriously weakened and undermined the principles and the concepts of an integrated transport policy. But in my view, and I suspect in the view of many other hon. Members, the Secretary of State who has done most mortally to damage Britain's public transport system is the current one, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), the Conservative party's original Neanderthal man, someone who takes a great deal of pride in inhabiting the higher astral planes of lunacy and who, by his legislative efforts in the House of Commons, has offered up Britain's public transport system — which involves the carriage of millions and millions of people every day — to the vagaries of the free market and the discredited values of free marketeers.

Mr. Robert Adley (Christchurch): Will the hon. Gentleman give way?

Mr. Stott: Not yet. [HON. MEMBERS: "Why?"] Because it is a short debate, that is why.

It is only in the United Kingdom that public transport has been reduced to the status of a political football, to be kicked around the park by Conservative Ministers and councillors in an attempt to reduce revenue support, rate precepts and local accountability. Years of painstaking work by Labour councillors throughout the land, who have worked tirelessly to provide decent, cheap, integrated public transport, has now been sacrificed on the altar of free enterprise.

The whole continent of Europe and practically all the developed world recognise and accept that the provision of a proper public transport system is a prerequisite for the foundations of a decent life for their citizens. Governments of the Left and Governments of the Right all over the developed world have continued to provide resources to build on and to enhance the provision of mass public transport. On the continent of Europe and elsewhere there has been a renaissance in the railway industry, but here in the United Kingdom our railway industry is subject to profit centre accounting, appalling failures in punctuality, the closure of railway workshops and totally unacceptable overcrowding of trains as a consequence of timetable changes.

In 1974, when the Greater London council and the metropolitan counties were formed, the passenger transport executive/passenger transport authority arrangements were agreed. We saw emerging from that structure a genuine attempt to integrate public transport in our large conurbations—the buses with the trains, the trains with the ferries — a strategy to reduce inter-modal competition, to provide travel cards, through-ticketing, concessionary fares for the elderly and schoolchildren, saver tickets, support for section 20 railway lines and the development of timetables after consultation with the general public, and, particularly in Labour-controlled areas, to stabilise and reduce fares, as a consequence of which ridership increased dramatically. We also saw, as a consequence of those policies, fundamental and noticeable improvements in the local environment. During that time, of course, we also saw the development and the coming to fruition of the Tyne and Wear metro — something of which the Opposition, at least, are extremely proud.

Those achievements have been possible because the metropolitan counties, the National Bus Company and the municipal operators have been able to use their expertise and the economies of scale that are available to them to respond flexibly to any given situation. Indeed, all these points were acknowledged—in my view properly—some years ago by the Monopolies and Mergers Commission, which had a report on several PTEs and several municipal operators.

So we asked the Secretary of State why he looked into the crystal ball when he could have read the book. Why embark upon a system of deregulation that would undermine years of transportation planning — planning which had the solid backing of the people in the metropolitan areas, as demonstrated time after time through the ballot box?

It was not just a partisan politician such as myself who was saying that. It was every user and every operator of public transport. Such diverse groups as Friends of the Earth, the women's institutes and Rural Voice were saying it. The Secretary of State's manic myopia was, to say the least, grossly insulting to the elected representatives, the professional transport planners and everyone else who opposed this piece of lunacy.

Regrettably, the GLC and the metropolitan counties have now gone out of existence. The joint boards are now having to deal with the provisions of the Transport Act 1985, and deregulation will become a reality in the autumn of this year. Some of the worst fears that I and my hon. Friends told the Secretary of State about during the long hours in Standing Committee are now beginning to be realised. I shall outline some of them and I hope that some of my hon. Friends will catch your eye, Mr. Deputy Speaker, so that they can tell the House what is happening in their constituencies.

Mr. Adley: I should like to concentrate the hon. Gentleman's mind on the realities of life. Can he tell me which investment schemes British Rail is still awaiting decisions upon from the Government? Can he tell me of any year during which there was a Labour Government when a higher level of public money was invested in British Rail?

Mr. Stott: I acknowledge and respect the hon. Gentleman's interest in the railway industry. He is a stout defender of the industry and has tilted against many conventional windmills on the Government side of the House. I will leave the answer to his question to my hon. Friend the Member for Aberdeen, North (Mr. Hughes). Perhaps he will answer it when he is winding up. One advantage of coming from Wigan is that one can play rugby well and can get rid of a ball quickly when necessary.

About 70 per cent. of routes have been registered under the Transport Act 1985 by the municipal operators—not the passenger transport executives. It is clear that few services will be provided after 8 pm and virtually no services will be provided on Sundays. In the county of Berkshire only Reading, which is served by its municipal transport company, will have services on Sunday and after 8 pm on weekdays from October. I am advised that in the rest of Berkshire there are no registered routes for those days.

Another example is the municipality of Kingston upon Hull. I am advised that it has registered 67 per cent. of its routes. I am also advised that the Labour council there will have to make some difficult decisions. As a consequence of the 1985 Act, it will have to make redundant 300 of its 810 employees. In addition, the local authority will have to meet the cost of the redundancies from its own resources, thus making it almost impossible to finance tendered services, the almost 40 per cent. of services that have not been registered. If the Government's lunacy comes to fruition, Kingston upon Hull will have fewer bus services in the city and another 300 people on the dole. So much for this brave new world.

From a questionnaire sent to its members by the Federation of Public Passenger Transport Employers about a whole host of issues, it appears that less than half the non-registered routes will not be put out to tender. Yesterday, the Secretary of State answered a question by his hon. Friend the Member for Ealing, North (Mr. Greenway). In a question about London the hon. Member asked:

> "Will my right hon. Friend congratulate LRT on the improved services that it has provided since it was established following its removal from the auspices of the GLC?"

The Secretary of State replied:

> "I shall certainly pass on my hon. Friend's congratulations to the chairman and board of LRT".—[*Official Report*, 21 April 1986; Vol. 96, c. 6.]

The hon. Member for Ealing, North is not in the House. He made a statement to *The Standard* which was printed a little time before he put his question. *The Standard* reported:

> "Harry Greenway, Tory MP for Ealing North, says there are growing protests from people at the long wait at bus stops and at the general decline in service. He said: 'I am getting more and more complaints from people who claim they have to wait sometimes an hour for a bus. Such a delay is inexcusable.'"

That hon. Member said that to *The Standard* and then came here and congratulated his right hon. Friend about the way LRT was being run.

I should like to give some interesting figures from the constituency of Derbyshire, West. Today I was given a document produced by Mr. Keith Orford, the adviser and spokesman for the public transport unit at Matlock. He advises me:

> "North of Matlock the service to Bakewell via Winster will operate every hour, but the last departure from Matlock will be at 16.30. Only two buses a day will operate into Elton, and Stanton and Birchover will only be served on Mondays by service to/from Bakewell."

The Minister of State, Department of Transport (Mr. David Mitchell): Can the hon. Gentleman tell the House whether he is talking about services that have been registered, or whether the county council has already taken a decision about exactly what other services it regards as socially necessary and for which it will invite tenders?

Mr. Stott: I am quoting from the document that Mr. Orford sent me this morning. To be fair to the Minister, I imagine that these are registered services and that other services are open to tender. It is that to which I should like to turn my attention. I suspect that the Secretary of State and his Department are proud of the number of services that have been registered to operate commercially from 26 October. They form about three quarters of the number of road service licences that currently exist. The impression is given that this means that 75 per cent. of existing journeys will be operated commercially.

When the Minister was pressed by me and by some of my hon. Friends, following parliamentary questions that we tabled some weeks ago about the current mileage undertaken by those operators and what mileage would be registered, he failed to give us a reply. He said the information was not available, yet every bus company, most local authorities and the traffic commissioners, for fuel duty rebate purposes, hold the necessary sources of information, and those sources could quickly have been processed by his Department. It is a disgrace that the Minister did not answer the question and told my hon. Friends that the information was not available.

Last year, my own council, Greater Manchester, said on page 68 of its TPP submission to the Minister that 72,070,000 miles were being run. That figure could have been made available by Ministers. It is now possible to tell the House the figures for registered services, those services that make a profit. In my area of greater Manchester, 64 per cent. of present service miles have been registered by the Greater Manchester Bus Company. An extra 4 per cent. have been registered by other operators, including National Bus Company subsidiaries, independents and even an occasional taxi driver.

We must bear in mind that, before the Transport Act 1985, some 96 per cent. of all services in greater Manchester were run by the PTE and only 4 per cent. by other operators. I suspect that that applied to every metropolitan authority. No doubt the Secretary of State will say that it is premature to judge what effect there will be on the services and that that cannot be done until the PTEs and the PTAs have gone out to tender and have decided upon services to fill the gaps left by operators promoting services commercially.

This raises the interesting question of how much money will be available to support those services. I shall take again the example of Greater Manchester PTE. Some months ago, it estimated that support to the tendered services would require at least £30 million a year. The best estimate at the moment is that the PTA should bank on having only £15 million from October onwards. Based on that, the director general of the Greater Manchester PTE estimated at a meeting last Friday that it would be possible to support only some 20 per cent. more services.

In other words, that would mean that, in the Greater Manchester area, from October onwards, some 10 to 12 per cent. of those bus services will not run.

There is a human price to pay for all that carnage. In my area—my hon. Friends will tell the House what is happening in theirs — 2,000 people in bus garages, administration and elsewhere will be made unemployed by the PTE in order that it should remain viable and profitable.

I hope the House will bear with me if I continue with the theme of financial chaos. I have referred to the problems of finance. Tenders are supposed to be let for supported bus services during the summer to start towards the end of October. It would not be unreasonable for a bus operator to expect a reasonable length of tender in order to cover the costs of establishing the new services, particularly if one of those operators is the new, thrusting, entrepreneurial, dynamic operator that the Secretary of State wants to see. Would not such an operator consider that for tendered services at least there should be some reasonable length of contract? In order to meet that, would it not be reasonable for the PTA to expect that it should have some idea of the likely levels of expenditure over, say, the next two years so that it may decide how many tendered services can go out this year, next year and the year after? Not a bit of it.

The PTA in Greater Manchester has been writing to the Department of Transport since before Christmas in an attempt to find out the likely level of expenditure which it will be allowed by the Secretary of State for 1987-88. On 6 January, one of the Secretary of State's civil servants replied to the effect that he was surprised that the PTA wanted to know that figure. The same civil servant relented somewhat in March because he then accepted that the authority did have a right to know, but he restated the Government's position. The only advice that he could give my authority was that given in 1984 — that planning should be on the assumption that revenue support expenditure should be reduced by 25 to 30 per cent. over the next three years. That leaves the PTEs and the PTAs, and no doubt the municipal authorities, still guessing as to what will be the likely levels of expenditure next year and the year after.

Mr. Martin M. Brandon-Bravo (Nottingham, South): The hon. Gentleman is right to support his case with illustrations from his area, which he knows well, but is it fair that, for example, Lancashire, which I believe is his county, has a transport subsidy per head of population of £13, while Greater Manchester, whose case he is using to illustrate his point, has a subsidy per head of population of £30? That simply does not make sense to the rest of the country.

Mr. Stott: The hon. Gentleman and I shared many happy hours on the Bill in Committee but I think that he has hold of the wrong end of the stick. I was talking about the information coming from the Department of Transport to give PTEs and municipal operators some idea of the likely level of revenue support from that Department and elsewhere.

Let me take the hon. Gentleman a step further. I do not know whether he was here, but a few months ago the Secretary of State pushed through an order setting the maximum precept limit, which he unwisely referred to as putting the stopper on the amount of public money spent on providing public transport in the metropolitan areas. It is some stopper; in every PTA area the precept has gone up because authorities have had to pay for the cost of deregulation and they have had to foot the bill for the nonsensical Government grant policy.

Let me tell the House the cost to authorities such as mine, South Yorkshire, West Yorkshire and others of deregulation, of the needless expense of making bus workers redundant, of the waste of assets that will be mothballed or sold off below book value, of the bureaucratic exercise involved in forming new companies and transferring assets around the place, of dismantling the existing systems based on co-operation and replacing them with ones where only profits count. As for grant policies, the Secretary of State for Transport sets one limit for expenditure, while the Secretary of State for the Environment, independently and arbitrarily, bases his rate support grant on altogether different and even less meaningfull formula. The PTAs are then penalised by the Secretary of State for the Environment because they have the temerity to spend up to the levels that the Secretary of State says they can. That is reflected in a higher rate of precept in all the county council areas.

Let me give some examples. The rate is higher by approximately 40 per cent. in Greater Manchester than it need be. The rate is higher by 82 per cent. in Merseyside, 82 per cent. in South Yorkshire, 17 per cent. in Tyne and Wear, 28 per cent. in the West Midlands and 59 per cent. in West Yorkshire. The result of the Secretary of State's stopper is that the PTAs are forced by the Government to levy higher rates to pay for the Government's own policies, which will mean worse services.

The Transport Act 1985 removes passenger transport from the long-held status of a strategic national industry and relegates it to a use-it-or-lose-it activity. If current Government thinking is correct, the rest of the developed world is incorrect. No other Government in the developed world are prepared to subject the business of moving millions of people every day of the week to the inconsistencies of market forces.

Mr. Rob Hayward (Kingswood): I believe that I heard the hon. Gentleman say that no other country in the developed world would do that. What is happening in Japan, which is privatising the whole railway system and has already privatised the underground system?

Mr. Stott: Privatisation is different. We are talking about deregulation. No other country in the world is embarking upon leaving the mass movement of people to the vagaries of the free market. They all recognise the sense of a regulated transport system.

Until the Transport Act 1985, the United Kingdom was beginning to catch up with the rest of the world in the provision of mass transit systems. Unfortunately, some areas of Britain had a woefully inadequate transport provision, but overall we were beginning to get it right. We were beginning to set in hand plans for mass transit systems that would take us into the next century, building on the successes of the Tyne and Wear metro and the many and varied innovations that have been pioneered by the GLC, the NBC and the PTAs.

But along came old Nick, dragging the rotting corpse of Adam Smith behind him and eulogising those burnt-out ideas whose time has been and gone. The Secretary of State has been tearing down the safety net of social provision and replacing it with the vagaries of the free market.

One of the most emancipating elements in the lives of ordinary people is the ability to be mobile. The provision of a regulated, integrated, inexpensive public transport system has the support of millions of British people. They may not be completely wedded to Socialism, but the vast majority of them care about and will vote for and demand fairness for all, not a free-for-all. That is where the Government have made their biggest mistake. Public transport cannot be auctioned off in the market place. Public transport is an integral and necessary part of the nation's social provision.

For most of the country, Sunday 26 October will be the day that the clocks are put back one hour. For the bus industry and its passengers it will be the day that the Secretary of State turns back the clock 56 years. British summer time ends on 26 October. The public transport winter replaces it. *[Laughter.]* If hon. Gentlemen opposite are laughing about that, I have to tell them that on 8 May this year the people of the United Kingdom, when they vote in the municipal elections, will give the Secretary of State the biggest trampling that he has ever had.

7.40 pm

The Secretary of State for Transport (Mr. Nicholas Ridley): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'congratulates the Government on its radical approach to the long standing problems of public transport, its determination to obtain value for money and its introduction of policies of competition and deregulation for the benefit of the passenger which are based upon choice, freedom and fairness to improve the quality of life for the whole community and particularly for those who depend entirely upon public transport.'.

That was an extraordinary outburst from the hon. Member for Wigan (Mr. Stott). I suppose that it is part of the new caring initiative that we have read about in the *Financial Times*. If so, I advise the hon. Gentleman to try again. It was not very good. His motion speaks of the crisis in public transport. I agree with the Opposition that there has indeed been a crisis with a reduction in services and higher fares, and subsidies spiralling out of control. Subsidies rose from £269 million in 1974 to £558 million in 1984, at constant 1984 prices, and over the same period services fell by 12 per cent. The crisis was the result of years of regulation, restriction, integration and socialism, and what I can now only call Stottism.

We are putting in place the solution of deregulation, competition and privatisation. We are setting operators free to provide the services that customers want. Competition makes operators efficient and makes them provide passengers with the quality of service they want. So I am glad to be able to tell the House that the crisis is ending.

Let us look at what has happened. First, London Regional Transport. There is no crisis here. The improvement in efficiency and in service to the public is truly remarkable. I remember that when the London Regional Transport Bill was being debated, the Bill's critics went on about fares rising 20 per cent. above the rate of inflation, 33 tube stations closing, 34 bus routes being withdrawn—remember the advertisement "Come in No. 9, your time is up"?—and concessionary fares coming to an end. I wonder how they dare return to this subject this evening. The hon. Members for Crewe and Nantwich (Mrs. Dunwoody) and for West Bromwich, East (Mr. Snape) do not dare come to the House. They are not here, and I do not wonder about that either.

Fares have not gone above inflation, no tube stations have been shut, and bus mileage was trimmed by a tiny 2 per cent. to match supply with demand. The No. 9 still

[Mr. Nicholas Ridley]

runs. The present level of service will be maintained, as the decline in bus patronage has now been arrested. Londoners still enjoy concessionary fares.

Mr. Don Dixon (Jarrow): Will the Secretary of State explain to the House why, when the London Regional Transport Bill was in Committee, he included a clause providing concessionary passes for pensioners in London, but refused to put a similar section in the Transport Act 1985 which would have safeguarded concessionary passes for pensioners throughout the country?

Mr. Ridley: The hon. Gentleman now knows that that clause was not necessary, because the boroughs have since come together to provide slightly better schemes than were provided by the GLC.

My predictions of possible cost savings, which were pooh-poohed by the Opposition, were, I fear, wrong. The late unlamented GLC proposed to increase revenue subsidy for London Transport from the £190 million that it had planned for 1984-85 to £245 million by 1987-88. These enormous sums would have had to be found by the ratepayers and taxpayers on top of the cost of capital, which is provided as a grant to London Regional Transport, not a loan. The House will want to hear these figures.

LRT's performance has shown that subsidies at these levels are not necessary. I set Dr. Bright and his colleagues tough managerial objectives. Unit costs were to be reduced each year by at least 2·5 per cent. in real terms, fares were to be stable in real terms, investment in the system was to be increased, and revenue subsidies were to be halved in three years so that they would be no more than £95 million by 1987-88. In every respect LRT has hit or beaten my targets. LRT has published an estimate of its revenue deficit for 1985-86. At £109 million it is a remarkable £81 million less than the GLC's plans for the previous year —an enormous saving. For the present financial year, 1986-87, the estimated deficit falls still further to £79 million, which is about £150 million less revenue for ratepayers and taxpayers to find.

These figures are not the product of creative accounting, a concept which I prefer to leave to the GLC. They result from a continuing and relentless attack on waste and inefficiency. That will continue to lift the burden from the shoulders of ratepayers and taxpayers. We may soon see the total elimination of revenue subsidy in London, if London Regional Transport continues as it has begun. This would mean a saving of £245 million a year for Londoners compared to the GLC's plans. Those are dramatic figures, and they demonstrate the total hollowness of the Opposition's arguments against the London Regional Transport Act 1984.

The grant for capital investment has increased from £150 million for 1984-85 to £216 million in the current year. We invest in the future; the GLC subsidised the past. We are seeing the rapid development of an efficient and attractive public transport system in London. I stress the word "attractive". Patronage is booming, the Underground had its busiest year ever last year and services are being increased by 3 per cent. The long-run decline in bus travel is halting. Contrary to what was alleged yesterday at Question Time, the waiting times and the speed and performance of London's buses are the same as they have been for the last three years. No cuts overall are planned in the service but London Regional Transport is quite rightly systematically changing the pattern of services to meet what people actually want. To speak of a crisis in London's public transport is to turn the English language on its head. The fact that LRT is doing so well shows what a determined management can do when faced with a challenge. The next step is for London buses to face the rigours, and the stimulus, of bus deregulation in London. That is the best way to ensure lasting reductions in subsidy and improvements in services.

Next, long-distance coaches. Again, there is no crisis here. Hundreds of new services have started—over 900 have started and 700 of those are still in business—since the deregulation of long-distance express coaches. The number of passengers carried on the NBC's national express services has increased by about 50 per cent.

Fares have been reduced in real terms. On some important routes, notably London to Exeter and London to Newcastle, they are lower in cash terms now than they were six years ago.

Equally striking is the improved quality of coach services—the national express rapide services and the numerous luxury commuter services bear elegant witness to that. Passengers have made it clear that they want quality and are prepared to pay for it—in a deregulated industry, operators provide the kind of service that passengers want.

Then railways. For the longer distance there is now competition between rail, air, coach and car. Inter-city is gradually "getting there". We have worked to ensure that it becomes both unsubsidised and competitive. The impact of competition has already brought benefits to rail travellers. Attractive cheap fare offers have been developed. High quality executive Pullman services are offering new standards of service. Contracting out is going to lead to higher standards of catering and cleaning. Inter-city is able to plan for new rolling stock within its financial resources. Electrification of services to Norwich will soon be completed. The east coast main line electrification, the biggest railway investment project for 25 years, is now under way.

Mr. Tam Dalyell (Linlithgow): Many of us agree that inter-city services are excellent, but what about those clapped-out diesel engines that are often used on inter-city services from various stations, such as York, Peterborough and Edinburgh? Those of us who use inter-city services a lot know that British Rail has a heck of a problem with those diesels that are rather ancient. Can the Secretary of State say anything about investment plans?

Mr. Ridley: I am happy to assure the hon. Gentleman that we are catching up with the appalling neglect and backlog of under-investment under the last Labour Administration. In a moment I shall have something to say about investment in railways, when I shall come back to the hon. Gentleman's point.

I admit that there are many railway services that will always run at a loss and require Government support. The public service obligation grant for this year is about £830 million. Even here there has been a remarkable turnround in value for money. Over the past three years British Rail has been able to reduce its dependence on PSO grant by 25 per cent. Over £250 million at today's prices has been cut off the bill to the taxpayers. That has not been done by closures, which would deprive communities of rail

services, as Opposition scaremongers are always trying to make out. It has been done by effective management to improve efficiency.

I pay tribute, as I hope Opposition Members will, to Sir Robert Reid and his board for what they have achieved. Contrary to the popular myth, this success has not led to a fall in the standard of the services offered. The chairman told the Select Committee on Transport two weeks ago that the financial targets need not undermine, and have not undermined, the quality of service on the railway.

Mr. Stott: If that is the case, can the Minister explain what I know from personal experience? I get the train from Wigan to London every week. This year, apart from two occasions, that train has been woefully bad at time keeping. If the Secretary of State were to catch a train and to walk into a second-class compartment, he would find it heaving with people. People have to stand almost all the way from Wigan to Westminster. That is a consequence of British Rail policy. That is what people have to put up with.

Mr. Ridley: One of the worst features of some hon. Gentlemen, including the hon. Member for Wigan, is the use of their personal travelling experiences to make a general case.

Mr. Stott: When does the Secretary of State travel? What is his experience?

Mr. Ridley: As a frequent train traveller, I have had experiences which have been just as unfortunate as those of other hon. Gentlemen. I keep them to myself and do not direct them into public complaints, as the hon. Gentleman has sought to do.

I accept that there are areas where the board is not yet achieving its quality targets. That concedes the hon. Gentleman's point to some extent. We shall ask British Rail to look for improvements for the travelling public. For example, punctuality still needs to be improved. Improvements in quality are important. I shall be discussing with the chairman of the board what needs to be done as we work towards agreeing objectives for the next few years.

Mr. Adley: Is my right hon. Friend not pleased to note that we have now reached a situation where he, as a Conservative Minister, is congratulating a nationalised industry, and the Labour party, which is supposed to support nationalised industry, can do nothing but knock it?

Mr. Ridley: I hope that Opposition Members soon will be pressing for the privatisation of the railways.

Improved efficiency on the railways has made it possible to authorise an increasing level of investment, which is the answer to the hon. Member for Linlithgow (Mr. Dalyell). British Rail plans to spend over £2 billion over the next five years, more than half of which is already authorised. What better demonstration could there be that improved costs and efficiency are the way to the high-quality, modern railway that we want? So there is no crisis there either.

The hon. Member for Wigan was less than fair to the hon. Member for Aberdeen, North (Mr. Hughes) in passing to him the poisoned chalice. The hon. Member for Aberdeen will not be able to answer. If he likes, I shall give him a note of the answer.

Next, buses, where Opposition hopes of a crisis are looking dimmer every day. The first of the benefits of deregulation and competition, which the Transport Act has brought, are already to be seen in many towns where the National Bus Company has introduced minibuses. At the beginning of 1984, as a response to the new policy, the NBC introduced a fleet of minibuses into Exeter to provide a flexible, high frequency service. In the first year alone it reported a 60 per cent. increase in passenger traffic on the same routes, with the minibuses carrying some people who had previously used cars. Loss was turned to profit and more people were employed. Now I believe that patronage has increased by nearly three times.

Minibuses for Exeter led the way. There are now about 1,000 in Worcester, Cheltenham, Oxford, Norwich, Leicester and many other towns, and I understand that they are coming into London soon. The list is growing all the time as more and more NBC subsidiaries see the scope for serving passengers and turning losses into profit.

Mr. Sydney Bidwell (Ealing, Southall): I was told today that there will be an estimated 19,000 redundancies in the National Bus Company. Is that fact or fiction?

Mr. Ridley: The hon. Gentleman has got it wrong. There have been 20,000 redundancies in the National Bus Company over the past 10 years. That is what the hon. Gentleman must be thinking of. That is the problem with which we seek to deal.

The success of minibuses shows the scope for the bus industry to operate profitably and to expand. It proves that there is room for innovation and that passengers can be tempted away from other forms of transport. The Transport Act gives all operators, not just the NBC, the incentive to examine their services, to find out what passengers want and to provide it. If they do not, a competitor will.

The implementation of the Act has started well, despite the hopes of Opposition Members. Alarmists and irresponsible people like the hon. Member for Wigan have been up to their usual scaremongering tactics. In the last few weeks they have put about claims that bus services will be drastically reduced because they have not all been registered. The hon. Gentleman was at it again this evening. In fact, by the end of February, some 15,000 commercial services had been registered, representing about 75 per cent. of the existing network. The hon. Gentleman said it was 68 per cent. for Manchester. It is a revelation that 75 per cent. of the services have been registered, because nearly all those services were being subsidised previously. Now it turns out that those services did not need subsidy. Is that not another astonishing result that has come already from the Transport Act?

The most irresponsible lie is that those registered commercial services are the end of the story. The hon. Gentleman was trying to say so again this evening. When he was challenged by my hon. Friend the Minister of State, he admitted that that was not what he had meant. He had left out the vital part which makes it clear that other services will run after deregulation. Local authorities have both the power and the money to subsidise those additional services which they believe will be necessary to meet local needs. This scare, too, is typical of the Labour party. We saw it with coaches, with LRT and with concessionary fares.

The decision about which local services to subsidise is, as the House knows, for local authorities. We have increased the provision for local public transport support

[Mr. Ridley]

outside London from £247 million in the last financial year to £273 million in 1986-87. That is an increase of 10 per cent.—substantially more than the rate of inflation. So there is more money than there was last year. The consequences are reflected in the local authority rate support grant totals.

The Opposition keep suggesting that the new passenger transport authorities will not have adequate resources for public transport subsidies. The hon. Member for Wigan was at it again today. Let me give him some figures. Let us take South Yorkshire as an example. Public transport subsidy in 1986-87, after redetermination, will still be about £40 per head. That may be a reduction of one third on last year's figures, but it is still far in excess of the amounts of subsidy paid in the shires, which averaged about £5 per head last year, and were below £2 in Somerset. Are we seriously asked to believe that an authority spending £40 for every man, woman and child in its area, cannot fill the gaps in its public transport operation? If authorities cannot provide the necessary socially desirable services with that kind of money, something is wrong with them. Talk of massive cuts in local services is, quite frankly, rubbish.

Public transport subsidy — excluding redundancy payments — in the metropolitan districts next year is likely to average about £30 per head compared to a figure of about £5 in the shires. That suggests that there is considerable scope for further cuts in future, reducing the heavy burden on ratepayers, which I am conscious still remains, and to which the hon. Gentleman referred.

Finally, on the question of concessionary fares, we were told when the Bill was going through that it would be the end of concessionary fares as we know them, passes would be replaced by tokens, and authorities would find it impossible to administer schemes applying to all the operators who would be providing the services once deregulation had set them free. This further campaign of scaremongering was intended to play upon the fears of the most vulnerable people in the community—the old and the handicapped.

In fact, many county councils have announced plans for schemes applying to the whole of their area. They include Essex, Kent and Lancashire — three of the largest counties in the country. I understand that in Lancashire the scheme will cover all the eight districts in the county which have their own transport companies. Similarly Derbyshire, where considerable doubts were expressed about the effects of deregulation on concessionary fares, has now announced a scheme for half-fare passes covering the whole of the county area. We said that the Bill would give authorities flexibility to make suitable arrangements, and we have been proved right. We have also made allowances for the changes introduced by the Act by the increase of 13 per cent. in provision for expenditure on this item.

In the metropolitan counties, we were told that existing schemes would collapse with abolition. But we took full account of the cost of existing concessionary fare schemes in setting maximum precept levels. In the event, five out of the six joint boards in England have maintained their schemes for elderly and disabled people practically unchanged. The sixth—South Yorkshire—has decided to introduce a small standing fare of 5p per journey.

In London, as I predicted, the boroughs have agreed to continue the existing arrangements for concessionary travel in 1986-87 without resort to the statutory reserve scheme. I think that the scares about travel concessions were particularly mean and many old people have been unnecessarily worried. These fears were groundless, deliberate and mischievous, and I hope that the Opposition will suffer grievously from peddling such rubbish.

To sum all this up, service has improved on coach, rail, underground and bus. Fares have been held at their real value, and in some cases reduced. Concessionary fare schemes have been maintained. The annual savings to the public purse from reduced revenue subsidies to London Regional Transport and BR are already about £350 million — with more to come in the future, including a contribution from buses. This has enabled increased investment to take place in the public transport industries. I am proud of this record.

The only crisis that we witness today is the crisis of a Labour party which has no new ideas, as the hon. Gentleman amply demonstrated in his speech.

I regard the Opposition motion as impertinent, and I ask the House to pass the amendment and to reject the motion with contumely.

8.4 pm

Mr. Stephen Ross (Isle of Wight): I think that the Secretary of State has some justification for his remarks on British Rail. He was however, pretty selective in his statistics relating to London Regional Transport, to which I shall return later.

It is a tragedy for the country that our public transport policies have become so politically controversial. It is therefore important that the Select Committee on Transport—I note that at least two, and perhaps three members of the Committee, of which I am a member, are present in the Chamber — should try to find some common ground as it undertakes its current investigation into the financing of the public transport services. So far we have been examining the railways and interrogating members of the British Railways Board and departmental officials. We are also looking at new developments, including the so-called Pacer and Sprinter trains, tomorrow morning.

My current view is that, slowly and surely, the railways are getting themselves out of the mire. The coal strike was of course a major setback. Permission for new capital programmes such as the east coast main line, Bournemouth-Weymouth, East Anglia, and Hastings has been forthcoming, and we have to say that correctly and truthfully.

Many of our stations, particularly the London terminals are becoming what they always should have been, busy, clean and quite exciting places providing some excellent facilities. One has only to look at Victoria or Waterloo to see what changes have taken place. I think that it is absolutely tragic that that lovely station at Great Malvern, which has just been done up, should have been damaged by fire the other day. British Rail is looking at some of its masterpieces, and that is one of them.

A promise has also been given in the House that extra capital resources will be made available to the railways to take proper advantage of the Channel tunnel development. This should provide a massive stimulus for the railway network if enthusiastically pursued.

I was in Fort William the other day and had the wonderful experience of seeing the integrated system whereby the Wiggins Teape mill is sending its paper by

rail from Fort William to arrive south of London next morning. Wiggins Teape exports to the Common Market and it could take advantage of the arrangement by sending its paper to Italy or to Austria. But it is when we compare our standards with those of our Common Market neighbours that we realise how far still our railways have to go. New rolling stock is desperately needed, particularly on the southern region. What will happen—perhaps the Minister will deal with this—if British Rail Engineering Ltd. abandons Eastleigh, as is now rumoured? Surely we need to sustain a major railway workshop in the south.

Sir Robert Reid's article in *The House Magazine*, and his evidence to the Select Committee, were optimistic. Despite the continuing high levels of investment that is needed, he feels he can keep within the tough PSO limits. It is true that productivity has risen, as has passenger volume, and for this achievement I bow to management and unions. I think that both are to be congratulated. They have shown common sense, the results of which are now beginning to be revealed.

I should like to see a moratorium on all closures for at least three years, and a continuing exploitation of the capital assets of the railways. With regard to the stations, for instance, much more can be done and more thought could be given to streamlining ticketing. It is at that point that delays occur which lead to people occasionally missing trains.

I oppose the possible loss of the Settle-Carlisle line, England's most dramatic railway. British Rail itself has shown that it is possible to make a line profitable if one exploits the scenic beauty. In this case, it has made a profit of £1 million. There is surely a case for a heritage grant to restore and maintain the line.

I would want reconsideration of the closure of Marylebone station, which is now regularly used for steam excursions to Stratford-on-Avon and elsewhere. We urgently require a new coach station in north London, but why must it Marylebone?

Much improved rail links are needed to our principal airports. This comes high on my list. More and faster inter-city cross-country trains are also needed. There is a need for the link between the Midland and Southern via Snow hill to be rapidly built. I want to see the docklands light railway integrated with the Waterloo and City line.

I would like to see a moving belt for heavy luggage at certain stations. Why cannot we do what the Danes do? I saw such a belt when the Select Committee visited Ejsborg recently. At Portsmouth harbour, moving belts on the platform to take luggage down on to the boats would help elderly people with their cases. Such facilities would improve people's travelling.

We also want a more forthcoming and helpful work force. That is happening. Trains on the Portsmouth line do not now shut their buffet cars at Haslemere; they are open all the way to Portsmouth, which is encouraging. People are talking to us and saying nice things over the radio. Things are beginning to happen, so let us keep that up, but we also want flexibility from the Government.

However, I do not take the same rosy view of the bus industry as does the Secretary of State—to me its future is bleak. It is clear that a substantial number of rural routes may disappear or require high subsidies if they are to remain open. Surely this exercise, which has totally missed out, was to encourage the entrepreneurs to register routes. Where are they? They have not appeared.

Mrs. Elaine Kellett-Bowman (Lancaster): Oh yes they have.

Mr. Ross: There are three in my constituency, and I can tell the House exactly who they are.

Mrs. Kellett-Bowman: The Wyre borough has a very imaginative scheme, including school buses and taxis. It will work very well in the rural areas.

Mr. Ross: We have heard that in Manchester the figure is 4 per cent. outside of the National Bus Company. It is less than that in my constituency. Two of the routes registered are exactly what we expected—one a taxi company that will run hourly on the most profitable routes, and the other a coach company that will run its coaches two minutes before the NBC runs its buses.

One scheme that I very much welcome is from a hotel that will run a minibus service to a railway station. For years I have been trying to persuade the bus company to do that, and it is now thinking of doing so. However, that is the only good thing to have come out of the exercise.

We have been given some statistics already. I understand that in Clwyd 65 per cent. of routes have been registered, while in Gwynedd the figure is 60 per cent. In my part of the world 85 per cent. have been registered, but there is little competition. Where is it? I do not want to tread on the ground of the hon. Member for Wigan (Mr. Stott), but I understand that Manchester will have a shortfall of at least £10 million, and perhaps even £15 million, to cover the services that will now have to be subsidised due to other expenses falling upon it. It will also have some competition on the Glossop-Manchester line, where a bus service has been registered. In Ryedale and West Derby some rural services may disappear.

I have to tell the Secretary of State that many of the minibuses appeared not after the 1985 Act, but before it—largely because of the withdrawal of the bus grants. That is why, at long last, other methods of transporting people are being considered, and I welcome that. It is too early to say with any certainty how it will all pan out in the end. The traffic commissioners are inundated with work, and some of the documentation is faulty. It is becoming obvious that there will be future problems with the Act.

The Secretary of State gave certain assurances that management-worker buy-out schemes would be given priority, but it now appears that they may not have that opportunity. I want to question the right hon. Gentleman on that issue while I have the opportunity. Will he give management-work force bids priority? In early press releases he said that he was hoping that such bids would come forward, and indicated that they would be considered sympathetically. Do they now have to compete with open market bids?

We have suffered under Sealink, and I do not want the bus company in the Isle of Wight bought by the same gentleman because that would be an absolute disaster. There would be a total monopoly. I know that the management and work force have put in a bid, and I hope that they will be given every opportunity to succeed. After all, the Secretary of State has strongly indicated that such bids would be sympathetically considered, but it now appears that they will have to compete with bids from the private sector. It could be that some will miss out, which would be disastrous for constituencies such as mine.

[Mr. Ross]

If bus subsidiaries fall into the wrong hands, that could create monopolies, and the Secretary of State must protect us against that. It is tragic that by his total commitment to market forces, fine systems like the Tyne and Wear metro are put at risk——

Mr. Ridley: No, it is not.

Mr. Ross: Of course it is put at risk.

Cross-country timetabling on buses will become almost impossible. I can go into my local inquiry office and find out how to go to Bournemouth and then on to Dorchester on a bus. That will not happen in future because no one will know what services are running. Travel cards and through ticketing will be highly unlikely. I have experience of that—I am still arguing with British Rail and Sealink. They withdrew the concessions for the disabled, the forces and students. They have returned the concession to the disabled, but not to the others. That hurts in my constituency. At the end of the day, the local authorities will take all the blame if the routes do not run. That is what always happens.

The Secretary of State has a great deal of personal responsibility in London. I travel by bus every day, and frequently travel on the underground. Returns may be marginally higher, but the service has certainly deteriorated. Is the right hon. Gentleman aware that a 30p ticket on the 507 bus has risen to 40p—a 30 per cent. increase? That is far more than the rate of inflation. Some underground lines are no longer running as far as they used to run—for example, those to Uxbridge in peak periods. The Bakerloo line is cutting back all the time.

The only good news of late is that Westminster city council has decided to keep most of its bus lanes, despite all the criticism from another place. I am sure that it is right to do so. All the buses seem to be for sightseeing tours; too few of them pick up passengers at the bus stops, so there are long queues. Quite frankly, the criticisms of the bus lanes are wholly wrong.

I find it difficult to support either the motion or the amendment. I cannot support the Labour motion, but then I cannot support the Government amendment either. I tabled an amendment but it was not called. However, I believe that my amendment is nearer right than wrong, and that it will be proved right at the end of the day.

8.16 pm

Mr. Rob Hayward (Kingswood): I have listened to the hon. Member for Wigan (Mr. Stott) during other debates. I had the fortune, or perhaps misfortune, to listen to him on many occasions during the debates on the Telecommunications Bill, so his scaremongering this evening came as no surprise to me. During the proceedings on that Bill we were told that it would lead to no public telephone boxes, no rural services, no services for the disabled, no directory facilities, and so on. Wat has happened? Two years after the Bill was enacted, we have all those services, and most of them have improved. It therefore came as no surprise to listen to yet another torrent of scaremongering tonight—it has happened over and over again in transport debates.

It was significant that the hon. Member for Wigan made reference to no other form of transport than buses. He made no reference to coaches, to railways, or to any modern developments such as the docklands railway. Why not? It is because during the past two, three or four years, Opposition Members have persistently set about using scaremongering tactics. As each piece of legislation has passed through the House, we have been told that services would disappear. At every Third Reading we are told that either long-distance coaches, London transport, or any service one chooses to mention will disappear. What is the truth? Anyone travelling on the M4 knows that he can hardly move in the inside or second lanes because of the number of coaches. Such services take a fair amount of time to develop. The hon. Member for Isle of Wight (Mr. Ross) may say that they are not there now, but people have to develop the expertise. The entrepreneurs do not spring up immediately; it takes time. That is precisely what has happened to the coach services.

My right hon. Friend the Secretary of State quoted costs for the ordinary passenger. People now have an alternative. It is no longer a case of take British Rail or leave it and do not come to London. People regularly use coach services because they prefer them. That pressure is applied to British Rail, and I welcome the improvement in its services as a result. It is now recognising that passengers have an alternative.

When I first entered the House, there were scaremongering stories about the Serpell report. There have been three speeches in the debate so far, but no reference to the Serpell report, yet in 1983 it was the talk of the Opposition Benches. It was another general election scare.

I also disagree with the hon. Member for Isle of Wight about services in London. If they are deteriorating as he suggests, why are more and more people using the underground and buses? That is happening, despite the fact that inner London has a progressively declining—and in some areas a rapidly declining—population. All the population statistics show that there should be a progressively diminishing use of bus and underground services. However, the long-term decline on the buses has been halted and the number of people using the underground has risen.

Is it not significant that there is only one London Member in the Chamber this evening? Surely, if, as has been predicted so often in debates, this Government's schemes would be a disaster for London Regional Transport, Labour Members would be lining up to cite examples of complaints about the No. 12 bus, the underground services to Cockfosters or the west end of London, or services anywhere else. Instead, such examples are notably absent.

It is really amazing that the scaremongering tactics continue. This evening we have heard that the next case will be that of buses. People genuinely fear the future and change, but change need not necessarily be revolutionary: it can be evolutionary.

Reference has been made to minibus services.

Mr. Martin Flannery (Sheffield, Hillsborough): I represent a constituency in South Yorkshire, as the hon. Gentleman knows. Earlier, we heard the Minister talking nonsense. After the introduction of our policy, which he criticised, the votes increased at every election. I ask the hon. Member for Kingswood (Mr. Hayward) about private ownership. Hon. Members talk about private ownership of transport as though it is new. The municipalisation of transport came about because of the total failure of private

ownership of the railways, buses, trams and so on. Therefore, there is nothing new about privatisation; it is an old idea and it has failed.

Mr. Hayward: I am pleased to say that I am not aware that any hon. Member's children were educated by the hon. Member for Sheffield, Hillsborough (Mr. Flannery), because he has an interesting interpretation of history. The decision to nationalise British Rail and municipalise the bus services immediately after the war stems from a political viewpoint with which I happen to disagree and with which he agrees. The decision resulted not from complete failure one way or the other, but from a difference of political viewpoint and should not be interpreted otherwise.

I am sorry that the hon. Member for Wigan has left the Chamber, because I wish to refer to developments in Avon, an area he knows well. Reference has already been made to minibus services. There were previously extremely few minibus services around the country; they could almost be counted on the fingers of one hand. Under the catalyst of the recently passed Transport Act, we have seen the blossoming of such services throughout the country.

Mr. Flannery: Where?

Mr. Hayward: In Bristol, in the county of Avon—to the extent that the evening newspaper the other day carried a full page article under the headline, "Bullseye! Bus is on target". What a change for a headline to say that a bus service is on time. The reason is that minibuses have been introduced throughout Bristol.

The article states:

"The fleet started operating in February and the City Line bus company soon declared them a success, with a 20 per cent. increase in passengers recorded."

That has happened in only two months. The buses are serving roads which in my constituency have never had a bus service. Pensioners, who were being frightened by Labour party spokesmen, can now get on and off buses outside their own doors. Previously they had to walk a quarter of a mile or half a mile to get on a large, almost immovable, double decker service, which could not go down the side streets. Now pensioners are lauding the service over and over again. The sub-heading to the article is: "Have a good day? We certainly did". The article is written not by bus operators or Tory Central Office but by the reporters from the Bristol *Evening Post* who travelled on the buses.

Another such article states:

"As we got off the bus, three people refused to get on as it would have meant standing. But they were happy to wait on the stop, confident in the knowledge that another would be along in a minute."

When was something like that last written by a reporter about any municipal bus service or rail service? That is the sort of change that has taken place in my area and other areas of the country.

Mr. Ridley: I was told by the National Bus Company that it was the prospect of the ending of network subsidy that made it conclude that it was necessary in the first place to try minibuses.

Mr. Hayward: I thank my right hon. Friend for that information. I referred to it as a catalyst. There is no doubt that it acted as a substantial catalyst to move bus companies to provide a service that people want to and do use.

What I also find depressing about the speech of the hon. Member for Wigan is that he did not refer to future investment. He said nothing about the docklands light railway or developments in terms of future services, electrification or improvement in rolling stock on British Rail. I support very strongly the development of the docklands light railway, as it is a long-overdue innovation. It will afford the opportunity for large numbers of jobs to be created in an area of London that currently has high unemployment. I want to put on record my hope that the City of London corporation does not oppose the light railway to the point where it becomes impossible to develop. Such a development will be to the benefit of the people in that area, in terms not only of employment but of transport.

I believe that the public transport services in this country are not adequate at present but they are improving. Over the past few years, substantial changes have taken place. I welcome them, as I believe that the public generally welcome them, which is why people increasingly use these services.

8.26 pm

Mr. David Marshall (Glasgow, Shettleston): Last year, according to Ministers and supporters, the 1985 Transport Act would lead to lower fares, better services and many more jobs being created. Many Labour Members took a vastly different view. In fairness, at this time, it is still as difficult as ever to state with absolute certainty what the final outcome of the Act will be. However, I believe that some chickens have come home to roost when it comes to jobs.

I accept that in the short term in many areas there will be lower fares and better services, but only in the short term. That situation will not last long. After the initial battles have been fought and won there will be a return to the present fares level, and perhaps even higher fares. Many services will disappear or will be drastically curtailed, and frequencies will be substantially reduced so that the companies will be able to stay in business.

I declare an interest as a sponsored member of the Transport and General Workers' Union. I will confine most of what I say to the Scottish situation, with special emphasis on the Strathclyde region and Glasgow.

Earlier this month my hon. Friends the Member for Glasgow, Garscadden (Mr. Dewar) the shadow Secretary of State for Scotland and for Glasgow, Cathcart (Mr. Maxton) and myself met the directors of Strathclyde passenger transport executive to discuss the transport situation in the region and in the city of Glasgow. It is perfectly clear that tremendous problems confront the PTE as a result of the 1985 Act. Because of this the travelling public of Strathclyde, which has half of Scotland's population, will also face tremendous problems.

Present financial support from Strathclyde regional council for bus services operated by the PTE is about £8 million per annum, yet the 1985 Act requires the newly formed company to be viable year by year and only allows for the company to be funded on one occasion after reconstitution, with approval having to be given by the Secretary of State. Any further loss in any given year could give rise to the company being put into receivership. Presumably if that ever happened it would be swallowed up for a song by some asset-stripping entrepreneur. Even more restrictive is the fact that any proposal to the

[Mr. David Marshall]

Secretary of State showing a predicted loss will be rejected out of hand, and the new company will not be allowed to commence trading.

The tremendous problem facing the PTE as a result of all this is perhaps best illustrated by stating that £1 million represents the average wage of approximately 100 employees or 2 million passengers carried for a 50p fare. If those figures are multiplied by eight, one can see the full horror of the scenario now facing Strathclyde PTE. Given the short amount of time available for the submission of a business plan, the end result has been the submission of a plan that means the closure of two garages—leaving only four garages in Glasgow—and the prospect of 574 redundancies in August and September. That is just for starters in an area that already has unacceptably high unemployment.

A breakdown of those redundancies shows that 113 redundancies will be made in management and administration, 18 among engineering supervisors, 30 among inspectors, 171 among traffic staff, 125 among craftsmen, 84 among manual workers and 33 others. That represents a reduction in the number of employees from 3,247 to 2,673. Thus, 574 jobs are being thrown down the drain for no good reason. Where are most of those good people going to find jobs, particularly in Scotland? There is nowhere for them to go and there are no jobs for them to find. They have just been thrown on the scrapheap.

One of the most objectionable aspects of the Act is that Strathclyde PTE and the other municipal operators in Scotland — in Grampian, Lothian and Tayside — are apparently being set up with a substantial compulsory form of debt, in order to prevent unfair competition with small operators. But as far as I am aware no such strictures are being imposed on the Scottish Bus Group. Yet compared with it, the PTE and others are very small. The PTE will operate about 560 peak-hour buses as against about 3,000 operated by the Scottish Bus Group. The bus group is really 11 separate companies, yet it is collectively one operator as far as competitive legislation is concerned. It will be able to have common ticketing, co-ordinated fares and other things that other companies will not be able to have. In addition, it has the tremendous advantage of having built up very substantial resources over the years, which it will be able to use to wage a low fares policy in an attempt to eliminate or take over its competitors' services.

It is significant that the National Bus Company in England has not been given similar advantages, as far as I am aware, over its competitors. Why has the Scottish Bus Group been treated so favourably compared with every other operator in Scotland and England? The intention is simple. It is that the bus group should be able to gobble up as much as it can of Scotland's bus services. In a year or two it will then be privatised and sold off by the Government.

Another nauseous aspect of the Act is its affect on employees, and in particular on their pensions. It is true, as Ministers said at the time, that existing employees may have their pensions protected. For example, Strathclyde PTE has made an application for admission to the local government superannuation scheme. But the business plan that has been prepared and submitted states that the preferred option for new employees is for a new superannuation scheme, which is extremely unlikely to be capable of providing similar benefits. What a way to treat workers who will be doing the same job of work side by side, but who will be subject to two different types of pension scheme.

In order to remain in business, many companies will be tempted to pay lower wages and to attack bus workers' wages and conditions. The Act could well have been devised to facilitate greater exploitation of workers by their employers. Perhaps that was the motive for it.

I understand that 75 per cent. of existing services in Scotland have been registered and that the Scottish Bus Group has registered 81 per cent. of its services.

That is an indication of how it intends to operate. But in the Highland region only 20 per cent. of existing services have been registered. How does the Minister explain that away? How will Highland region be able to subsidise the tendered services necessary to maintain a semblance of its existing services?

Mr. David Mitchell: Where has the money been coming from to provide services on loss-making routes in that area?

Mr. Marshall: I assume that the local authority has taken a positive decision to subsidise socially desirable and essential services. There is nothing wrong with that. It is both acceptable and desirable. But it will be impossible to do that to anything like the same extent in future, because the money will not be available.

I do not know whether my next observation will prove true of other cities, but as a result of the Act, there will be utter chaos in Glasgow city centre. Is the Minister aware that in peak hours the number of buses using Argyll street, one of the busiest in Glasgow, will increase from 100 to 168 per hour? In Union street, the number will increase from 120 to 295 per hour, and in Hope street it will increase from 180 to a massive 309 per hour. That is only for the services that are already registered. As those three streets link up in the centre of the city, hon. Members can imagine the traffic jams that there will be. The city centre will come to a standstill. Timetables will mean nothing and utter chaos will result. The city will not be able to cope.

The sad thing is that there will be no overall benefit to the bus operators, because there just are not enough passengers to fill those buses, or even to half-fill them. Many of the people will not be prepared to sit and wait for the amount of time that it will take to make even a short journey. It just will not work.

There is great cause for concern about the position of British Rail in Strathclyde. It cannot plan ahead or estimate what effect bus deregulation will have on its income. A catastrophic drop in income, which could happen almost overnight, would mean many hundreds of extra redundancies. As Robbie Burns, the Scottish bard, once said:

"Forward tho' I cannae see,
I dread and fear."

That admirably sums up the public transport situation.

What is the Minister's assessment of the Act's effect on ferry services? He has now had enough time to assess the position. I can foresee many of the services that at present feed into the ferry services no longer operating. If the ferries become non-viable, will they be withdrawn, and will the islands be left with much more restricted services?

Deregulation day may be 26 October, but 26 January 1987 is an even more important day. We will then see just how many registered services are withdrawn after the initial three-month registration period. We will then see the full extent of the crisis in our public transport services as a result of the Act. As I have said, some chickens have already come home to roost. Thousands of jobs have been sacrificed on the altar of Tory party ideology. In the long term, no great benefit will accrue to the travelling public, although there may be short-term benefits. Yet again, the victims will be the most needy members of our society: the unemployed, the elderly, the young, the handicapped, the disabled, the non-drivers and the non-car owners. The Act must be committed to the wastebin by the next Labour Government.

8.37 pm

Mr. Martin M. Brandon-Bravo (Nottingham, South): One becomes accustomed to the hyperbole of motions, but I must comment on two aspects of today's motion. I could not help but smile at the reference to the abolition of the metropolitan councils. The Labour party has a cheek to insert that into the motion, as I believe that it is now in favour of their abolition and has no intention of reversing the clock. But I was also surprised to read of the

"proven success of Labour transport policy".

For most of the years between 1964 and 1979, a Labour Government had full responsibility, and the Opposition now have no right to lecture this Government on the problems of public transport.

I wish to comment first on investment in road construction; secondly, on the disturbance from noise, vibration and other environmental disadvantages as a direct result of decisions taken by transport Ministers and, thirdly, on the impact of bus deregulation. I welcome the current substantial programme of road building and maintenance. It has been unfairly and unjustly underplayed and unsung. It deserves all the praise that the House can give it.

At the risk of being marginally parochial, I should like to comment on the current ministerial plans for the M42. Although this route may be primarily concerned with commercial transport, it has a direct impact on the motion because of the volume of public transport using the motorway. I understand that that motorway plans to deal with traffic flowing from the west midlands to the east and east coast ports. The perceived wisdom is that the M42 should join the M1 at exit 24. If one steps back a few paces and looks at the map of Britain, one sees clearly that there is no justification for that decision. If the traffic flows from the west midlands to the east coast ports on the Humber, it does not matter whether it joins the M1 at exits 23, 26 or even 27—the traffic would be moving north up the M1 and then to the Humberside ports. Traffic flowing to the growing ports on the East Anglian coast would wish to use exit 23 or lower exits because it would be travelling south of my home city of Nottingham. I hope that my hon. Friend the Minister will look again at his plans for the M42 and exit 24.

Let us assume that the proposal is cast in tablets of stone and that the link will be at exit 24. I ask my hon. Friend the Minister to consider on commercial and public transport grounds the six-mile stretch from junction 24 to the Nottingham boundary. That single track, six-mile stretch passes the largest solid fuel power station in Europe, and horrendous accidents occur on it. If there is to be a dual carriageway, I plead for dualling from junction 24 to the city boundary.

Whether or not my hon. Friend duals that six-mile stretch, he is committed to a major trunk road improvement on the A453 just outside and within the Nottingham city boundaries. The decision affects the public transport provision. If the improvements on the A453 result in a dual carriageway through or around the large estate of Clifton, it will have an impact on what is almost a small town, because 30,000 people live in the Clifton-Wilford-Silverdale area of Nottingham.

I thank my hon. Friend the Minister for the extra time he has allowed to consider the matter and to look carefully at the competing alternatives. I thank him also for acknowledging clearly from day one the need for a public inquiry. I ask him to assure those 30,000 people that the inquiry will be open and conducted without prejudice.

We cannot separate the disturbance caused by commercial traffic and heavy public transport traffic in Greater Nottingham with an urban population of 550,000. I understand the problems—they concern the statute of limitations, or whatever the phrase is—caused by roads being built before a certain date when the affected population receives no help. It is clear that, if new improvements, widening or reconstruction affect people living nearby, they have redress in law to obtain sound-proofing and the like.

What is the position of people who live near a main road that carries much commercial and public transport traffic? What happens if that road existed before the Act provided protection? I draw the attention of the House to decisions made some miles away by Ministers of Transport which have a direct bearing on the environment and against which people have no protection. I draw attention to another parochial case concerning the Silverdale and Wilford estates in my constituency through which a dual carriageway passes. Only a few years ago, a decision was made to build a bypass loop road to the east of the city deliberately to bring large volumes of traffic on to the dual carriageway. The homes of people on the estates shake, even on Sunday morning, yet they are told that they have no protection in law because the road existed before the bypass. The bypass is five miles away and they therefore receive no compensation. I urge my hon. Friend the Minister to consider this matter again.

I turn to the main part of the debate—the impact of deregulation. Reference has already been made to deregulation of motorway coaches, and I should like to refer to buses. My right hon. Friend the Secretary of State pointed out, rightly, that it would appear from initial registration that we are dealing with 75 per cent. commercially viable, free, stand-alone, unsubsidised public transport services. I am delighted, because that 75 per cent. is better than we had hoped. In Nottingham, despite the horror stories and scare tactics which hon. Members on both sides of the House have noted month after month, 97 per cent. of existing services have been registered by Nottingham City Transport plc—so much for the so-called decimation of public transport under the legislation.

Mr. Richard Caborn (Sheffield, Central): Now let us see it work.

Mr. Brandon-Bravo: Nottingham will make it work. In addition to the 97 per cent. registered by Nottingham

[Mr. Brandon-Bravo]

City Transport plc, one of the subsidiaries of the National Bus Company, Trent, has said that it, too, will take the opportunity to provide services into the city. The previous regulations did not allow it to do so.

I again thank my hon. Friend the Minister for his treatment of concessionary fares. We have all heard the scare stories. My postbag is full of letters from elderly people who are terrified about what will happen when the legislation "stops" them from being given concessionary fares. It is clear that the concessionary fares scheme in Greater Nottingham will remain. Because other operators will be involved, the scheme will be even better. Unfortunately, that will be quickly forgotten. It is up to Conservative Members constantly to remind people of the shameful way in which the Opposition use every possible device — no matter how much anguish it causes the elderly—to peddle abuses.

It is true that we have heard of loss of jobs. On paper —I say on paper — our undertaking will employ 100 fewer people than before. I stress that that is on paper because the staffing levels were something in excess of 1,100 persons. Of that so-called loss of 100 it transpires that 40 were unfilled vacancies and of the other 60, half have already been absorbed and the city will take the others, if necessary, into other jobs within the city council's employment. There is not the slightest risk of anybody being made redundant or the slightest difficulty in ensuring that everybody is employed. The 100 people that the new plc will not employ will mean lower costs.

On the matter of socially desirable routes, it sounds as if there is only 3 per cent. to subsidise. To be fair, some of the 97 per cent. of registered routes may have a lower frequency. *[Interruption.]* I do not wish to mislead the House and the hon. Member for Sheffield, Central (Mr. Caborn) should not be so juvenile. Within the existing budget of a city as large as Nottingham was £750,000 of blanket subsidy from the rates. All that will happen now is that that £750,000 will be used by careful, well targeted and specially allocated subsidies to tendered socially desirable routes. The hon. Member for Sunderland, North (Mr. Clay) laughs. I challenge him to question me because that is the truth.

The scare campaigns go on. The citizens in our area were told that the wicked Transport Bill would cost the poor ratepayer £2·6 million extra on the rates. The Minister already has the details. Every single item on the list is phoney, because it is there already. Whether that Bill had become law or not the expenditure would have been part of the city's expenses on such things as pensions, administration, concessionary fares, debt charges, holiday pay, children's fares, concessions to the blind and disabled and so on. Every one of those items was a legitimate charge before the Bill and it is a perfectly legitimate charge afterwards. Nothing has changed. That is the way the scare stories go on.

I hope that when the population look at the way in which the Transport Act 1985 will work out, certainly in my area, they will realise what a con game was carried out by the Labour county council and the Labour city council and will realise that the Act is good for them because it puts the customer first, not the local authority.

8.52 pm

Mr. Sydney Bidwell (Ealing, Southall): The hon. Member for Nottingham, South (Mr. Brandon-Bravo) and the Secretary of State have alluded to what they claim to be a fictitious agitation and fear for the retention of free off-peak transport for old people in London and concessionary fares elsewhere. It was a legitimate fear. In fact, it was the most powerful lobby that London Members have experienced.

For a long time, no assurances were given that the Government would seek to persuade local authorities to retain those concessions. If they were retained, it was as a result of a great deal of agitation and lobbying, mainly from the Labour movement and the Labour party. Those are the facts and most old people understand that in London and elsewhere. Therefore, the indignation we have heard is artificial.

I bring to the debate a background, many years ago, as a railway worker. I am now sponsored by the Transport and General Workers Union and am currently the chairman of the TGWU group in Parliament, which is 31-strong. I speak with some authority on the feeling of the organised workers in the bus industry, other sectors of the transport industry and members of the TGWU. We organise over 90 per cent. of road traffic workers in public transport.

I agree with the hon. Member for Nottingham, South about motorways and other major highways and about the safety of the transport sector which intertwines with the management and Government policies towards the nation's transport. Road haulage workers in the TGWU are responsible for the bulk of freight carried by road. They work by day and night. Their alertness at all times is vital to road safety, including passenger road safety. That is why the House must look with deep sympathy at their worry about the weakening of rest period provisions, which, although customary in the United Kingdom, are threatened from September by EEC regulations. Perhaps the Minister will mention that worry.

The hon. Member for Isle of Wight (Mr. Ross) basically agrees with the Opposition's motion. He has agreed with members of the Select Committee on Transport on most of our criticisms of the Government's approach to transport, especially with regard to the Transport Act 1985, which has been freely alluded to in the debate. I understand that he cannot support us because he would have to bless Labour party policy. I imagine that is why he is prevented from joining us in the Lobby tonight.

However, most of what the hon. Gentleman had to say underscores the agreement of the bulk of the members of the Select Committee. I say "the bulk", because the hon. Member for Birmingham, Northfield (Mr. King), who is sitting on the Conservative Benches, did not agree with the majority of us on that Committee. Nonetheless, some of his hon. Friends and one Liberal Member joined us to spray considerable doubt and criticism on the Transport Act 1985. In fact, the Select Committee's painstaking report gave a great deal of ammunition to our spokesmen on the Bill. The report was authoritative and based on experience.

Both the Opposition motions tonight disown the free-for-all basis of the Government's doctrinaire policies on transport. Years of experience, argument and discussion called for integration and co-ordination of all forms of

movement on wheels and in the air. In other words, there is a call for planning. Although "no real co-ordination" is the Minister's watchword, the reverse is called for by so many transport experts. That claim is supported by common sense and history.

Some hon. Members, unfortunately not too many, will remember the pirate buses that operated in London. Experiences of that sub-standard system led to the creation of London Transport. Transport which puts people first requires public control for public purposes. That is the firm belief of the Transport and General Workers Union. It would be hard to find a member of that union with great experience of these matters who would come close to the Government's position on transport, although some must have voted for the Conservatives at the last general election. However, they must have been convinced by the Government acting under false pretences, but they would never dream of doing that now, when they consider the future for public transport.

The full impact of the Government's policies on bus deregulation has yet to be felt, but the changes in subsidy are causing sharp increases in fares. I entirely agree with my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) who was a fellow member of the Select Committee. He takes the same view as I, that although the initial impact of deregulation, privatisation or the innovative services, may produce extra public services, in the long run they will not work. In the long run, they do not reduce car traffic, they will cause congestion.

That is the simple logic of demand, needs and prices. The terraced streets of our major cities are being choked with cars, large and small. Ambulance and fire services cannot carry out their duties quickly. The congested roads mean more late arrivals at work, unpunctuality and less transport efficiency. Congestion wastes fuel and causes more wear and tear on those who require transport in their daily lives, especially those who work all hours of the night and day.

Since I have had the honour of being sponsored by the TGWU, I have been proud to specialise in matters concerning road passenger industry workers. The bus and coach workers who are an important group, are very worried about pay, reasonable hours, and their pensions. Those matters have not been settled in the National Bus Company.

I have already alluded to the massive redundancies that face those workers. They are worried about retaining their hard-won rights and they wish to be treated like decent human beings. They may not be so treated if the scale of privatisation envisaged by the Secretary of State goes ahead. The workers are worried about bus services, deregulation and the lowering of standards.

I have been told today that it is important to consider the standard of the vehicles which will be used by the privatised companies. Those vehicles must be up to the mark to gain the necessary licence and the traffic commissioners' blessing. We must look carefully at the conditions in which some of these vehicles are kept. I ask the Secretary of State carefully to consider the way in which many of these privatised vehicles will be kept. That will have a bearing on the overheads of private enterprises which are in competition with public ownership, as the public sector must, under the existing regulations, ensure that vehicles are kept in decent garages and are properly maintained.

It is too early to judge the results of innovations. That was apparent when we visited the Worcester-Hereford trial area. Conservative Members should consult the leader of the Hereford Tory group on the Conservative-controlled Hereford county council to discover what the council thinks after its experience of bus deregulation. The Opposition have ventilated those points sufficiently in a previous debate.

The Select Committee on Transport revealed wider opposition to the full aspects of the Transport Act 1985. With their fetish for privatisation, the Government have done nothing so far—not all Tory Members support that view, but it is certainly the belief of the guru who holds the office of Secretary of State for Transport—to allay the fears of transport workers. As the Opposition said, the Secretary of State has helped to bring about the defeat of the Tories at the coming municipal elections and at the next general election. The Labour party will provide transport for people and not simply for private profit. We believe that the latter weakens the trade union movement and the conditions of organised transport workers. Transport will be an issue at the general election as it has not been before to any profound degree. The issue will help us win a Labour victory, sanity for the people and justice for the transport workers.

9.5 pm

Mr. Roger King (Birmingham, Northfield): The motion says:

"That this House strongly condemns the Government for the crisis in public transport which is the direct result of de-regulation of bus services".

However, total deregulation has not yet occurred. One cannot but think that the Opposition are trying to strike while there is much indecision and concern about the future prospects of public transport because after deregulation, when it is seen that all the fears were unfounded, it will be too late to present such a motion to the House.

As we have heard, the Select Committee on Transport, of which I am a member, visited Hereford among other places to see the experiment of deregulation. Many lessons were learnt there, some good and some bad. One thing that we learnt was that people in that area were for once in their lives being treated as customers rather than as passengers. We saw what a difference that made to them and what elation there was. At long last they were wanted by the bus undertakings that were providing the service. It was a miracle.

I shall never forget what was said by one Hereford lady. I think that she was a Liberal. Tut-tutting away, she said, "It really is a disgrace. The centre of Hereford is full of buses these days. We shall have to move the parking meters to make room for them." A Liberal—a person who I would have thought would be strongly in favour of a public transport system—was criticising the fact that car-parking space would have to be lost to accommodate the expanded bus service.

Deregulation will cause some problems as experiments in the new way of providing passenger transport in our conurbations develop. However, I am convinced that the formula is correct both for our cities and for our rural areas. My hon. Friends have mentioned a number of successful experiments. Another one is taking place in Luton — well away from my constituency. It was described recently in *The Sunday Times* in an article

[Mr. Roger King]

entitled "Fast lane for buses". It highlights a gentleman by the name of Bob Dudley, who runs a small minibus undertaking in that area. He is now making about £1,000 a week

"from six smart blue and white vehicles."

Mr. Dudley started his deregulated service earlier than most. According to the article:

"Dudley is convinced that the change will bring more jobs to the bus industry. 'There is so much opportunity here and in other towns that for any coach operator to say that unemployment will result is a load of nonsense. An improved service will lead to more people using buses and more jobs.'

This is happening in Luton. Dudley's six minibuses run every five or six minutes between the town centre and estates for a flat 20p fare (10p for children and pensioners) against the 45p municipal fare."

The result is not surprising:

"In two years the number of full-time drivers has increased from two to five, with four to five part-timers as back-up."

Mr. Dudley says that if he could raise £100,000 capital he could operate another 20 buses profitably in the Luton area.

Private operators are already successfully in the field in Exeter, the Isle of Wight, Worcester, Shrewsbury, and other places. Some of them are subsidiaries of the National Bus Company. They are proving successful in providing the services that the community requires. They are very different from the old monolothic undertakings with their fixed systems.

Jobs have been provided in the bus industry in other ways. There is the manufacture of buses. Freight Rover in Birmingham is currently the subject of a takeover bid or management buy-out. I rang the management today and found that Freight Rover has 500 minibuses on order. It is working flat out to provide a new product for an expanding market. That is the future.

The motion also discusses the future of the railway industry. The Opposition have criticised the railway for being rundown and neglected. I often wonder whether the Opposition ever bother to read any of the information that is published. *Railnews* is a testament to the achievement of management and unions and their acceptance and understanding of the future for the industry. The paper is full of good news. Line after line deals with expanding services and new products being introduced.

Mr. Flannery: My train was an hour late yesterday.

Mr. King: In 1979, when Labour went out of office, the Cambrian railway system, which runs from Shrewsbury to Machynlleth, Aberystwyth and Pwllheli was down and out. The speed limits were set at walking pace and there was old rolling stock. There was a total air of neglect and closure was threatening. What has happened after seven years of Tory Government?

The line has been expanded and developed—there is new rolling stock, new equipment, new sprinter trains and the reintroduction, for the first time in many years, of a through service from Pwllheli along the old Cambrian coast express. That is one example of a rural railway which has been totally revitalised as a result of the Government's policies of investment and the encouragement of investment in the railways.

It is good news all the way. Journey times from Lincolnshire, Peterborough, Cambridgeshire, the east and west midlands and north Wales will be as much as 20 minutes quicker as a result of new rolling stock. There has been an improvement of 40 minutes in the journey time of one Cambrian coast line train. There are new trains to Nottingham and Sheffield, and there will be a two-hourly sprinter service. Thanks to the Government's support, help is on the way for the hon. Member for Sheffield, Hillsborough (Mr. Flannery). The hon. Gentleman's train may have been late today, but, starting soon, it will be on time thanks to the investment that the Government are bringing to the railways.

The policy of the Government is simple — the passenger is no longer just the passenger, but has become the customer. He has the freedom of choice to decide how he will travel. The customer will dictate the level of services and where those services go. The response from the railway and the bus industries—sometimes lethargic — is that they have awakened to the fact that competition means a revitalised industry and many new opportunities. Management buy-outs are thrusting their way forward to obtain the bus industry from its present management. That augurs well for the future of public transport in this country.

9.12 pm

Mr. Bob Clay (Sunderland, North): I served on the Standing Committee which dealt with the Transport Act 1985. I have had some difficulty in trying to work out how the Government will answer for the rubbish that was discussed in Committee, given the reality of the situation.

I have found this evening's debate staggering, although I must confess that the Government have been ingenious. There have been few times when Government predictions have become so unstuck so quickly, yet they talk as though nothing had happened.

I do not think that *The Economist* is a Marxist journal or even a Labour party journal. Last week's edition discussed deregulation and, in contrast to this evening's speeches, it said:

"Unavoidably, there will be some muddle on the roads. That's competition. Some unprofitable services will end. That's Government policy. But already there is avoidable muddle in preparing for deregulation, and more services may collapse than even the Government intends. That's Whitehall."

That contrasts strongly with the nonsense and the pure mythology which we have heard from the Government this evening.

I make no apology for speaking for my own area because I think that the Tyne and Wear transport system is a system of which not everyone in Tyne and Wear can be proud, but the Labour party and the Labour movement can be proud. In my area fares have increased by 20 per cent.—a 20 per cent. increase on a low fare policy. Yet the Government claim that they are bringing in policies to reduce fares. There have been hundreds of redundancies and the misery and confusion of deregulation. Mr. Martin Ballinger, the general manager of Northern General Transport, who is not a great friend of the Labour party so far as I am aware, said recently in public that from the point of view of bus management, deregulation is like playing darts in the dark.

It is disgraceful that tonight the Secretary of State and many of his supporters have tried to give the impression that on average 75 per cent. of all existing services have been registered commercially. That is not so. It is possible that 75 per cent. of the routes have been registered. I shall pass on with interest and malicious pleasure to the people living on estates in my constituency and to other people

living on estates in the Sunderland and Tyne and Wear area, who do not have the benefit of any registered bus services and who have enjoyed until now a bus frequency of up to eight buses an hour, the fact that the Secretary of State has said that 75 per cent. of the services have been registered commercially. Their services have not been registered commercially. No buses have been running on a Sunday, or on weekdays after 7 o'clock at night.

In some cases the existing route has been registered, but where there used to be a bus every 10, seven, or even three minutes an hour on some of the busiest corridors, only two or, at the very most, four buses an hour are now running. That has to be contrasted with the nonsense that we have heard from Conservative Members about minibuses. If the orders from one of the major manufacturers of minibuses in this country have increased by only 500 as a result of the Government's policies, Conservative Members ought to be worried. They have no conception of the number of vehicles that are required to carry public transport passengers in urban areas that enjoy good public transport policies.

Mr. Caborn: I served on the Standing Committee with my hon. Friend the Member for Sunderland, North (Mr. Clay). Does he realise that, since we served on that Committee, the Secretary of State has taken a great delight in ripping the centre out of the South Yorkshire passenger transport authority, that since 1 April fares have increased between 250 and 300 per cent., that use of the buses has fallen by 35 per cent. and that this has had a profound effect upon the community in south Yorkshire? We have been told by the committee that is running the transport service that the works services are not being registered. The price increase now being paid by each family is between £7 and £10 a week. That throws into disarray the argument that the Secretary of State lodged against the South Yorkshire passenger transport authority.

Mr. Clay: I agree with my hon. Friend. I was a great admirer of the south Yorkshire system. As a bus worker I watched the success of that system and argued successfully for the introduction of a similar system in my area. It breaks my heart to hear those figures about south Yorkshire. It also breaks my heart that although in my area, which enjoyed the second lowest fares in the country after south Yorkshire, the overall fare increase so far has been only—I say "only" because of the comparison with south Yorkshire — 20 per cent., the 5p flat fare for children has already been doubled from 5p to 10p. Conservative Members may say, "What is a 5p increase?" If a family with two children makes one return journey a day for five days a week, that fare increase alone will cost the family £2 more each week. That is before taking into account the increase in adult fares.

My hon. Friend the Member for Sunderland, North referred to the fact that no works journeys have been registered in south Yorkshire. That also applies to the Sunderland area of Tyne and Wear. Nobody has registered the existing works journeys that carry people to and from the shipyards, the pits and Rolls-Royce. They will not be registered because they are not regarded as commercially viable.

It is a myth to say that 75 per cent. of the existing services have been registered. The bus mileage will be way below the previous figure. It is not the people who see public transport as a profit-making operation, but the people who depend on it in the evenings, on Sundays, very early in the morning, when it is the only way that they can get to work, who will suffer as a result of this—unless, of course, the passenger transport authority can put more money into providing a massive range of subsidies because it cannot have the cross-subsidy that it has depended on until now.

Mr. Caborn: Will my hon. Friend give way?

Mrs. Kellett-Bowman: Not again.

Mr. Caborn: Have you finished?

Mrs. Kellett-Bowman: There are other hon. Members who want to speak.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. Hon. Members should address the Chair.

Mr. Caborn: Does my hon. Friend know that in south Yorkshire where 64 per cent. of the routes have been registered, only 31·6 per cent. of the total registered mileage is included in that 64 per cent? I think that underlines the point that has been made.

Mr. Clay: That is one of the most revealing statistics that has been given tonight, and it gives the lie to the empty propaganda that we have heard from the Government Benches.

Mr. Flannery: Sheer lies.

Mr. Clay: My hon. Friend, from a sedentary position, has used an unparliamentary expression which I would be extremely tempted to use myself, but I want to move on.

It is hypocritical of the Government to make the point that even those parts of the services that are not registered —they claim that it is only 25 per cent., but we argue that it is more — can be subsidised by the local authority.

Tyne and Wear has had a 17 per cent. increase in its precept for public transport. That is very interesting given that the Government argued—this is another matter that we have been debating tonight—that the abolition of the metropolitan counties would save rates. We have a situation in which the passenger transport authority in my own area has already had to increase its precept for public transport by 17 per cent., despite the fact that the abolished county council had held the overall precept, including that for public transport, steady for two years. That precept will have to be increased even more in the future when the full reality of what will need to be subsidised dawns on people later this year.

The whole theme of what we have heard from the Government tonight has been minibuses, and this sums up the argument. I ask myself what this country would look like—it is laughable if one thinks about it—if we were seriously to consider running public transport systems on the basis of minibuses. I have nothing against minibuses. I wrote a pamphlet with some mild criticisms of my own much admired and respected PTE some years ago suggesting that it might buy a few minibuses. I wish that it had, and no doubt it now will.

It was not the Government who thought up minibuses; they came in long before the Act. Minibuses are very good for an estate which has not a large number of people using public transport, and in rural areas in some cases, but the idea that the cities of this country — London, Birmingham, Manchester, Newcastle, Sunderland,

[Mr. Clay]

Edinburgh, Glasgow — can have a public transport system in which minibuses play anything more than a very peripheral part is an absolute absurdity.

The tragedy is that, because of the abolition of the metropolitan counties, the withdrawal of subsidy, deregulation, the chaos that is being created, the demoralisation, and the way passengers are being driven away from public transport, in those areas such as Tyne and Wear and south Yorkshire, where ridership had gone up, we may end with third or fourth-rate public transport systems in which the Government have achieved their objective and the only public transport is minibuses because hardly anybody else is in a position to provide or use public transport. That seems to me to be the final irony of the Government's obsession with minibuses.

It is a mini-policy for public transport and I hope that my hon. Friends will not only support the Opposition motion tonight but be determined to carry out its sentiments and rebuild, when we have a Labour Government, on the lines of the inspiring example of areas such as Tyne and Wear and south Yorkshire.

9.25 pm

Mr. Tom Sackville (Bolton, West): I should like to speak about Greater Manchester, of which my constituency forms a part. There has been a spate of inaccurate information aimed at scaring the public, especially the elderly, about cuts in bus routes. It is a malicious campaign and those responsible for it should be ashamed of themselves. My local newspaper, the Bolton *Evening News*, said on 9 April under the headline:

"Going, going, gone!

More than one tenth of the bus services now running in Greater Manchester will disappear on Oct 25".

The paper tells us that out of 600 routes now operating, 439 have been registered, and on the same page there is a quote from an executive of the PTA who says:

"100 communities . . . stand to lose all public transport".

When we look to see how those figures are arrived at, it becomes clear that there is a suggestion that because a service has not been registered the people in the area will lose public transport. That is a mischievously inaccurate suggestion that is designed purely to scare the most vulnerable members of the public.

It is said in slightly more rational statements by Labour politicians that a subsidy of £15·5 million is available for the remaining routes, and that even with an 11 per cent. increase in fares there will be an £8 million shortfall. We are told that only by cutting 10 per cent. of the routes can that shortfall be made up. We are asked to believe that no possible savings can be made in operating costs. That is plainly nonsense.

Greater Manchester PTE bus unit costs are some 25 per cent. higher than average bus costs in other metropolitan areas. The assumption by the Opposition and apparently by officers of the PTE is that, in spite of this clear evidence of extravagant and wasteful management, there is no scope for major savings. Clearly, savings are possible in labour costs. There are absurd and unnecessary overtime agreements in some depots, and savings can be made in servicing and in repairs and maintenance. During the debate we heard how immense savings have been made by London Regional Transport with only a minuscule reduction in passenger mileage. Is it seriously suggested that it is not possible to make savings in Greater Manchester transport?

To make up the alleged £8 million shortfall would require only a 5 per cent reduction in costs. This does not even take into account the operating surpluses on many of the routes already registered to be operated by Greater Manchester buses. Is there a business in Britain that cannot make a 5 per cent. saving on costs? In the last few years, British industry has found cost savings of 10, 20 or 30 per cent., yet in the case of a top-heavy municipal transport undertaking we are asked to believe that it cannot even find 5 per cent.

Why have local politicians, especially the hon. Member for Wigan (Mr. Stott) bought this claptrap from the officers of the PTE? It is because in most municipal enterprises, the political masters have no commercial experience. When the politicians are told by managers who do not want to upset their own comfortable existence that they are running a lean and efficient operation and can make no savings, they do not have the ability or the will to disagree with them, even though the absurdity of the argument is staring them in the face. What do they do? They give up before they even start and resort to playing politics in the press, scaring local people, especially the elderly and the less well off, about withdrawals, first, of concessionary fares—which turned out to be nonsense—and now about necessary services.

I am not saying that there will be no withdrawal of services in Greater Manchester. The Greater Manchester PTE has not been particularly successful in the past in matching services to demand and it may well be that services which should have been reduced in the past now will be. But there is no reason why any socially necessary routes should be cut. If they are, it is thanks to the failure of locally elected members and local management to do their job, to come up to date and to provide an efficient transport enterprise for the bus users of Greater Manchester.

9.29 pm

Mr. Robert Hughes (Aberdeen, North): This has been a debate with two halves. Conservative Members have loyally supported the Minister although here and there an occasional apprehension of what might happen has crept through even some of their laudatory speeches. On the other hand, my hon. Friends have spoken with deep feeling about the realities of the situation, as they are advised, not by politicians, as the hon. Member for Bolton, West (Mr. Sackville) said, but by professionals with years of experience in running municipal transport. The facts have been given to us by those who know the business. An American once said to me: "You are entitled to your own opinions but you are not entitled to your own facts." The facts of the matter are quite clear.

The Department of Transport has been one of the most prolific, if not the most prolific, in begetting of legislation. Since the Government came to power, 33 Acts of Parliament have been put on the statute book by the Department of Transport, 16 of which have a direct effect on public transport. Ministers from the Department of Transport are the perpetual stars of the television programme, "It will be all right on the night", that famous programme of goofy clips. Here we are, 33 takes later, and their performance is getting worse not better.

The Government's response to the Opposition's motion is curious because it begins, "Leave out from 'House'". But if one reads the Government's amendment one finds that they have reinstated many of the words in the original motion. They have reinstated the words:

"which are based upon choice, freedom and fairness to improve the quality of life for the whole community and particularly for those who depend entirely upon public transport."

In other words, the Government are wholly converted to Labout party policies and have adopted them as their own. The Emperor of Marsham street is now fully clothed. One hopes that he will now venture out into the cold real world of transport which he has created, and perhaps look at his transport legislation, repeal it and make a fresh beginning.

My hon. Friend the Member for Wigan (Mr. Stott) spent most of his speech discussing bus passenger transport, and I want to spend a few minutes on British Rail, not least because some challenges have been made about investment figures. The Government have boasted about their investment in British Rail. The Minister said that the Government have given British Rail all the cash it wanted. Indeed, they have boasted again tonight about their investment programme.

The Minister challenged me to find the figures to prove otherwise. I always like to respond to a challenge but when I do so I like to look at the facts. I do not want to quote facts from any Labour party handouts but from the Secretary of State himself. I am sure that he will accept the accuracy of those figures. In 1984 he replied to a question from my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) about investment in British Rail, giving figures for each year since 1979 at 1983 prices — in other words, at constant prices, giving a true comparison, like for like. He said that total investment in British Rail in 1979 was £539 million; in 1980 it was £525 million; in 1981 £451 million, and in 1982 £345 million. Certainly 1983 was projected at £380 million. Where has the great increase in investment come from? Those figures show a continual decline in the four years since the Government took office. Those are the facts. They are the Secretary of State's own figures which he cannot challenge, unless he has been lying in *Hansard*, and, of course, he would not do that, Mr. Deputy Speaker.

Moreover, figures in British Rail's latest corporate plan show, again at constant prices, that when the Government came to office in 1979 there was a large reduction in investment in British Rail from 1979 until 1982. It is true that investment is due to rise for the next few years, but the fact is that averaged over the period between 1979 and 1986 during this Government's period of office, average investment in British Rail has been lower than the amount invested in British Rail by the Labour Government between 1974 and 1979. Indeed, investment averaged out at a lower rate during the Labour Government's period. Actually, investment went up and remained relatively stable until we left office. There is the true comparison, like with like. The Secretary of State has been seeking to give misleading figures.

From 1985-86, a bit of upturn is projected. That is supposed to peak in 1987-88, and to fall again between 1990 and 1991 to below the figure which the Labour Government achieved between 1974 and 1979.

Far from my hon. Friend from Wigan passing me a poisoned chalice, what he has passed me, being a good rugby man, is the ball, so that I can score a try.

If we go further into these investments, what we have to look at as well, is what British Rail in 1981 projected as its investment programme after the Government announced that there was to be a 25 per cent. reduction in support for British Rail.

The 1981 projection for 1983 was £495 million. The 1983 projection for the same year was £279 million. The 1984 projection was £525 million, as compared to £357 million. For 1985, it was supposed to be £535 million. It was reduced to £430 million. In 1986 British Rail said that it wanted £564 million, and under the 1981 projection, the 1983 projection was £406 million. In 1987 it was supposed to be £573 million. The 1983 projection was £400 million. In 1988 it projected that in 1981 it would want £565 million. In 1983, the revised projection was £350 million. In every one of these cases the projection was substantially lower than the projection in 1981.

That is the true measure of how British Rail has had to respond to Government cuts in investment plans. We spend only 0·32 per cent. of GNP as compared with other railway countries, such as Austria, Belgium, France, Italy, Holland, Switzerland and West Germany, which spend 0·76 per cent.

If people want to look for mitigating factors, I have no doubt that Ministers would say, "Well, of course, it is all right to reduce these projections, because there would have been a reappraisal of needs. British Rail performance exceeded expectations, and there was no need for investment." I need quote only one document to show the utter fallacy of that excuse. The transport users' consultative committee for the north-east of England, published a document in February 1986 which, in the introduction by Mr. James Towler the chairman, says:

"I derive no satisfaction in reporting a big increase (33 per cent.) in the number of complaints we received regarding British Rail services during 1985; nor in reflecting on the many examples of unimaginative timetabling, incomprehensible fares and poor information relating to trains that were often overcrowded, dirty and late."

It gives me no satisfaction either to quote this sort of thing. The document goes on:

"Sadly, this represents a continuing trend which has accelerated during the last three years and is a matter of great concern. It coincides with a measure of success on the part of British Rail towards meeting their objective of a 25 per cent. cut in the Passenger Service Obligation by 1987. This suggests that rail users are bearing the brunt of economies as British Rail managers strive to meet their cost reduction targets.

My overriding concern is whether British Rail, in its eagerness to achieve financial targets agreed with central Government, can also meet its commitment to provide a reasonable service for its passengers".

So say all of us.

Of course, it is not only the passenger who will have to pay the price. Other people who have paid the price for British Rail are the railwaymen who have lost their jobs because of cuts in the work force. There were 182,000 employed in British Rail in 1979; that is down to 144,000. We have all heard from the Government that the object of the exercise is to slim down the work force so that British Rail can be leaner and fitter. The truth is that the patient is suffering from anorexia.

On the bus passenger side, the Secretary of State answered not a single charge made by my hon. Friend the Member for Wigan. The Secretary of State spoke in blissful ignorance of the facts. He cannot deny that. Sadly, many of my hon. Friends could not speak in the debate, but when they have put down questions asking for information about specific areas, the answer they have got

[Mr. Robert Hughes]

is, "I do not know." The Secretary of State has said that he does not know the facts, yet he has the nerve to give the House today a rosy picture of how everything will turn out.

Hon. Members have described how difficult things will be. The Highland region of Scotland has been quoted. Only 20 per cent. of its services have been registered. The Secretary of State is in blissful ignorance not only of what is happening in the localities but also about what the Secretary of State for the Environment is doing; he has cut the money available to local authorities. They have been rate-capped. They have been savaged by local authority auditors and taken to court.

All the professional advice we have is that services will be cut, fares will increase, and there will be more redundancies. I am told that the National Bus Company is sitting on over 7,000 redundancies, in addition to the 20,000 which have been mentioned by the Secretary of State. Enormous costs will be involved. We have been told that the Secretary of State will bale out new companies which will take over NBC subsidiaries; the Government will subsidise the redundancy payments. It is a disgrace if new companies are to be given such a start.

The Secretary of State may have a point when he says that we cannot know what will happen. That is true, because October is some time away. All the evidence is that the position will be much worse than the Secretary of State has suggested. There is not a large number of new companies coming forward. At night, on Sundays and in the early mornings there will not be services. Where companies were operating in competition with one another to provide hourly services, the services will run within five minutes of each other at peak times, but at off-peak times there will be no buses. Where services previously operating between A and B have gone off the main road into villages to pick up passengers, that will cease; the services will run directly from A to B.

Private bus operators have told me that they believe the competition will be so cut-throat that safety standards will be threatened. They have told me that they would rather go out of business than run on that basis. The Secretary of State has brought forward a cowboys' charter.

In his amendment, the Secretary of State has apparently adopted Labour party policy objectives, but it is a smokescreen for his true philosophy. He expounded that philosophy with great frankness and candour, for which I pay him credit, when he went to the annual dinner of the Bus and Coach Council. Having gone through the different legislative measures, he said to bus operators, "You are now free to operate without the constraints of the social conscience." That means that the elderly, women and children are going to suffer. We know that the Secretary of State has no social conscience. That is why he will be condemned, and that is why the House should support the motion.

9.44 pm

The Minister of State, Department of Transport (Mr. David Mitchell): When the Conservatives introduced choice and competition on the long-distance coach services, the Opposition proclaimed disaster, and, in the transition from the old to the new system, they endlessly prophesied crises. They were wrong, and now everybody can see that they were wrong.

There has been more investment in long-distance coaches, not less. There are more long distance services, not fewer. There are more jobs and more coaches, as my hon. Friend the Member for Kingswood (Mr. Hayward) demonstrated. There are more passengers and there are lower fares. All these benefits have come from choice and from competition.

Mr. Flannery: It is not true.

Mr. Mitchell: The hon. Gentleman may say that it is not true. I shall write to him with the facts and figures so that he can see that what I have said to the House is absolutely accurate.

It is extraordinary that the Opposition have learnt absolutely nothing. They are back on the same proclamations of disaster and the same prophecies of crises as we start to introduce choice and competition for local bus services.

The background to the debate is twofold. First, there is the local election campaign and the Opposition's intended use of today as an opportunity of further misrepresentation and scandalmongering designed to frighten people into believing that they will lose bus services. My hon. Friend the Member for Bolton, West (Mr. Sackville) gave a good example of that from his local newspaper.

I should perhaps remind the House that we are in the middle of transition from the old system of monopoly to a system of choice and competition. The transition involves two separate stages. The first was the registration of the profitable commercial viable routes by 28 February, and they were published on 1 April by the traffic commissioners. What Opposition Members have been doing is pretending that that is the end of the story and that what is registered as a commercial route represents all the services that will be run. They know perfectly well that there is a second phase to transition. This is the phase when substantial sums are made available to the councils and local authorities concerned, and the joint boards, to buy in services on the socially necessary routes that have not been registered, and the people on those routes will have the certitude of a service and a contract with their county council or PTE.

Against that background, I deplore the deliberate misrepresentations of the facts by the hon. Member for Wigan (Mr. Stott). Every Member in the Chamber heard him refer to west Derbyshire. I had to drag out of him the fact that the list of services that he read out with such relish, implying a huge cutback, was only of registered services. The hon. Gentleman ought to be ashamed of himself for behaving in that way. *[Interruption.]* The hon. Gentleman went on to say, "We were beginning to get it right." I suppose that that refers to the chronic decline in bus services, with more subsidies, higher fares, and fewer passengers in recent years.

Mr. Stott: Can the hon. Gentleman tell me where there has been any chronic decline in the PTE areas in the last 12 years? The chronic decline in public transport has been in the rural areas, where Conservative-controlled councils have put no money into public transport.

Mr. Mitchell: I shall be happy to deal with that shortly, because an important point comes out of what the hon. Gentleman has said.

The inefficiencies bred by the monopoly system have meant higher fares in the shire counties, and the bill has been passed on to the ratepayers in the metropolitan counties in a scandalous fashion.

When the hon. Gentleman says, "We were beginning to get it right," I do not think anybody seeing the decline that has taken place—certainly not the 20,000 National Bus Company employees who have lost their jobs in the last decade—would say that the hon. Gentleman was beginning to get it right.

The hon. Gentleman made a rather cheap reference to my alleged failure to answer a parliamentary question. He suggested that I had wilfully withheld information from the House. We could have given the vehicle mile figure from the fuel duty rebate statistics, but that was not the question that I was asked. I was asked for the route miles, which is quite different——

Mr. Stott: No.

Mr. Mitchell: There is a great deal of difference between route miles and the amount of miles run by vehicles on the routes. We do not have the figures for which the hon. Gentleman asked—*[Interruption.]* We do not have them.

The hon. Gentleman claimed that disaster faces the Greater Manchester council area and the PTE in tackling deregulation. Perhaps he knows—but perhaps he does not—that Mr. Hickman, the chairman of the Greater Manchester council transport committee last year told a conference that 90 per cent. of routes needed subsidy—that is, only 10 per cent. were commercial. Now, so great is the improvement in efficiency that has already been wrought by the approach of competition that 56 per cent. of routes have been registered—not 10 per cent., but 56 per cent. Truly the galvanising effect of competition is even greater than I had hoped.

Another example is West Yorkshire, where last year 55 per cent. of routes were in need of subsidy. Now, 70 per cent. of bus mileage has been registered as commercial network. That is not conclusive, but it has meant a remarkable reduction in cost to make those routes competitive.

The hon. Member for Aberdeen, North (Mr. Hughes) referred to investment in British Rail. He made an unintended mistake. He said that he was scoring a try, but he will have to try harder. He quoted the level of investment on the ground, but if he looks at the figures for approval for investment, which is what comes to the Government and some time later appears on the ground as actual investment, he will see a different picture from that which he described.

The real question is how many applications for investment Ministers have turned down. It is for British Rail to propose and for Ministers to dispose. I have turned down only one application from British Rail — for electrification between Royston and Cambridge. In giving the go-ahead to the electrification of the east coast main line, we have given the go-ahead to the largest single electrification investment in British Rail for 25 years. The hon. Gentleman should take that into the score.

The hon. Member for Isle of Wight (Mr. Ross) asked whether the NBC managements would have preference with buy-outs. I am glad of the opportunity to clarify the position. Where bids from employees and third parties are broadly comparable, preference will be given to employee bids. I hope that a large number of them will be successful.

The hon. Gentleman referred to the Tyne and Wear system as an integrated system that would come to an end——

Mr. Stephen Ross: No.

Mr. Mitchell: I may have misunderstood. I shall make the position clear.

The integrated system on Tyne and Wear depends upon the metro and the feeder routes coming into it. If those feeder routes are not provided commercially, they can be provided by the PTE under the tendering system. Either way, the integrity of the system—that is the feeder routes and the metro—can remain intact while people want it. The implication of the hon. Gentleman's remarks is the exceedingly illiberal thought that people should not be allowed to use other services and other means of transport, even if that is what they would prefer.

The hon. Gentleman asked what would happen to Eastleigh, and said that British Rail would need a major works in the South. I have no information to suggest that British Rail does not intend to maintain a major works at Eastleigh. I met a deputation yesterday led by my hon. Friend the Member for Eastleigh (Sir D. Price) and including a large number of people from the works. I undertook to convey some very sensible points that they put to me to the management of British Rail, and a letter doing so will be on its way tomorrow.

The hon. Gentleman asked about the Settle-Carlisle line and tourism. My noble Friend the Secretary of State for Employment has recently been drawing attention to the valuable opportunities for exploiting the railway system as a means of enabling tourists to see the scenic beauty of parts of the country.

Mr. Dalyell *rose——*

Mr. Mitchell: I assure the hon. Gentleman that when we receive the transport users consultative committee's two reports we will consider the hardship matters to which tey draw attention, as well as the wider areas such as tourism and other matters raised in questions in the House yesterday.

My hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) raised important matters affecting roads in that area. I shall ask my hon. Friend the Under-Secretary of State—the hon. Member for Eltham (Mr. Bottomley)—who deals with that matter to write to my hon. Friend. My hon. Friend also referred to terrified elderly people who were led to believe that concessionary fares would disappear. I join him in his condemnation of the way in which the Labour party has used—in the worst sense of the word—elderly people and frightened them into believing that they would lose their concessionary fares. I believe that the Labour party will live to regret its misrepresentation, because there will be a boomerang effect. Many people who have been frightened will know that the Labour party misled them and will not forget that when they cast their votes.

The latest scare campaign in Nottingham involves the suggestion of a huge increase in financial liabilities. In circumstances such as that an accountant is needed as chairman of the transportation committee, and I can only imagine that in Nottingham there is a turf accountant.

The hon. Member for Glasgow, Shettleston (Mr. Marshall) referred to increases in the number of bus services causing congestion in Glasgow. Those services

[Mr. Mitchell]

are registered because operators believe that they can fill the buses, and that will mean fewer cars and less congestion.

Finally, I refer to the central point of the hon. Member for Aberdeen, North. The most extraordinary feature of the debate is the Opposition motion, which refers to Labour's transport policy as being based on choice, freedom and fairness. The Labour party must be joking. I could hardly believe my eyes when I saw that. The fact is that the Labour party has carried out extensive market and survey research to discover what the voters want, and has found that they want choice, freedom and fairness, but which party would produce it?

Let us consider which party's policy gives more choice. The Government's policy is for competing services, but this has often been attacked as wasteful duplication. Many leaflets were distributed showing a queue of buses and people trying to decide which one to catch. Does that or the Labour policy give the better choice? The Labour party supports local monopoly and a regulated system, with one operator on the route. Under that policy there is no choice for the operator or for the passenger. How can the hon. Member for Aberdeen, North say that that is a policy of choice?

Let us consider fairness. Where was the fairness in a system that denied those who paid, either as passengers or ratepayers, the improvement in efficiency that competition brings? Where was the fairness in a system in which the cost falling on ratepayers in the shire counties averaged £5·20 a head? In the metropolitan counties the cost to ratepayers averaged £36·60 a head, and in South Yorkshire it was £60 a head for every man, woman and child in the county. Where was the fairness in a system that imposed so great a burden on the rates in some parts of the country that businesses were scared away, with consequent higher unemployment and an increased burden for everyone?

Mr. Allen Adams (Paisley, North) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 162, Noes 251.

Division No. 152] **[10.00 pm**

AYES

Adams, Allen *(Paisley N)*
Anderson, Donald
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'rmline E)*
Brown, Hugh D. *(Provan)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Cook, Frank *(Stockton North)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Davies, Ronald *(Caerphilly)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Harman, Ms Harriet
Harrison, Rt Hon Walter
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Janner, Hon Greville
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Terence *(Worsley)*
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
McTaggart, Robert
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Park, George
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'ds E)*
Stott, Roger
Strang, Gavin
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Chris Smith and
Mr. John McWilliam

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon

Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Rt Hon Sir Adam
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Colvin, Michael
Conway, Derek
Coombs, Simon
Cope, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord J.
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Galley, Roy
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Gilmour, Rt Hon Sir Ian
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Grylls, Michael
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, C. *(High Peak)*
Hawksley, Warren
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Heseltine, Rt Hon Michael
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
McNair-Wilson, M. *(N'bury)*
McQuarrie, Albert
Major, John
Malone, Gerald
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Merchant, Piers
Miller, Hal *(B'grove)*
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Morrison, Hon C. *(Devizes)*
Moynihan, Hon C.
Neale, Gerrard
Neubert, Michael
Newton, Tony
Norris, Steven
Onslow, Cranley
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powley, John
Proctor, K. Harvey
Pym, Rt Hon Francis
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Ian *(Hertf'dshire N)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tony Durant and
Mr. Archie Hamilton.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments):—*

The House divided: Ayes 226, Noes 17.

Division No. 153] **[10.12 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Benyon, William
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Buck, Sir Antony
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Rt Hon Sir Adam
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Cockeram, Eric
Colvin, Michael
Conway, Derek
Coombs, Simon
Cope, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord J.
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric

Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, C. *(High Peak)*
Hawksley, Warren
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heddle, John
Heseltine, Rt Hon Michael
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
McCurley, Mrs Anna
MacKay, John *(Argyll & Bute)*
McNair-Wilson, M. *(N'bury)*
McQuarrie, Albert
Major, John
Malone, Gerald
Marland, Paul
Marshall, Michael *(Arundel)*
Mather, Carol
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Merchant, Piers
Miller, Hal *(B'grove)*
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Morrison, Hon C. *(Devizes)*
Moynihan, Hon C.
Neale, Gerrard
Neubert, Michael
Newton, Tony
Norris, Steven
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powley, John
Proctor, K. Harvey
Pym, Rt Hon Francis
Raffan, Keith
Raison, Rt Hon Timothy
Renton, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rowe, Andrew
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Ian *(Hertf'dshire N)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wheeler, John
Whitfield, John
Whitney, Raymond
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Tony Durant and
Mr. Francis Maude.

NOES

Alton, David
Beith, A. J.
Campbell-Savours, Dale
Carlile, Alexander *(Montg'y)*
Clay, Robert
Godman, Dr Norman
Hancock, Michael
Howells, Geraint
Kennedy, Charles
Kirkwood, Archy
Lewis, Terence *(Worsley)*
Penhaligon, David
Ross, Stephen *(Isle of Wight)*
Stewart, Rt Hon D. *(W Isles)*
Thomas, Dafydd *(Merioneth)*
Wigley, Dafydd
Wrigglesworth, Ian

Tellers for the Noes:
Mr. Michael Meadowcroft and
Mr. Paddy Ashdown.

Question accordingly agree to.

Mr. Deputy Speaker forthwith declared the main Question, as amended, to be agreed to.

Resolved,

That this House congratulates the Government on its radical approach to the long standing problems of public transport, its determination to obtain value for money and its introduction of policies of competition and deregulation for the benefit of the passenger which are based upon choice, freedom and fairness to improve the quality of life for the whole community and particularly for those who depend entirely upon public transport.

BTR Sarmcol

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boscawen.]*

10.23 pm

Mr. Dave Nellist (Coventry, South-East): This debate arises as a result of representations that I have received from two leading black South African trade unionists who have visited Britain in recent weeks. At a press conference held in the House on 10 April, Moses Mayekiso, the Transvaal organiser of the Metal and Allied Workers' Union, and Jeremiah Zulu, the president of the Transport and General Workers' Union in South Africa, who are both members of the central executive committee of the recently formed Congress of South African Trade Unions, or COSATU, reported to me their federation's concern for the actions of the South African subsidiary of the British-owned BTR Group. Under the code of conduct by which British owned multinationals operate in South Africa they are requested, each year, to declare to the Department of Trade and Industry answers to a number of questions under the EEC code of conduct. For the period ended 30 June 1985 BTR stated under the heading "Progress made in Implementing Policy" the following:

"At BTR Sarmcol, Howick a trade union with majority representation was responsible for collective bargaining on behalf of all waged employees and had negotiated a wage agreement and were negotiating on grievance and disciplinary procedures and a retrenchment procedure. Negotiations broke down and the agreement with the trade unions was discontinued. New negotiating machinery is currently under review."

Those weasel words belie the fact that almost a year ago —on 30 April 1985—1,000 workers who were on a legal strike were sacked by BTR after a 10-year battle for union recognition and a two-year negotiation with the company.

One of the major concerns of COSATU and the Metal and Allied Workers Union which represented the victimised workers is that the EEC guidelines which are supposed to protect the interests of these workers, and the Government's policy of "constructive engagement" with South African capitalism which is supposed to ameliorate the worst excesses of apartheid have acted in this case —I would argue in all others—as nothing more than smoke screens for the exploitative actions of British companies which are only too happy to reap the super-profits that come from the cheap labour system which is the essence of apartheid.

BTR can effectively put its case through its press officers and the British press. That avenue is largely denied to workers. It has led to a series of wild claims by BTR management. In an interview in the January 1986 edition of the *European Rubber Journal* the chairman of the newly merged operation—BTR South Africa and Dunlop South Africa—the perhaps aptly-named Peter Fatherley made a series of allegations on how well the company was run and on its operations. The unions' response to those allegations in a leaflet appropriately headed "BTR's Fatherley Advice" picked those points to pieces.

I shall give an example of some of those allegations as an illustration to the Minister this evening. BTR claimed that it provided a pension scheme and loans for home purchase. Perhaps that is true. But the company does not agree to requests from the workers because its policy is not to extend home loans to hourly paid employees.

I shall quote a number of cases which will illustrate the value of the pension scheme. Mr. S. Zuma a national executive member of MAWU, employed by Sarmcol for two periods which totalled more than 20 years was given, on retirement, a pension of 4·2 rand per month which represents less than £2 a month. Mr. S. Zuma has now passed away.

Mr. Zakwe stopped work in 1982 after 25 years' service with BTR. His pension was the equivalent of £10 per month. Another worker with 22 years' service received 35 rand per month, which is less than £10 a month.

BTR claims to provide educational grants for the children of black employees and to provide basic education for their employees. BTR's educational grants amount to the following: for primary schools grants of 120 rand, about £40 per year for 16 selected schoolchildren. That is a total of 1,800 rand, the equivalent of £600. Secondary school grant is nil and the grant for tertiary education is also nil.

BTR claims to have set high standards in its relationship with its black employees, as it claims it has an integrated work force, with black foremen. It does not mention the fact that these racial groups cannot even share the same toilet facilities, and not a single black person is in lower middle management or above.

Perhaps the best example of the two worlds that are inhabited by the senior management of BTR and those who comprise the bulk of its work force is given in an interview about four and a half years ago with Sir Owen Green, the managing director of BTR, in *The Observer* of 27 September 1981. He said:

"Growth is the objective, profit is the measure . . . I don't believe British industrial companies really commit themselves to the bottom line, to profit . . . The education system doesn't encourage this idea. Those educated post-war have been taught, almost brainwashed, that it is socially undesirable to make much money. So they combine other objectives: that it is just as important to have good personnel policy, decent factories, to play a significant social role. They blur the issues—the key is the bottom line."

The salary of Sir Owen Green was raised from £97,000 a year to £142,000 a year in late 1984, but the starting wage of an employee at BTR Sarmcol is 336 rand — approximately £80 a month, or £20 a week.

For these reasons, Brother Zulu of the TGWU is visiting the House tonight. I ask the Minister when he replies to these points to bear in mind that he is not speaking directly just to the few hon. Members who are in the Chamber this evening. He is also speaking indirectly to the 500,000 organised workers in the South African trade union federation, COSATU. They have been involved in solidarity action with the BTR Sarmcol strikers, who include 90 per cent. of the workers in the Howick-Pietermaritzburg area who went on strike on 18 July 1985. There was also a two-month boycott of white businesses in the same area and in recent weeks solidarity strikes have taken place in a number of other plants in the newly merged BTR-Dunlop group. These workers will want clear answers from the Minister about whether the British Government intend to oppose the circumvention of the pious hopes that are contained in the EEC code of conduct, or whether they are prepared to condone the open flouting of what is widely regarded among the South African working class as a "bulldog with rubber teeth."

I draw the Minister's attention in particular to the misleading nature of much of the information that is contained in BTR's own report on the code of conduct for

[Mr. Dave Nellist]

the 12 months to 30 June 1984. In its submission the company claims that only 95 of its 2,377 employees are paid below the university of South Africa's supplementary cost of living level. This was set at 287 rand a month in February 1984. That is approximately £25 a week. MAWU has consistently claimed that many more BTR employees are paid below the level to which the company will admit. This is borne out by a company circular entitled "Revised Wages Structure" dated 2 August 1985. It is in the union's possession and it gives details of the wage rates being paid to the strike-breaking work force that has been recruited to run the Howick plant. This document shows that, despite an increase of between 12 and 18 per cent. on basic wages, employees in grades 1 to 4, in which the overwhelming number of employees are located, are still being paid starvation wages, below the minimum requirements of the EEC code. Indeed, allowing for an annual inflation rate of 18 per cent., by the end of July of this year the basic minimum rate of BTR Sarmcol will be more than 40 per cent. below the supplementary living level requirements in the Durban area.

This failure to provide factual information about the activities of companies such as BTR is enough to call into question the EEC code. However, my criticism goes far deeper. Since 1977 Britain has subscribed to the EEC code of conduct for companies with subsidiaries in South Africa. This code requires that these companies should submit to the Department of Trade and Industry an annual return that provides information about their attitude towards worker representation, trade unions, the pay of their black employees, their wage structures, fringe benefits and the extent of desegregation at work. The most important aspect of the code is the pay recommendations, which have become enshrined not as the minimum level but as the goal to which these companies aspire. The minimum standard of living level is the lowest sum upon which a specific size of household can live in the South African social set-up. The MLL contains 10 basic elements, such as food, clothing, rent, fuel and light. Their costs are meticulously calculated, and make fascinating reading. For example, under personal hygiene a household of six is assumed to use per month

"3 x 100g Lifebuoy soap, toilet paper, 15 razor blades per year for Blacks and 45 for Coloured and Indian males over 18 and sanitary requisites."

Replacement of household equipment

"assumes that a bed, or chair will last 15 years, saucepans, kettles and fry-pans 10 years."

Any wage below this would be a starvation wage.

"The Supplemented Living Level makes provision for more items . . . the SLL is not a subsistence budget, nor is it a luxury budget. Perhaps it can best be described as an attempt at determining a modest low-level standard of living."

Again these standards differ for different racial groups. The SLL makes some allowances for personal care, for example, toothpaste, one toothbrush per person per year, and for hair-cuts, for recreation and entertainment, contributions to pensions, unemployment, medical and burial funds. It also allows for additional expenditure on the basic items in the minimum living level. In practice, the SLL is roughly 50 per cent. greater than the MLL, and still represents a very low standard of living.

In fact, both these figures are merely reflections of starvation levels and are not even recognised by black workers and their unions as being a realistic assessment of the actual living needs of workers in South Africa. In addition, a number of highly questionable premises are used in drawing up the figures. For example, an inflation rate was assumed, for the period February to August 1985 of 3·6 per cent. when the actual annual rate of inflation was 16 per cent., more than twice the rate assumed. The study also established 5·5 dependants in the average-sized black family, despite the fact that the average is more like eight persons per breadwinner in the Howick area.

This might seem like abstract statistical hair-splitting to hon. Members, but what it adds up to is that the EEC code of conduct and the university of South Africa living levels serve to whitewash a situation in which 20 per cent. of the children of BTR employees in Howick aged between two and nine suffer from malnutrition. The literally starvation wages paid by this company mean that in 1984 BTR's South African operations contributed 3 per cent. of the company's £200 million profits after tax on only 2 per cent. of its sales, while the British operations contributed 42 per cent. on 45 per cent. of sales.

That would be a sufficiently outrageous state of affairs if it were the only misuse of the code of conduct by one single unscrupulous employer. However, it is increasingly obvious that the policy of this Government and of big business generally and the interests that they represent is to use that code to shield companies from the outrage of workers in Britain and South Africa and internationally. Only a minority of the 400 British companies, which between then own half the 2,000 foreign-owned companies in South Africa and therefore control £12 billion of foreign investment in that country, even send in reports. One of the first actions of this Government, on taking office in 1979, was to cease the practice of listing those companies which failed to comply with the guidelines for the code.

Had it not been for some sharp eyes, the latest Department of Trade and Industry report would have claimed that the number of black employees of British-owned companies paid below the EEC levels had halved. My hon. Friend the Member for Sheffield, Central (Mr. Caborn), who is present with me this evening, has noted that the EEC report has already had to be amended by an erratum slip since it was issued three weeks ago and now shows a massive 21 per cent. increase in the number of black workers in South Africa paid below the lower datum level and a 33 per cent. increase in those paid below the upper datum level, taking the situation back to 1978 levels.

One company alone, Pritchards Services Group, which is not unknown to at least one Tory Member, has admitted to paying 1,660 black workers less than poverty wages. That is almost double the 900 total figure disclosed three weeks ago by the Britain Government.

There is a growing realisation among workers in British and South Africa of the manner in which the capitalist class and its political representatives use the EEC code to prop up rather than undermine apartheid. That common cause of the BTR management and the Tory Government is precisely the same common cause made between its South African subsidiary and the Botha Government, whose police have arrested over 100 striking workers in Howick and in September last year opened fire on a crowd of strikers and their families, killing one child and causing the hospitalisation of three others.

This realisation by workers has been accompanied by an understanding that the only way to tackle companies

such as BTR, which seek to use the apartheid system as a source of ready profits, is to use their own strength as workers by building direct links between British and South African workers to expose and undermine the thousands and millions of threads that tie together the City of London and the slave labour system in South Africa.

Through this debate I give notice to the Minister and to his friends in the British multinationals. They have had an easy ride so far, but the formation of COSATU and its clear appeal to workers internationally for support mean that in future the Minister and his friends will face the wrath of the organised working class of South Africa. Workers will not just show solidarity in single disputes such as that at BTR, but will take the campaign further. The working class movement will have a clear answer in Britain and in South Africa to people in companies that seek to enslave their class brothers and sisters in that country. Increasingly, that answer will be public ownership, nationalisation and the control and management by workers so that investments that are being used to prop up the racist regime can be turned against it.

Internationalism is not just a moral matter facing British workers. For us, internationalism is summed up in a simple phrase: a chain is only as strong as its weakest link. Trade unions in South Africa are denied the right to organise and workers are paid cheap labour poverty wages of £20 to £25 a week. That means that British firms with factories in Coventry and the midlands and elsewhere in Britain can co-operate in South Africa and play off workers in one country against workers in another.

We in the Labour movement learned early in our history, perhaps as far back as 100 years ago, that where factories were operated up and down Britain and were owned by the same employer, the same gaffer, we could form combines to make sure that our union policies were equal to the joint policies of management. That lesson is being learned internationally, and that is why Transport and General Workers Union members at a Dunlop factory in Leicester donated in recent weeks £200 to the families of strikers in South Africa.

The conditions of black workers in South Africa cannot be summed up in a few phrases. The polarisation caused by apartheid in South Africa has led to the richest 5 per cent. owning 38 per cent. of all personally owned wealth — double the rate in the United States of America. Whites own 98 per cent. of all farms, 93 per cent. of private property, 99 per cent. of quoted shares and 95 per cent. of unquoted shares. That is the society that the Government and the Prime Minister defend.

Britain is South Africa's fourth largest trading partner and that is why the Prime Minister has not even taken up the suggestion of economic sanctions against that country. She has not taken up that suggestion because of the £12 billion worth of British investment in that country and not because of the excuse that she gave to me in the House, that sanctions might affect the lives of 250,000 British workers and threaten their jobs. She does not care for the 2·5 million she has put on the dole in the last seven years. What leads us to believe that she cares for another 250,000 if sanctions were to be employed?

The Prime Minister does not care about a society where one in three black children under the age of 14 are stunted in growth because of malnutrition. In the country that pioneered heart transplants, there is only one doctor to every 174,000 people. Some 11 million blacks are forced to live in the Bantustans, the concentration camps, the so-called homelands.

The Congress of South African Trade Unions is a movement beginning to organise hundreds of thousands, and soon millions, of workers under its banner, and it stands on the Freedom Charter of 1955. That charter offers to the workers and peasants of South Africa the hope that the wealth that only they have created in their country can be fairly and equally divided among them and their families. This debate is about one company, the breaking of the EEC code of conduct by one management, but the surrounding facts and figures of the dispute and the growing power of the trade unions is a warning not just to P. W. Botha but to BTR, to the Minister and to all others in Britain and in South Africa who seek to prop up the hated system of apartheid.

10.44 pm

The Minister for Trade (Mr. Alan Clark): By raising this subject this evening the hon. Member for Coventry, South-East (Mr. Nellist) has given me an opportunity to stress the importance which the Government attach to full compliance by British companies and their South African subsidiaries with the EC code of conduct. It also gives me an opportunity to congratulate the majority of companies on a generally high standard of performance under the code and to thank them for their co-operation in submitting reports to my Department.

However, the hon. Gentleman has made a number of allegations about a particular company. I shall not comment on those, either to agree with them or reject them, because it is our consistent practice not to comment on the performance of individual companies under the code. I shall elaborate on the background to this practice in a moment.

I am naturally aware of the dispute which has arisen between BTR/Sarmcol and the Metal and Allied Workers Union. It has been accompanied at various times by incidents of violence and intimidation. I am sure that the hon. Gentleman will join with me in condemning those who seek to pursue their disagreements by such means.

Meanwhile, one can only have sympathy with the plight of the destitute former employees of the company. But this is something which is happening thousands of miles away in another country and ultimately the company and the union must resolve their disagreements directly.

For those reasons, it would not be appropriate or helpful for the Government to intervene with the company. But I remain confident that they will continue actively to seek ways to resolve this dispute. I hope, too, that the hon. Gentleman will urge his contacts in the union to act in a similar manner. I understand that the dispute is to be considered by the industrial court. That is apparently the appropriate forum for the dispute to be considered in at this stage. I believe that it should be given every opportunity to resolve the problems between the company and the union.

The hon. Gentleman has alleged that the company has failed to comply with the EC code of conduct, that it is in breach of the code provisions. The company's report under the code is available for public inspection and it speaks for itself. Members of the House and of the public may judge for themselves whether the hon. Gentleman's allegations against the company are justified or not.

[Mr. Alan Clark]

I recognise that the code encourages companies to ensure that their workers are free to form or join a union. Under the revised code, agreed last year by the EC member states, companies are encouraged to pay particular attention to unions representing black African workers and to be prepared to sign recognition agreements with them. But that does not mean that companies are obliged to recognise unions not representative of their work force or that companies must accept all the conditions which unions may seek to impose. Free collective bargaining has to be free on both sides if it is to have any meaning.

I mentioned that it is not our practice to comment on the performance of individual companies under the EC code. That is a long-standing practice, and there are a number of very good reasons for it. The hon. Gentleman must not expect me to depart from this, either to condemn or praise individual companies. His intention has plainly been more to condemn than to praise. In so doing he ignores the considerable contribution which British and other European subsidiaries in South Africa have made to the advancement of black Africans and to the changing opinions there in favour of fundamental, peaceful change.

My Department produces an annual analysis and summary. The latest, covering the period July 1984 to June 1985, was placed in the Library of the House prior to the Easter recess.

Mr. Richard Caborn (Sheffield, Central): It is wrong.

Mr. Clark: It has been corrected since. In that document, we list all the companies which have provided reports under the code to the Department, as well as those whose interests are known or believed to warrant a full report but which have declined to submit one. But we do not otherwise consider it appropriate or helpful to single out individual companies and comment on their performances. Our purpose is to give a concise, factual summary of the position emerging from the reports as a whole, drawing attention to the areas where progress has been made in terms of the response of the subsidiaries of British companies to the standards and objectives laid down in the code.

Mr. Caborn *rose*——

Mr. Clark: The hon. Member for Conventry, South-East has left me little time, and I feel in fairness to the parties to this dispute and the points that he has raised that I should progress in response to his argument as far as I can.

The credibility of the code as a catalyst to promote better conditions and opportunities for black African employees depends heavily on the co-operation of the companies concerned. We should not encourage this if we were to set ourselves up as judge and jury and put individual companies on trial. We and our partners in the EC are clear that the code must remain a voluntary code. We must continue to give companies every encouragement to comply with it on a voluntary basis. The Department's analysis of code returns demonstrates the success which this approach has achieved. Only three companies still decline to submit a report: 98 per cent. of all the companies whom we believe ought to submit reports did so. Our analysis also demonstrates the contribution which these companies, that is, the vast majority of them, are making towards the social and economic advancement of their black African work forces. I shall say more about this in a moment. It is significant that the business sector, both local and European companies, are in the forefront of those in South Africa calling for fundamental reform of the system and the abolition of apartheid.

Mr. Caborn: How the Minister can actually make that statement I do not know. The report, although it was wrong in its compilation, now shows clearly a reduction of 21 per cent. paid below the lower datum line. We are back pre 1979. That is the situation on the code itself.

Mr. Clark: I think the hon. Gentleman was mistaken. What I was drawing the attention of the House to was the high level of companies which are filing reports under the code. There are virtually no exceptions to this. Judgments and assessments about whether or not companies are in breach of code guidelines are unlikely to be simple or clear cut. In an extreme case, the Department might be involved in a risk of legal proceedings if companies sought to contest accusations against them made outside this House.

All the information submitted to the Department about companies' performance is publicly available. Copies of all company reports are available in the Library of both Houses, as well as in the Department's Library and our diplomatic posts in South Africa, where they may be inspected by callers. It is possible for interested members of the public to judge for themselves and to study in detail the records of individual companies in complying with the code.

The companies themselves are also asked to make their reports available. Some of the larger companies publish and distribute their reports widely, attaching considerable importance to the contribution they are making, welcoming the opportunity to publicise it, and accepting a responsibility to give a lead.

The company mentioned by the hon. Member will doubtless take careful note of the points he has made and consider whether or how to respond. The facts about the company's performance under the code are on the record and publicly available in the company's report. Interested shareholders, customers, consumers or members of the public at large may judge for themselves and react as they consider appropriate.

Question put and agreed to.

Adjourned accordingly at seven minutes to Eleven o'clock.

House of Commons

Wednesday 23 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

ULLAPOOL HARBOUR ORDER CONFIRMATION

Mr. Secretary Rifkind presented a Bill to confirm a Provisional Order under section 7 of the Private Legislation Procedure (Scotland) Act 1936, relating to Ullapool Harbour; And the same was read the First time; and ordered to be considered upon Tuesday 29th April and to be printed. [Bill 139.]

Oral Answers to Questions

ENVIRONMENT

Caravan Sites Act 1968

1. **Mr. Colvin** asked the Secretary of State for the Environment when he expects to report on possible amendments to the Caravan Sites Act 1968; and if he will make a statement.

The Parliamentary Under-Secretary of State for the Environment (Mr. Richard Tracey): I announced a review of gipsy sites policy on 13 December and asked for comments and suggestions by the end of March. The 60 or so responses are now being examined and I will announce my conclusions as soon as possible.

Mr. Colvin: When trying to solve the difficult problem of finding accommodation for gipsies, which should take priority, the statutory obligation upon councils to provide sites, or local planning policy, which can also be enshrined in a statutory structure document? If the latter takes priority, will my hon. Friend consider the introduction of a plan for private gipsy sites identified by a strengthened Gypsy Council and owned by the gipsies themselves?

Mr. Tracey: I appreciate my hon. Friend's point. Every individual case must be decided on its merits. It may be necessary, on occasions, to accept a gipsy site in an area where restrictive planning policies apply. However, the arguments in favour must be extremely convincing. Private sites can make an important contribution, and this will be considered further in the review that I have announced.

Mr. Steen: Although my hon. Friend recognises the importance of gipsy sites, will he call for a review of tenting and camping sites? Is he aware that the new directions which have been given by the Ministry of Agriculture, Fisheries and Food and the Department of the Environment put great pressure on land of historic nature and land of outstanding natural beauty, such as the heritage coastline? Will my hon. Friend initiate a review of 28-day licences, whereby camping is allowed without any planning consent?

Mr. Tracey: The question was confined to gipsy sites, which are one of my responsibilities, but I assure my hon. Friend that my right hon. Friend the Secretary of State for the Environment and my colleagues at the Department will take his points to heart.

Leasehold Reform

3. **Mr. Dubs** asked the Secretary of State for the Environment if he will make a statement on his proposals regarding long leaseholders in blocks of flats.

6. **Dr. Twinn** asked the Secretary of State for the Environment what proposals he has to extend the rights of private sector tenants in mansion-block flats.

The Minister for Housing, Urban Affairs and Construction (Mr. John Patten): My right hon. Friend announced in reply to my hon. Friend the Member for Westminster, North (Mr. Wheeler) on 8 April that the Government have accepted the main thrust of the recommendations of the Nugee committee on the management of privately owned blocks of flats. We propose to go further by giving a right to consultation on the appointment of managing agents and a right in long leasehold blocks to buy out the landlord's interest if he or she persistently fails in his or her duties. We shall introduce legislation as soon as possible.

Mr. Dubs: Is the Minister aware that many leaseholders are desperate for early legislation? Does "as soon as possible" mean in the next Session? Is the Minister still seeking opinions on the structure of the legislation, or has that process finished?

Mr. Patten: I welcome the hon. Gentleman's comment. I cannot, of course, anticipate the contents of the Queen's Speech of the next Session. Obviously we are seeking the earliest possible legislative opportunity. I remember listening with great interest to the hon. Gentleman's speech on his excellent ten-minute Bill. I would welcome any further observations from the hon. Gentleman or any other hon. Members on the contents of our future legislation. I believe that there is cross-party agreement about the need to do something.

Dr. Twinn: I congratulate the Minister and my right hon. Friend on what they have done to extend choice to people who live in flats. Is the Minister aware of the initiative already taken by local Conservative councils which are acting to extend protection to private tenants? Is the Minister aware of the recent agreement made by the Westminster city council with private landlords?

Mr. Patten: Yes. I have just become aware of the agreement between Westminster city council, under its excellent chairman of housing, Councillor Patricia Kirwan, and a good number of private landlords who, on a voluntary code of guidance, anticipate many, if not most, of the things that we hope to indroduce in legislation. I hope that Westminster's lead will be followed by other boroughs and landlords.

Mr. Alan Roberts: Is the Minister aware that many people are at a loss to understand why he has not tabled

amendments or new clauses to the Housing and Planning Bill, to implement the recommendations of the Nugee report? If the Minister really wants to do something for leaseholders in blocks of flats, why does he not accept the Opposition amendment? does he not realise that giving leasehold reform legislation to householders in 1965 helped Labour to a landslide victory in 1966?

Mr. Patten: I had completely forgotten that, if I ever knew it. The hon. Gentleman is aware, from his distinguished service on the Housing and Planning Bill in Committee, how many new clauses and amendments have been tabled. I am loth to table any more, especially on such a complex issue. I am unable to accept the Opposition's amendment because they would want us to change legislation by secondary legislation attached to the Housing and Planning Bill. The issue is far too complex for that. There are many legal ramifications. We must have separate legislation.

Mr. John Fraser: May I remind the Minister that the Opposition have offered to give their full co-operation to any legislation which implements the Nugee committee report? May I also remind him that it has been Labour party policy for many years to introduce leasehold enfranchisement on flats along the lines of the Leasehold Reform Act 1967. The Labour party's view is now endorsed by the Building Societies Association, the National Consumer Protection Council, the Law Commission and many others. Why do the Government not announce that they are in principle in favour of leasehold enfranchisement for flats, as for houses?

Mr. Patten: I welcome the hon. Gentleman's generous comments about the official Opposition's willingness to collaborate and co-operate with us to ensure that the Nugee recommendations are carried forward into law as soon as possible. We are trying to get after bad, delinquent landlords. We do not want to take rights away from good landlords and good managing agents. There are excellent private landlords and managing agents and we do not want the private rented sector to dry up further. That is doing much harm to housing.

Council House Sales

4. **Mr. Thurnham** asked the Secretary of State for the Environment what representations he has received about the provision of an indemnity for council vendors by right to buy purchasers against potential defects in title; and if he will make a statement.

The Parliamentary Under-Secretary of State for the Environment (Sir George Young): My hon. Friend has drawn attention to the position of tenants in his constituency who are denied the right to buy their houses because their landlord does not have good title.

I deplore the failure of Bolton borough council to take steps to perfect its title. The provision of an indemnity would not, however, be a solution in those cases where the landlord cannot sell because he does not have the necessary interest in the property.

Mr. Thurnham: I am grateful to my hon. Friend for that reply. Does he agree that, in many cases, the accepted private sector practice of providing indemnities would be appropriate and helpful?

Sir George Young: Yes, and it would be helpful if Bolton council would offer indemnity when it considers that it has sufficient interest in a property to be able to sell. It would then be for the purchaser to decide whether he was happy to go ahead and buy on the strength of that indemnity.

Mr. Meadowcroft: Can the problems of defects in title relating to the council's responsibility for defects in the property be covered, as many of my constituents are unable to sell houses which they purchased in good faith because they have discovered defects in property which the council formerly owned?

Sir George Young: That is an ingenious diversion from defect in title to defect in property. The House passed the Housing Defects Act 1984, which was intended to tackle the serious problems experienced by many people who in good faith bought from a public body houses which turned out to have defects. The Government are making good progress with implementing that Act.

Mr. Sackville: Is my hon. Friend aware that many of my constituents in Bolton are unable to buy their homes, although it is clearly the Government's intention that they should be able to do so? How long will councils such as Bolton be allowed to take advantage of the loophole in the right-to-buy legislation? When will the Government introduce legislation necessary to put that right?

Sir George Young: Many of us heard yesterday the renewed apparent commitment of the Labour party to the right to buy. I wonder whether Opposition spokesmen could now have a word with their opposite numbers in Bolton to see whether that council, which is the only one that I know of which denies the right to buy on this rather flimsy pretext, might change its policy. Legislation is complex, but we have not ruled it out.

Rates

5. **Mr. Hickmet** asked the Secretary of State for the Environment what is his assessment of the effect of the imposition by local authorities of high rates to finance expenditure above statutory limits upon the local economy and employment; and what steps his Department has taken and is proposing to take to curb high rate rises.

The Minister for Environment, Countryside and Local Government (Mr. William Waldegrave): I have no doubt that the excessive rates imposed by some councils can have serious consequences for the local economy and for employment opportunities. The rates of the very highest spenders are, and will continue to be, curbed by rate capping. In the longer term, we have published proposal to replace the present rating system in the Green Paper "Paying for Local Government".

Mr. Hickmet: I thank my hon. Friend for his reply. Have not Left-wing authorities such as Liverpool and Lambeth deliberately pursued spending policies that are designed to sabotage local government? Has not that prompted feeble-minded authorities, such as Scunthorpe in my constituency, to overspend to the tune of 46 per cent. and to support Arthur Scargill in his attempt to close down the steelworks in my constituency, with the loss of 10,000 jobs? Does that not indicate the type of spending programmes that Left-wing authorities are prepared to pursue?

Mr. Waldegrave: The first two councils that my hon. Friend mentioned sought conflict for the sake of conflict,

regardless of the damage to ratepayers, to local business, or to anybody else. It is noticeable that Scunthorpe is 60 per cent. over the average for shire district councils. For example, it is 162 per cent. over the average in its expenditure on sports and recreation, but I doubt whether its services are 162 per cent. better. There is, therefore, tremendous room for them to make savings and bring practical help to local business.

Mr. O'Brien: Has the Minister made any assessment of the effect of the abolition of the West Yorkshire metropolitan county council on rates in West Yorkshire and of the effect of the reduction in rate support grant, which has led to a substantial increase in the rates that are paid by ratepayers in West Yorkshire? Has the Minister assessed the Government's actions that have caused such high rates in West Yorkshire?

Mr. Waldegrave: I have made a detailed assessment of the fact that the outgoing West Yorkshire metropolitan county council fiddled the books last year and thereby made the rates this year seem much higher. If it had rated at a proper level last year, the rate increases in the successor district councils would have been perfectly reasonable.

Mr. Nicholls: Is my hon. Friend aware of how far that process has gone in the alliance-controlled Devon county council? In the education department alone staffing has been increased by 10 per cent. That has resulted in a rates increase of about 400 per cent., plus loss of grant. That is the price that was demanded for the abolition of the remaining grammar schools. Is my hon. Friend able to imagine what effect that has had on the local economy?

Mr. Waldegrave: One of the most marked effects of having hung councils or, even worse, Liberal-controlled councils — this may be an extraordinary and rather shaming fact for the high spenders on the alliance Benches to have to acknowledge—is that they manage to lose control of expenditure even more effectively than does the Labour party. The facts show that the rate increases in the hung councils and the Liberal councils in the shire counties are higher than the rate increases in both Labour and Conservative-controlled councils.

Mr. Simon Hughes: Will the Minister accept that he has given a very misleading answer? Calderdale, which is a balanced council, has imposed this year a 41 per cent. rates increase, of which 2 per cent. was charged by Calderdale. The rest was charged by the joint boards and quangos that were set up by the Minister's Department. At the same time, boroughs such as Kensington and Chelsea, which hardly need a reduction, have had a 26 per cent. rates decrease, while people in Hove are paying no rates at all. How can that be a successful product of the Government's new rating policies as they affect the country?

Mr. Waldegrave: I shall be canvassing next week in Kensington and Chelsea, and I shall make use of the hon. Gentleman's useful remark that the Liberal party's view is that the rates in Kensington and Chelsea should be increased. It was the creative accounting, to use the technical term, of the outgoing metropolitan counties that caused the problem in Calderdale. The figures show that hung councils and Liberal councils are higher raters than either Labour or Conservative councils. That must be very shaming for the Liberal party.

Mr. Spencer: Is my hon. Friend aware that last year, in its publication "Ratewatch", the CBI said that some councillors were either, at best, ill-informed or, at worst, naive and absurd? In view of the efforts of the Labour-controlled city councils and the alliance and Liberal county councils, which have increased the rates by almost 40 per cent. this year, does he not think that the latter, description is more accurate and that it fully justifies the proposal to have non-domestic rates fixed at national level?

Mr. Waldegrave: It is true that the behaviour of some of these councils is every day making it easier for us to argue that we need the radical reforms that we have put forward.

Mr. Tony Banks: When will the Minister stop using the big lie technique of saying that there is a direct link between rate levels and business failures? The Minister surely knows that the major reasons for business failures in Britain are the state of order books, which depends on the state of the economy, interest rates, and so on. They are all factors that are influenced entirely by Government policies. If the Minister really thinks that there is a direct correlation, why does he not analyse the 7,000 company bankruptcies and the 15,000 liquidations last year to see whether rates were a factor in those failures? If he will not do that, will he start analysing the failures that will continue to flow from Government policies, to see what the correlation is?

Mr. Waldegrave: The hon. Gentleman is not a very effective representative of the new grey Labour party. The truth is that as a result of Government policies interest rates are now falling and in many areas the unavoidable business cost that is increasing is the business rate. There is no question about that, and I shall be happy to analyse it. Indeed, a number of chambers of commerce and others have sent us good material on the critical effect that rates can have in marginal situations.

Mr. Holt: My hon. Friend can take heart from the fact that my constituency, which enjoys the highest unemployment and the highest rates in Britain, is looking forward to the day when the Secretary of State rate caps it, or, better still, gets rid of Cleveland county council altogether. That has no friends in my constituency.

Mr. Waldegrave: I have to disappoint my hon. Friend. At the moment we have no further proposals for local government reorganisation to put before the House, although there are some in Bristol who feel about the county seat of Avon as my hon. Friend does about Cleveland county council. My hon. Friend is right. In the short term the best thing to do is to get a Conservative council back to bring effective help to local businesses.

Mr. Straw: Why does the Minister not have the guts to admit that rates have risen by three times the level of inflation this year and twice the level of inflation in the seven years of Conservative Government because of the £17·5 billion cumulative cuts in rate support grant for which the Government are responsible? Does he not understand that it is an outrageous slur against the outgoing councillors of West Yorkshire to suggest now what he has never suggested in the past 12 months, that rates have gone up in West Yorkshire by 28·3 per cent. because of some kind of fiddling by them. Rates have gone up in West Yorkshire, the West Midlands, Tyne and Wear, South

Yorkshire, Merseyside, Greater Manchester, and in Conservative shire counties by 17·6 per cent., because of the Government's policies in cutting the rate support grant.

Mr. Waldegrave: The hon. Gentleman is wrong. In two of the ex-metropolitan county areas in particular—Merseyside and West Yorkshire—a critical factor in the high rates this year was creative accounting by outgoing councils. This is not the first time that I have said what I did today about West Yorkshire. I have repeated it on many occasions because it is true. The hon. Gentleman tries, as usual, to obfuscate the issue. The fact is that Labour authorities mean higher spending. I regret that we are seeing an increase in real terms in expenditure in many Labour authorities and, I fear, a few Conservative authorities. That is why the rates are increasing so much.

Nuclear Waste

8. **Mr. Meadowcroft** asked the Secretary of State for the Environment what recent representations he has received concerning the disposal of nuclear waste.

Mr. Waldegrave: I have had a wide range of representations, from hon. Members and others, mostly concerning the recent announcement of alternative possible sites for the disposal of low-level and short-lived intermediate level wastes.

Mr. Meadowcroft: Given the immense and proper concern about nuclear waste disposal, will the Minister give us two undertakings: first, that the Select Committee's report will be debated before the orders are laid; and, secondly, that the debate on the Select Committee's report will not be regarded as the debate on the orders themselves?

Mr. Waldegrave: Those matters are obviously for consideration by my right hon. and hon. Friends, and I am sure that they will have heard what the hon. Gentleman said.

Mr. Michael Brown: I thank my hon. Friend for visiting my constituency on Monday morning. In connection with the representations to which he referred in answer to the question from the hon. Member for Leeds, West (Mr. Meadowcroft), will he confirm that many of those representations come from South Killingholme and from my constituency? Will he urge his right hon. Friend the Secretary of State to give serious consideration to the point made by the hon. Member for Leeds, West about the need for a debate on the Select Committee report? Does my hon. Friend stand by his parliamentary answer to me when he said that he would lay the special development order before the end of April, as that is nine days away?

Mr. Waldegrave: I confirm that the point made by the hon. Member for Leeds, West (Mr. Meadowcroft) was also made to me by my hon. Friend and by many of those whom I met during the enjoyable but anxious day that I spent on Humberside. As for my hon. Friend's latter point, I cannot yet give him the exact date on which the special development order will be laid, but I hope that there will be no undue delay about that.

Mr. Frank Cook: I thank the Minister for the courtesy that he showed last week in forwarding to me on publication the report made on the contribution of nuclear establishments to acid deposition, which reported that the degree of deposition was practically nil. Can he therefore understand the astonishment that I felt when I saw the minutes of the Dungeness local liaison committee meeting of 6 December 1985, which reported on the Central Electricity Generating Board's proposals to strip Magnox cladding from fuel rods, to dissolve that cladding in acid and to dispose of the sludge directly into the sea? Will the Minister explain how that process was licensed and why it was started? How can he square the open proposals to have dry storage at Trawsfynydd with the covert proposals to pollute the ocean?

Mr. Waldegrave: I am grateful for the hon. Gentleman's first point about the contribution by nuclear power stations to the acid rain problem. The research has shown that that is not a problem. The CEGB proposals to which the hon. Gentleman referred would proceed only if the sludge came within the existing authorisation which my Department laid down for that power station. If that technique is to be used, it would have to be used within the existing authorisation so there would be no significant addition to the amount of radioactivity in the sea.

Mr. Hickmet: Will the Select Committee's report be debated before the special development order is laid? If not, why not?

Mr. Waldegrave: I cannot yet give a clear answer to my hon. Friend on that point.

Dr. Cunningham: Does the Minister accept that the Labour party would like a debate on the report of the Select Committee on the Environment on this matter? Is it not clear that the useful life of the Drigg disposal site in my constituency is quickly coming to an end and that it is a national requirement that an alternative site for the disposal of low-level radioactive waste should be found? Is it true that most people believe—and I hope that the Government accept—that the discharge of low-level waste to the marine environment should be abolished, not increased? Why will the Government not set a target date now for the abolition of discharges to the Irish sea and impose an annual reduction on those discharges until that target is met? In that connection, it must be foolish to agree that the CEGB should dispose of additional waste from Dungeness. No such authorisation should be granted.

Mr. Waldegrave: I have had only a brief opportunity to study the hon. Gentleman's last point, but I believe that no new authorisation would be needed, as it would be within the existing authorisation. I agree with the hon. Gentleman's first point. Some people see a great extension of Drigg as being the way to solve all the problems. I do not believe that that is so. If, as some people say, there were to be intense compaction of waste, which would then be deposited at Drigg, Drigg would have to take more radioactivity than should properly be posited there. The Government agree on that point.

There is a steady diminution in the amount of radioactive material that is placed at sea. We are now putting to sea a tenth of what was being deposited 10 years ago, and in 10 years' time we shall be depositing only a tenth of that. That is steady progress. I think that there will always be some trivial outputs to the sea from Sellafield, but our objective is to reduce the level to the best in the world, which is at Cap la Hague.

Rates

9. **Mr. Geraint Howells** asked the Secretary of State for the Environment what is his estimate of the loss of revenue incurred by local authorities due to the late setting of rates; and if he will make a statement.

The Parliamentary Under-Secretary of State for the Environment (Mrs. Angela Rumbold): All rating authorities in England had set a rate for 1986-87 by 1 April 1986. It is for the independent district auditor to decide whether losses arose and, if so, to what extent, in those authorities which delayed setting a rate for 1985-86.

Mr. Howells: Does the Minister agree that five London boroughs have lost a total income of over £100 million this year because of the late setting of rates? What plans has she to inform the electorate before the May elections of this loss?

Mrs. Rumbold: I cannot confirm or deny the figures that the hon. Gentleman has given, as it is a matter entirely for the local district auditors to determine and then to report.

Mr. Peter Bruinvels: Does my hon. Friend agree that the behaviour of Left-wing Labour councils in failing to set a rate until the last minute was a breach of statutory duty? Can she estimate the amount of lost revenue in interest and say when the district auditors will be brought in, which should act as a preventive measure for any other local authorities which fail to behave in a decent and civilised way?

Mrs. Rumbold: I commend my hon. Friend for his continued attack upon the extravagance and nonsensical waste that has been a feature of the councils within his constituency. The district auditors, however, have to take these decisions for themselves, as the Secretary of State has no powers to direct them.

Mr. Tony Banks: Is the Minister aware of the chaos that will ensue, and the impact that it will have on London boroughs, if about 200 councillors find themsleves disqualified through the actions of the district auditor? Will the Minister make it quite clear to the district auditor, who I assume is always a Tory stooge and not independent, that such chaos should not be visited upon London local government structures?

Mrs. Rumbold: It is disgraceful to say that the district auditor or any other person who is appointed independently is a Tory anything. It is especially disgraceful to allege that he will be a stooge. Councillors have been disqualified quite properly because of their squalid actions and disregard of a law that has been established for some considerable time, well before the arrival of the Government. The actions of these councillors means that they have brought disqualification upon themselves. It is for the electors of the district and borough councils to pass judgment on them on 8 May, which I hope they will do.

Rural Environment

10. **Mr. Adley** asked the Secretary of State for the Environment what further steps he intends to take to protect the rural environment; and if he will make a statement.

The Secretary of State for the Environment (Mr. Kenneth Baker): We have decided to support the Broads Bill and to extend the landscape areas special development order to cover the design, appearance and siting of farm and forestry buildings and roads in all national parks. The House will be aware of my various statements about the importance of preserving the green belt.

Mr. Adley: I thank my right hon. Friend for that reply. I thank him also for what has been a perceived and noticeable change of attitude on the part of his Department towards the protection of the environment over the past few months. Will he accept from me that if the Government fail to recognise the rising tide of anger that is felt when many local authority planning decisions are overthrown by his Department, the Government will reap a whirlwind and will deserve everything that they get?

Mr. Baker: I thank my hon. Friend for his remarks. I assure him that I consider that the protection of the countryside is one of my major responsibilities. We have a uniquely beautiful inheritance in the English countryside which we must cherish and protect.

Mr. Michael Forsyth: Is my right hon. Friend aware of the increasing concern that is being expressed in rural areas about the insensitive planting of coniferious trees and the effect that it is having on fishing interests and on acid ground water levels, which are destroying spawning beds and the fish population and having a considerable impact on the environment and the rural economy?

Mr. Baker: I am grateful to a Scottish Member for drawing this to my attention, but it is not an exclusively Scottish problem, because there have been quite large plantings of what are virtually conifer forests in the south of England and I and my colleagues are having a look at the effect of that.

Mr. David Clark: As the Government now appear to have conceded that acid rain from British power stations is causing damage [illegible] Scandinavian neighbours, will the right hon. Gentleman also accept that those same emissions are causing great damage to our own United Kingdom environment, with the result that we have dead lochs in Galloway, dying lakes in Cumbria and waterways in central Wales which can no longer support fish? Will he accept his responsibility and take some action to reduce the level of acidic emissions and thus try to protect a little more our precious British countryside?

Mr. Baker: The hon. Gentleman, who follows these matters very closely, will know that there is a complicated causal link between the emissions from factories and the increase in acidity of lakes and damage to forests. I would only point out—and I think that the hon. Gentleman would be the first to recognise this—that in our country we have a very good record of reducing the sulphur dioxide and nitric oxide emissions from heavy plants. In fact, we have reduced them by over 40 per cent.

Mr. Chapman: I warmly welcome my right hon. Friend's commitment to the protection of the green belts, which is surely the best way to protect 4·5 million acres of England's countryside. Will he accept the thanks of many environment organisations for accepting an amendment to the Housing and Planning Bill that will ensure that simplified planning zones cannot be set up in green belts, national parks, areas of outstanding natural beauty and, of course, green belt conservation areas?

Mr. Baker: My hon. Friend is correct to say that in the amendments to the Housing and Planning Bill we have

made it clear that simplified zones will not be applied in the areas that he has mentioned. I believe that there is widespread agreement in the House on the importance of preserving the green belt, which is one of the most successful planning inventions of this century. It was devised in Britain and green belts now extend to some 4·5 million acres. In fact, we have doubled the size of green belts since 1979.

Water Authorities (Privatisation)

12. **Mrs. Clwyd** asked the Secretary of State for the Environment what representations he has received from Birmingham city council regarding the privatisation of water authorities.

Mr. John Patten: None.

Mrs. Clwyd: Is the Minister aware that Birmingham city council, which invested in reservoirs in Wales during the last century and was perfectly happy to see those assets managed by a public authority—in this case the Welsh water authority—is not happy to see those assets sold to line the pockets of the Government's friends and that it is demanding compensation — either £270 million in compensation or a portion of Wales, the Elan valley? Which will the Government give to it?

Mr. Patten: I have already made it clear that I have received no representations from Birmingham. I think that the habit of answering hypothetical questions about hypothetical representations is rather a bad one.

Mr. Beaumont-Dark: Perhaps I might ask an unhypothetical question. Bearing in mind that the citizens of Birmingham spent millions of pounds on acquiring this water system and buying 43,000 acres of land, does my hon. Friend not think that there should be some system of compensation, since we gave to what we thought was a public authority? Is we are to sell and to privatise, which may be a good policy, why should Birmingham not get back some of the money of which it was deprived some years ago?

Mr. Patten: I do not think that I should break the habit of not answering hypothetical questions, even from my hon. Friend, but perhaps I could answer another question which was implicit in what he said. In 1973 the Water Act vested the ownership of the assets and the debts of water authorities in the water authorities. They have, therefore, become public corporations answerable to the Government.

Mr. Wigley: The Minister should be aware that Brimingham corporation has passed a resolution on this matter. Over the years Birmingham has shamelessly exploited Welsh water resources and is able to sell water to its own citizens at half the price at which the same water is available in Wales. It is totally unacceptable that Birmingham corporation should now go on a rampage, grabbing land in Wales, in total opposition to the wishes of the Welsh people.

Mr. Patten: We are absolutely against shameless exploitation. Under water privatisation we shall ensure that the director general of whatever we end up calling it will have the power to make sure that bulk transfers from one water authority to another under a privatised regime are properly paid for and properly accounted for.

Mr. Forth: May I tell my hon. Friend that I am a Birmingham ratepayer, and that as such I welcome the proposals to privatise the water industry? I hope that Birmingham's residents and water users will benefit from the Government's privatisation proposals and will be able to shop around for the best deal available for the supply of water.

Mr. Patten: My hon. Friend is right. Privatisation will bring many advantages to the consumer.

Mr. Boyes: Birmingham city council has passed a resolution deploring the privatisation of water authorities and if—I stress the word if—that anti-social policy is carried out, the ratepayers of Birmingham should be fully compensated. A number of other authorities are in a similar position. Water authorities are public assets, not state assets. The Government have no economic, political, legal or moral right to sell assets which they do not own, estimated to be worth £27 billion, to their friends in the City at knockdown prices.

Mr. Patten: I have already explained the legal position. It is that the Water Act 1973 transferred the ownership of the previous assets and the liability of previous debts to the water authorities. Those water authorities became public corporations answerable to the Government. In the privatisation of the water authorities we shall follow the precedent set in the privatisation of British Telecom and British Gas and turn the water authorities into Crown companies. Ownership of assets and liability for debts will be taken on by those Crown companies prior to the successful eventual flotation that will do so much for the consumer.

Mr. Gow: What steps were taken by the Labour party when it was in government, as it is apparently so dissatisfied with the Water Act 1973, to amend that Act so as to frustrate the excellent purpose that is in the mind of my hon. Friend?

Mr. Patten: My hon. Friend did a great deal for the water industry when he was a Minister in the Department of the Environment, and he has put his finger exactly and precisely on the point. The Labour Government did nothing at all.

Rates

13. **Mr. Litherland** asked the Secretary of State for the Environment what was the average weekly domestic rate bill in April 1979 and in April 1986.

Mrs. Rumbold: It was £3 in April 1979 and £7·70 in April 1986.

Mr. Litherland: Does the Minister agree that those figures show the effect of the Government's vicious cuts on local authorities? Those cuts are estimated at £1 million a week in Manchester, and that means that the ratepayer has to pay more for fewer services. Perhaps Government Ministers would like to come and canvass in Manchester. There would not be a hung council there, but there would probably be a few hanged Ministers because of what the Government are doing to that area.

Mrs. Rumbold: I am interested to learn from the hon. Gentleman that services in Manchester have been reduced, because the real term increase has been in the region of 9 per cent. If local authorities had looked at and obeyed the

guidelines set out by the Government year after year for rate increases, they would have been able not only to help their ratepayers but to provide perfectly adequate services.

Mr. Stern: Does my hon. Friend agree that the rate increase over the last seven years, whatever its cause, is a substantial burden on the domestic ratepayer? Will she take every opportunity to make it clear to the electorate that our is the only party that is prepared to lift this burden?

Mrs. Rumbold: What my hon. Friend says is true. In all instances of carefully managed and well-run Conservative authorities the ratepayers have been the beneficiaries. Sadly, that has not been the case in authorities controlled by Labour or by the Liberal/SDP alliance. Ratepayers can feel safe only under the Conservatives.

Mr. Clelland: Notwithstanding what the Minister said about the Government's policy towards rate increases, does she accept that local authorities have been able to maintain their services over the years only by using creative accountancy methods? Those methods are now running out, as evidenced by the horrendous rate rises that have had to be imposed in Gateshead to maintain services at a high level. Does she accept that only creative accountancy and not the Government's policies have enabled us to maintain a high level of services?

Mrs. Rumbold: No, I do not accept that. Sadly, creative accountancy will not protect ratepayers from the extravagances of authorities which use such procedures. It will not be long before those authorities—and they are mostly Labour-controlled—which have used creative accountancy will find that their ratepayers will, sadly, have to pay the bill.

Mr. Heathcoat-Amory: Is my hon. Friend aware that her figure for this year will include the 26 per cent. rate increase put through by the Lib-Lab pact running Somerset county council? That increase is mostly due to increased expenditure. Does she agree that it makes life very difficult for ratepayers and businesses, and blows sky-high the pretence that the Opposition parties are seriously interested in solving unemployment?

Mrs. Rumbold: I agree with my hon. Friend. Those who are anxious to create businesses find it devastating to have to contend with such rate increases.

Mr. Simon Hughes: Is it not relevant to ask how much of the weekly domestic rate bill is attributable to the late setting of rates last year? That figure can now be worked out. A private letter has been sent by the district auditor to the chief executives of the offending London boroughs. The information should be made public. The figures show that one borough suffered a £50 million loss. My borough of Southwark lost £25 million *[Interruption.]* Other boroughs have figures that are not much lower. Will the Minister make the figures known so that the ratepayers can judge?

Mrs. Rumbold: The hon. Gentleman is sightly confused. I say only "slightly confused", which is a great tribute to him. He knows perfectly well that the facts that he wants will be examined by the district auditor, and will be made known as and when those councils which receive such figures have studied them and made them known to their electorates.

Local Authority Capital Receipts

14. **Mr. Latham** asked the Secretary of State for the Environment if he will make a statement on the proposed level of capital receipts which local authorities will be permitted to use on building work in the financial year 1986-87.

Mrs. Rumbold: I announced in answer to my hon. Friend the Member for Lewisham, East (Mr. Moyniham) on 20 November, at column 246, that there will be no changes for 1986-87 in the prescribed proportion of capital receipts which local authorities may use for additional capital expenditure.

Mr. Latham: Following the chink of hope in the speech yesterday of my hon. Friend the Minister for Housing, Urban Affairs and Construction, will my hon. Friend consider whether she can loosen the purse strings to some extent in the forthcoming year to help a new improvement grant programme? Even raising the figure to 25 per cent. would be agreat help.

Mrs. Rumbold: I understand why my hon. Friend has asked that question, but he will be aware that it is not possible for me to pre-empt the decisions for next year to be taken by my right hon. Friend the Secretary of State. However, we are considering new proposals for capital expenditure generally. It may well be that my hon. Friend's representations will be taken into account.

Mr. Loyden: Given the needs of many of our major cities, what justification do the Government have for imposing constraints on local authorities and for not allowing them to use their resources to solve the many problems that exist?

Mrs. Rumbold: Given the way in which Liverpool city council has generally managed its affairs, it is hard to imagine that it would manage greater receipts any better than it has administered any money that has come into its hands. I feel very sorry and sad for the people of Liverpool.

Mr. Dickens: Does my hon. Friend agree that most local authorities have played the game by selling council houses in accordance with this Government's policy and wish? The Labour party has now taken that policy on board — *[Interruption.]* Well, the Labour party might take it on board. Should not local authorities gain some reward in the form of a relaxation in the amount of money that they can spend on the improvement grant system?

Mrs. Rumbold: My hon. Friend knows that the Labour party is simply saying that it will adopt our very successful policy of council house sales. Whether or not that is to be believed is a matter for speculation. As for capital receipts, half a billion pounds extra in capital receipts came into play during the course of this financial year, and authorities are able to spend a proportion of that towards their allocation.

Mr. John Fraser: Can the Minister deny the rumours that are beginning to circulate to the effect that the Government are about to impose either a moratorium or a restriction on capital expenditure by local authorities later this year? Will the Government give a clear instruction to the London Residuary Body that the £39 million of capital receipts, which are legally — and certainly morally — due to London authorities which

have ex-GLC estates, will be disbursed to those boroughs and not given to some Tory boroughs, which make no contribution to London's housing problems?

Mrs. Rumbold: It seems that the Labour party is consumed with the local elections on 8 May. I must say on both counts that the hon. Gentleman is indulging in scaremongering.

Housing Investment Programme

15. **Mr. Dormand** asked the Secretary of State for the Environment if he will identify separate housing investment allocations for works to new town dwellings; and if he will make a statement.

Sir George Young: No; separate allocations of this kind would deny the councils in question the freedom to decide their own priorities in the use of the total amounts of housing investment resources which can be made available to them.

Mr. Dormand: Is the Minister aware of the serious situation facing some towns, not least Peterlee, in my own constituency? In view of the answers that he has given, may I assure him that Peterlee would be prepared to sacrifice some of the freedom to which he referred if it could get a few more million pounds? How can the Government honour their commitment to new towns without having separate identifiable allocations within the housing investment programme? Will he say how Easington district council can meet the £40 million repairs needed in Peterlee with the allocation of £7·5 million that is being granted by the Government?

Sir George Young: I well remember the issues, because I negotiated the memorandum with the local authorities concerned. The memorandum said that local authorities should draw the attention of my Department to the bid for the expenditure on remedial work which had been accepted for grants, so that in its turn the Department could ensure that those needs were reflected in the allocations. For the year 1986-87 we took account of the expenditure implications facing the hon. Gentleman's local authority regarding the stock that it inherited from new towns. I cannot see how separate identification could make the problem any easier. The local authority has flexibility already, if it wishes to supplement its resources, to spend more on the new town dwellings. I have sympathy with the problem, and I will see whether I can help in the forthcoming negotiations for next year's allocations.

Rate Support Grant

16. **Mr. Madden** asked the Secretary of State for the Environment when he proposes announcing the rate support grant settlement for 1987-88.

Mr. Waldegrave: My right hon. Friend hopes to be able to announce the rate support grant settlement for 1987-88 in about the middle of November 1986, about a month earlier than in recent years.

Mr. Madden: Will the Minister acknowledge that the massive reductions in rate support grant have led to large rate increases in places such as Bradford, where the Conservative-Liberal alliance has increased rates by 30 per cent.? Will he also take this opportunity to apologise for the slur on the West Yorkshire county council that he made just now, suggesting that it fiddled the books last year? Will he also give a clear assurance that when the grant is announced there will be no further stealing of resources by central Government from hard-pressed local authorities, which are desperately trying to meet the urgent social needs in their areas?

Mr. Waldegrave: I think that I would probably be insulting those outgoing Labour councillors if I apologised. I am sure that they regarded their manoeuvres as being thoroughly successful. Their objective was to put up the rates for successor authorities, and they did it. Then, Parliament did not allow us to prevent such things happening, as we did not have the powers to control the councils in the outgoing year. Such manoeuvres were, I am afraid, inevitable. They have been disastrously brought home in the West Yorkshire area.

Mr. Watts: In setting the rate support grant settlement for next year, no doubt my right hon. Friend will have in mind the problems of the shire counties. May I ask whether he shares my dismay that so many of the shire counties, which bleated so loudly about loss of grant this year, have chosen not to pass on the benefits of guaranteed recycling of grant to ratepayers, thereby inflicting on ratepayers much higher levels of rate increase than were otherwise necessary?

Mr. Waldegrave: If they did not pass it on this year, they have it in the balance for next year. I am sure that many councils will take account of that in due course. More important, my right hon. Friend has heard what my hon. Friend said about the shire counties. The whole process of consultation will begin soon in the normal way.

Dr. Cunningham: Is it not clear to anyone who examines the position that the biggest single reason why rates have increased for all authorities has been the seven successive reductions in rate support grant, enforced as a deliberate policy by the Government, resulting in a cumulative loss to local authorities in excess of £17·5 billion? Will the Minister accept that his right hon. Friend's claim—it is noticeable that the Secretary of State has ducked all these issues today — in the newspapers yesterday that average rateable values are what count to those who have to pay rates is a charade? It is rate bills that count to people faced with these problems, and average weekly rate bills have risen under this Government from £2·98 per week to £7·70 per week. Is that not why the chairman of the Conservative party is running scared about the local elections on 8 May, when the Tory party will get a pasting? Is tnat not why he is blaming poor people for the coming defeat and suggesting that it is because poorer people do not support the Government that they will lose? They will certainly lose, but on the basis of the electorate as a whole.

Mr. Waldegrave: If I may interrupt the hon. Member's not very brilliant hustings speech for a moment, would he like to tell the House straightforwardly on which tax — income tax or VAT — the £4 billion or more additional grant that he is pledging to give back to local authorities will fall? Will it go on to the basic rate, or is it, along with the other £25 billion additional expenditure, to go on all taxes and interest rates? In due course the good friend of my hon. Friend the Member for Eastbourne (Mr. Gow), the good doctor in the International Monetary Fund, will return to give them the bill once again.

Mr. Greenway: Would my hon. Friend like to come, and invite the Opposition spokesman to come with him, into the real world at Witton avenue east in Conservative-controlled Ealing, where he will find that the rates are half what they are on the opposite side of the road, which has been in Labour-controlled Brent for umpteen years? Will my hon. Friend remind the Opposition spokesman, and every voter, that the Labour party, when it took over the GLC in 1981, doubled the rates at the same time as it doubled fares for Londoners?

Mr. Waldegrave: My hon. Friend is right. Indeed, Ealing must be defined as the centre of the real world. There can be no doubt at all—it seems disingenuous of the Labour party even to try to deny it—that Labour is the party of high spending, and therefore of high taxing and high rating. It would be more honourable of the Labour party to fight openly on that platform — an honourable and ancient platform of that party, on which it normally loses — rather than to try to obfuscate the issue.

Publicly Owned Land (Northern Region)

18. **Mr. Fallon** asked the Secretary of State for the Environment how many areas of publicly owned land in the northern region are currently unused or underdeveloped.

Mr. John Patten: On 1 April 1986 the registers of unused and underused publicly owned land in the northern region held 935 sites totalling 12,613 acres, which is far too much.

Mr. Fallon: Is that not an appalling waste of development potential in the north? Will my hon. Friend confirm that he will not hesitate to use his powers to compel local councils to release land that is urgently needed for better housing, jobs and commercial development?

Mr. Patten: Yes, Sir, we shall use those powers. We are doing so increasingly in places such as Darlington and Sunderland. It distresses me very much when local councillors come on delegations to the Department of the Environment to ask for more money, when they are doing so little with the land that councils own and occupy. I do not know what the Labour party's attitude is to derelict and unused land. It is probably as ambivalent as its attitude to the right to buy, so brilliantly summed up yesterday by my hon. Friend the Member for Ealing, Acton (Sir G. Young), the Parliamentary Under-Secretary of State, when he said that the Labour party's attitude to buying was, "Yes, if you want to buy your council home you may, but if the council wants to stop you buying its council home, it can do that as well."

Mr. Eastham: In Manchester, a 23-acre prime site was sold off to private developers, changing hands three times and stood derelict for 15 years until finally the local authority had to buy it and develop it for the G-MEX exhibition hall. Is that the kind of thing the Minister would really applaud?

Mr. Patten: The G-MEX exhibition hall was funded with Government and European money, as the hon. Gentleman knows. Manchester is sitting on far too much land. It should be getting rid of it in the interests of its ratepayers.

Local Government Reform

19. **Mr. Park** asked the Secretary of State for the Environment if he proposes meeting representatives of voluntary organisations to discuss future funding arrangements following the abolition of the Greater London council and the metropolitan county councils.

Sir George Young: My right hon. Friend met representatives of voluntary organisations on 24 March to discuss this. The London Voluntary Service Council telephoned my Department yesterday to seek a further meeting, and it will be meeting my officials tomorrow.

Mr. Park: Is the Minister aware that voluntary bodies engaged in worthwhile projects are being wound up because district councils cannot fund them? Will he consider, in advance of the Widdicombe report, increasing the section 137 money from 2p to 4p so that the new responsibilities can be met?

Sir George Young: My Department is awaiting the report of the Widdicombe inquiry with bated breath. We understand that it is not far away. When we have the report, we will be able to decide on the 2p rate under section 137.

Mr. O'Brien: On a point of order, Mr. Speaker.

Mr. Speaker: Arising out of questions?

Mr. O'Brien: Yes. Will you, Mr. Speaker, uphold the dignity and decorum of the Chamber by asking the Minister for Environment, Countryside and Local Government either to substantiate what he said about the outgoing West Yorkshire county councillors——

Mr. Speaker: Order. I am afraid that answers to supplementary questions from the Front Bench are not a matter for me.

Foreign Affairs Council

3.31 pm

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): With permission, I should like to make a statement about the meeting of Foreign Ministers of the Twelve that took place in Luxembourg on 21 April, and the meeting of the Foreign Affairs Council which followed on 21 and 22 April. My hon. Friend the Minister of State—the hon. Member for Wallasey (Mrs. Chalker)—and I attended.

The meeting of Foreign Ministers concentrated on the urgent problem of Libya. We had already agreed in the emergency meetings on 14 and 17 April on the importance of taking effective collective action to prevent further acts of Libyan state-directed terrorism and to defend ourselves against the threat. We agreed on 21 April to the following series of measures to this end: a severe cut in the size of people's bureaux throughout the Community; confining members of those bureaux to the city where they are officially assigned; restricting the size of other official Libyan bodies to the minimum necessary for their stated business; applying a much stricter visa regime to Libyans; and ensuring that any Libyan expelled from one member state will be expelled from the Community as a whole.

The Twelve also reaffirmed their ban on arms sales to Libya, and will be pressing other countries to join it. They agreed to look urgently at further action on the abuse of diplomatic immunity. Interior Ministers of the Twelve will be meeting today in the TREVI group to concert the closest possible co-operation between Interior Ministers, the police and security services of the Twelve. Transport Ministers have been asked to step up their co-operation urgently on aviation security. We shall follow up all these decisions urgently with our partners.

To have achieved an effective package of measures against Libya, in force throughout the Community, is a considerable step forward. We shall continue to press for further action and for vigorous implementation of the programme of action now agreed.

The Foreign Affairs Council briefly reviewed the issues likely to be discussed at the Tokyo economic summit. Ministers discussed improvements to the Community's mandate for the negotiations with Mediterranean third countries on the adaptation of their co-operation and association agreements to take account of the accession of Spain and Portugal.

There was a brief discussion of the new Community/Thailand manioc agreement; this is expected to be formally agreed at another Council in the near future. The Council also reviewed and confirmed the position to be adopted by the Community at the ACP-EC Council of Ministers which begins in Barbados on 26 April.

The Council discussed the complaint of the United States about trade loss as a result of the enlargement of the Community. It reconfirmed the Community's readiness to settle the issue in early GATT negotiations and agreed a mandate for the Commission to conduct those negotiations. Ministers regretted the United States' intention to take unilateral retaliatory action and noted that the Community would be bound to take equivalent measures to defend its interests

The Council reviewed progress on implementation of the report of the People's Europe Committee and agreed to adopt the Council of Europe flag for use on appropriate occasions. No requirements are placed on member states by this agreement.

There was an exchange of views on the budgetary situation. It will now be for the Council of Finance Ministers, meeting on 28 April, to consider in detail the 1986 budgetary situation and the 1987 reference framework for expenditure.

That, too, will clearly be an important meeting.

Mr. Denis Healey (Leeds, East): I notice that the Foreign Secretary has described the decision of the European Council as a step forward. The last position from which we were said to be stepping forward was described by the right hon. and learned Gentleman as "vigorous and appropriate" and by the Prime Minister as "passive and supine". Can the right hon. and learned Gentleman tell us how far these decisions represent a step forward, and from what base?

Secondly, why did the right hon. and learned Gentleman not press on his colleagues some economic or financial sanctions such as the withdrawal of export credit —*[Interruption.]* In answer to the supine intervention of some anonymous hon. Member on the Government Benches I would point out that the financial sanctions against Iran that followed the taking of the American hostages proved to play a major role in securing their release. The Libyan situation is not dissimilar in many respects.

Thirdly, I understand, although the right hon. and learned Gentleman did not mention the point, that the Council agreed to send missions to the United States, the non-aligned countries, the Arab world and Libya to explain its position. When will those missions leave? How will they be composed? Precisely what position will they be explaining?

Fourthly, can the right hon. and learned Gentleman tell us anything about the effect on British trade with the Arab world of the decision taken by Her Majesty's Government? Saudi Arabia and the United Arab Emirates have already cancelled visits to Britain to discuss the increase of trade, and I understand that the American company AT and T has decided not to participate in an electronics fair in Britain for fear of terrorist action against it, following the British decision.

Finally, why is the right hon. and learned Gentleman so supine in responding to the American position on all those issues? We know now that 21¼ tonnes of C4 plastic explosive were exported from the United States to Libya by an ex-CIA agent. Only a few ounces of that explosive were required to blow up the TWA aircraft recently. We have heard this morning that the United States has discovered an arms ring operating in America which was planning to export over $2 billion of fighter aircraft, tanks and missiles to Iran and terrorist organisations via Israel. Did the right hon. and learned Gentleman discuss with his colleagues the part played in that operation by citizens of the United Kingdom, France, Germany, Italy and Greece?

As President Reagan is still threatening further action of the same nature as last week's against states that he regards as fostering terrorism, could the right hon. and learned Gentleman make it clear to his Common Market colleagues that Her Majesty's Government will not again act as a Trojan horse of the United States by authorising the use of RAF bases without bothering to find out what specific targets are to be attacked, and with what

weapons? If not, did he propose to his Common Market colleagues that the European Community flag should be the stars and stripes?

Sir Geoffrey Howe: So far as flags are concerned, I was content to endorse the sensible proposition that on European occasions the Council of Europe flag should be worn—should be displayed. *[Laughter.]* I contrast that with the reported attitude of the Opposition, who although the red flag has been their banner for as long as man can remember, are now attempting to conceal that banner in an attempt to mislead the people.

The right hon. Gentleman asked a range of fanciful questions. He must try to restrain his enthusiasm for new epithets when he finds them. The word "supine" has been over-used in his vocabulary.

The substance of the information disclosed today, stopping short of the right hon. Gentleman's fanciful ramblings, is that action is being taken by the authorities in the United States against a conspiracy for the export of arms to illegal destinations. That is something we should applaud and endorse. That is all there is to be said about the matter.

As my right hon. Friend the Prime Minister and I made plain in the House last week, any question of further action by the United States would be a matter for separate consideration in quite separate circumstances when and if it did arise.

I shall now deal with the substance of what the right hon. Gentleman asked. The reaction of many countries in the Arab world has been a great deal more understanding than many people at first thought of the horror with which the Western democracies react against sustained Libyan state-directed terrorism. The Saudi business mission to which the right hon. Gentleman referred is in the country at present.

The issue of economic sanctions has been dealt with frequently. Experience of the cases in which they have been used previously shows that they have not proved to be an effective weapon. They cannot even be regarded as decisive in the case of Iran.

The right hon. Gentleman mentioned a step forward. As a result of the meeting this week, there was agreement throughout the Community on the wide range of measures I told the House about in my original statement. That represents a significant advance, as can be evidenced by the reaction of Libya to what has already been done.

Mr. Andrew MacKay (Berkshire, East): Is my right hon. and learned Friend aware that many of us will feel that he has been excessively charitable in his statement today towards our EEC partners? It is quite clear from the bland communiqué that came out of Luxembourg that very little has been achieved. Furthermore, it is not likely that there will be any EEC unity in taking action against state-sponsored terrorism.

Sir Geoffrey Howe: I think that my hon. Friend needs to keep a balance in assessing these matters. Plainly, we would have wished for a firmer and more united response from our European partners at an earlier stage. Having said that, the range of measures on which agreement was reached at the meeting on Monday represents a significant advance. It represents a commitment by 12 member states of the European community to take action across the Community, which is manifestly producing a reaction in Libya itself.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): Do not the Americans have a legitimate complaint that we have been very slow in Europe in taking concerted action against Libyan-inspired terrorism? Does not the Foreign Secretary find it disturbing that even the sadly limited measures agreed yesterday had to follow in the wake of the American bombing raid? Will the Foreign Secretary remind the House of the terms of the Government's 1985 defence White Paper, which called for a more cohesive Europe operating on equal terms with the United States of America? If that is to be achieved, will he remind his right hon. Friend the Prime Minister that that must mean a greater unity of purpose in both economic and political issues with our European partners than has been generally shown by the Government so far?

Sir Geoffrey Howe: Although I am not prepared to accept the rebuke with which the right hon. Gentleman closed his question, I plainly endorse the need for more effective European co-operation. That is why this country promoted the political co-operation treaty which we are discussing later today. I entirely agree with the right hon. Gentleman. We have been in the van in pressing our European partners for collective effective action for some time. *[Interruption.]* The right hon. Member for Leeds, East (Mr. Healey) must stop his supine interjections.

Mr. Healey *rose*——

Sir Geoffrey Howe: The right hon. Gentleman must remember that I am answering a question from another right hon. Gentleman, and even he does not have the right to intervene on that.

Two years ago, we had our experience with the Libyan people's bureau. Since that time, at international gatherings of the Seven, the Ten, or the Twelve of the Council of Europe we have been pressing for effective action. We got a plain agreement in January this year on, for example, a ban on arms sales and an urgent study of further steps—not enough. On Monday 14 April we pressed again for further action and got a commitment to three steps—not enough, but we were in the van the whole time. This Monday we got a commitment to the steps I have described in the House today. That is still not enough, but it is substantial progress; let us be thankful for it.

Mrs. Elaine Kellett-Bowman (Lancaster): Does my right hon. and learned Friend accept that we are very pleased that, with his usual determination, he is making steady progress? Does he take comfort from the speech by Chancellor Kohl in the Bundestag stressing that Europe must act against terrorism? Does he believe that he is a substantial ally in this fight?

Sir Geoffrey Howe: I acknowledge with gratitude the tribute paid to me by my hon. Friend. It is reminiscent of one of my more fortunate school reports. I endorse what my hon. Friend has said. The Chancellor of the Federal Republic is giving substantial support for effective action. We must continue to press for it ourselves.

Mr. Roland Boyes (Houghton and Washington): Did the Foreign Secretary emphasise to our friends in Europe yesterday, as strongly as the Prime Minister did to the House, that the Americans had a free right to choose which weapon systems were used in the attack on Libya? Did he

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mention to our European colleagues that the Prime Minister did not deny that those aeroplanes could have carried nuclear weapons?

Sir Geoffrey Howe: That is a fanciful proposition. It is perfectly plain that the exchanges between the British Government and the United States Government laid down the nature of the targets that were permissible and laid down that the attacks should be undertaken in a fashion that limited collateral damage and civilian casualties on the ground. There was no question of any use of nuclear weapons. To introduce it into this context is fanciful and ridiculous.

Sir Peter Hordern (Horsham): Will my right hon. and learned Friend confirm that exports of cheap food from the European Community to Libya have been banned? Will he admit that, in view of the way things have gone—he said that the measures did not go far enough—it is no surprise that the Americans took the action they did? Does he consider that the measures which he has just announced are too little and and too late?

Sir Geoffrey Howe: I have made it perfectly plain that the perception of this matter on both sides of the Atlantic was bound to be influenced by what was happening on the other side. Obviously, there was a connection between the slow reaction of the European Community to Libyan terrorism and the view taken by the United States. For that reason, I have pressed for a more effective response by Europe. As a result, we have been able to get a more effective answer than previously.

As to food surpluses, last week I raised with the Commission our concern about any action to authorise subsidies for dairy exports to Libya and other countries. My right hon. Friend the Prime Minister confirmed that to the House yesterday. The latest information I have from the Commission is that no further subsidised dairy sales are in prospect. There is no question of any special benefits or concessions for Libya alone.

Mr. George Robertson (Hamilton): What about beef?

Sir Geoffrey Howe: The beef may be from Scotland, and that would be of interest to the hon. Gentleman. He has a special insight into the problem. The choice of export destinations for produce such as beef and cereals is a matter for individual traders. Community export refunds are available for a wide range of destinations. The refunds are designed to bridge the gap between the local price and the world price. Libya has not benefited from any special treatment. The Commission is clear about our concern that that should not happen.

Dr. David Owen (Plymouth, Devonport): In view of the German police investigations into the bombing of the disco in Berlin and the British police investigations into the El Al incident, will the Foreign Secretary tell us, at the earliest possible opportunity, whether there is a link between Libya and the El Al incident? If such a link is established, will action be taken by the European Community and other countries to stop flights into Libya as one of the least possible sanctions that must be taken if the European Community and others are to be taken seriously?

Will the Foreign Secretary take the opportunity to reply to a queston that was raised in debate, because the Secretary of State for Defence said elsewhere that Britain did not agree to each specific target? The fact is that the Government did not appear to know or to question the Americans about the targets in Tripoli.

Sir Geoffrey Howe: On the last point, I can simply repeat what my right hon. Friend the Prime Minister told the House at the time. The clearest possible response was given to the United States about the nature of targets that could be involved—targets demonstrably connected with the promotion or control of terrorism. The attacks should be undertaken with the highest possible regard to the avoidance of casualties — civilian or otherwise — and collateral damage.

With regard to the right hon. Gentleman's first point, I am not in a position, at this stage, to say anything about the evidence that may or may not be given in connection with cases in Britain—that is sub judice. All I can say is that the police are pursuing their inquiries.

I recognise the important point that the right hon. Gentleman has made, but it would not be right for me to say anything further at this stage. I can appreciate that the plain identification of responsibility for an attack on airlines and airline safety would legitimately raise consideration of the question that the right hon. Gentleman has put.

Mr. Jonathan Aitken (Thanet, South): Despite all this macho talk about vigorous action and an effective step forward, will my right hon. and learned Friend admit that all that the European Foreign Ministers have done is make a rather feeble attempt to half-shut the stable door after the F-111s have bolted?

As European policy now appears to be confined, in vigorous terms, to waving the Euroflag, will my right hon. and learned Friend admit that only a nation state and not the European Community can mount an effective and vigorous foreign and defence policy?

Sir Geoffrey Howe: No, I should have thought that the lesson to be drawn from these events is precisely the opposite. If each of the 12 nation states of Europe sought, independently, to take vigorous effective action, entirely of their own design, that would be far less effective than the 12 nation states taking effective collective action.

I have made plain the extent to which we would have preferred stronger action at an earlier stage. If we have effective implementation of these measures they will certainly have an impact on the threats against which they are directed.

Mr. Kevin Barron (Rother Valley): Did any of the European Foreign Ministers tell the Secretary of State exactly why none of them supported Britain's involvement in the Libyan bombings?

Sir Geoffrey Howe: That question was not raised, because it was quite clear that there was a widespread understanding of the ways in which different countries have reacted to what took place. Their concern was far more constructive and sensible—namely, what further action could and should be taken by the member states to diminish and eliminate the threat of terrorism.

Mr. Teddy Taylor (Southend, East): Will the Foreign Secretary continue to press the EEC not to spend a great deal of money on offering the same subsidies for food dumping to Libya as it does, for example, to India and Pakistan? Did the Secretary of State thank the

representative of the Spanish Government for the fact that, although we are not able to buy Australian or South African sherry because of Spanish opposition, they have given us permission to continue to sell British sherry in Britain for another 10 years?

Sir Geoffrey Howe: I do not recollect any recent discussions with my Spanish colleague or anybody else about the outstanding qualities of British sherry. The disposal of Community food surpluses takes place on world markets with the benefit of export subsidies. We are concerned to secure reform of the common agricultural policy because so much of the money is directed to either storage or disposal of food surpluses.

Mr. Andrew Faulds (Warley, East): Did his European colleagues try to establish from the Foreign Secretary whether his version or the Prime Minister's version is the correct one as to when he first knew of the decision to attack Libya from British bases?

Sir Geoffrey Howe: There is and has been no mystery. My European colleagues have expressed no curiosity. The Prime Minister told the House in her first statement last week that we heard of a tentative decision, in principle, from the President before the weekend. There were discussion between the President's representatives, the Prime Minister, and the heads or Foreign Ministers of a number of European countries during the weekend, of which I was fully informed on my return from Germany.

On the Monday, as my right hon. Friend the Prime Minister said yesterday, no Foreign Minister present at the meeting of the European Foreign Ministers had any knowledge that a final decision had been taken or of its nature and timing.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will my right hon. and learned Friend confirm the report in yesterday's *Irish Times* that Mr. Barry and the Irish Government intend to ensure that cheap EEC food should continue to go to Libya? Will my right hon. and learned Friend explain today how it is possible that the EEC can have some form of foreign policy when it is based on so many different and divergent traditions and interests?

Sir Geoffrey Howe: The answer to that is to be found in my statement. The 12 European Community states have agreed on substantial common action. One cannot expect, even if one wanted it, an entire foreign policy to spring into existence overnight. It is a far more effective to have 12 member states acting together——

Mr. Budgen: But they do not.

Sir Geoffrey Howe: —instead of acting separately. I am afraid that I do not study *The Irish Times* with the same assiduity as my hon. Friend, but I heard nothing from the Irish Foreign Minister on Monday to suggest that Ireland is other than as deeply concerned as we are at the link between state-sponsored terrorism and the IRA. There was no suggestion whatever of their wanting to give any comfort to Libyan state-directed terrorism.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall do my best to call those hon. Members who have been rising, but I ask for brief questions.

Mr. David Winnick (Walsall, North): Did the other EEC Foreign Ministers know of the widespread opposition in Britain to the bombing raids and the use of bases here? Why should the innocent be slaughtered because of the crimes of the guilty? Is the Foreign Secretary aware that he would have served his country far better if he had stood up to the Prime Minister last week and made it clear that it was folly to carry out the bombing raids and for bases here to be used for such purposes?

Sir Geoffrey Howe: The hon. Gentleman is characteristically, ranging over a wide area that the House has already covered. The Prime Minister, I and the other colleagues concerned were all committed to our decision. There was no question of anybody standing up to anyone else. Nor was there any question of my colleagues in the Community pressing me with criticism of what had been said and done. Of course they knew that opinions such as those expressed by the hon. Gentleman had been expressed in the House. They also knew that the Government had a substantial majority in the following debate. Nobody who has been connected with this matter can be unaware of the death and injury to innocent people. We have all made plain that we deeply regret that factor. It is not possible, however, in today's world to take effective action in defence of the innocent citizens of this and other communities who are killed by terrorist action and to guarantee that they will not be killed or injured, by such action.

Mr. Robert Adley (Christchurch): Could we look a little more closely at the use of my right hon. and learned Friend's phrase "state terrorism"? Does my right hon. and learned Friend agree that the phrase is most appropriately applied to countries that have invaded and occupied neighbouring countries in defiance of United Nations resolutions, such as the Soviet Union of Afghanistan, Vietnam of Kampuchea and Israel of Jordan, the Lebanon, Syria and Egypt? Does my right hon. and learned Friend agree that American foreign policy——

Mr. Speaker: Order. The hon. Gentleman is getting wide of the EEC meeting.

Mr. Adley: I was going to ask whether my right hon. and learned Friend agrees that the Venice declaration produced by the European Community was the most constructive proposal that has yet emerged to solve the Palestinian problem, which lies at the root of middle eastern terrorism? What is being done to regenerate it?

Sir Geoffrey Howe: I agree with the central point on which my hon. Friend closed his wide-ranging question and I agree with him about the importance of trying to inject new life into that approach.

Mr. Eric Deakins (Walthamstow): Is not the best way in which to eradicate terrorism to remove its cause? Does that not mean tackling the problem of the Palestinians and Jerusalem? What measures does the right hon. and learned Gentleman propose to take with his American colleagues——

Mr. Speaker: Order. We are again running wide of the statement.

Mr. Deakins: I should just like to ask what further steps with the United States are being proposed to resolve these problems in the middle east.

Sir Geoffrey Howe: I am anxious not to get drawn into a wide-ranging discussion of this question. I agree with the hon. Gentleman about the importance of the central

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question. However, it must be acknowledged that one of the problems we face, which was made clear in the discussions last week with His Majesty King Hussein, is that of securing sufficiently effective representative Arab unity to enable the dialogue to be advanced as we all wish. However, I shall not be drawn further than that.

Mr. John Watts (Slough): Is my right hon. and learned Friend aware that, despite the measures that were agreed upon earlier this week, many hon. Members and many people outside Parliament consider that the response of our European partners has been woefully inadequate? I welcome my right hon. and learned Friend's determination to continue to try to put some backbone into our European partners, but can he assure the House that the failure to reach agreement in Europe will not be a constraint upon further effective measures by this country, and that such measures could and should include the severing of all transport links with Libya and the exclusion of all Libyan nationals from our territory save those who qualify for political asylum?

Sir Geoffrey Howe: The points raised by my hon. Friend go rather further than anything that has yet been suggested. We must bear in mind that our argument is not with the entire Libyan people but with the regime that is responsible for the direction of Libyan state-supported terrorism. In that context, we are prepared to take whatever action is necessary to ensure the security of this country, as evidenced by the action that was announced yesterday by my right hon. Friend the Home Secretary. As for the Community, our actions and our own willingness to take far-reaching action two years ago, and again in the last fortnight, shows that of course we are prepared to take such action nationally as we think right, but equally I shall use the arguments of my hon. Friend and other hon. Members in supporting the case for more effective and widespread action in the Community.

Mr. Ron Brown (Edinburgh, Leith): The House has yet to see the evidence that justified the murder of innocent Libyan people. Today I was informed by Salaheddin Msallm, the official who represents the Libyan Government, that he had been banned by the British Government from making any public comment about all these issues. Could it be that this Government, who allegedly proclaim their belief in free speech, are frightened of the truth coming out about this sad, sordid affair? There have been no reprisals against the British community in Libya. They have been well protected and well cared for. They are part of a counry that recognises their worth. Whether this Government recognise their worth is another matter, bearing in mind the danger from bombing that threatens not only the lives of Libyans but also the lives of British citizens.

Sir Geoffrey Howe: It is difficult to approach such a long question that has been posed from such a different perspective from that of most of the rest of the House. However, the hon. Gentleman must understand that the House is concerned about whether or not effective action can be taken against a deliberate and sustained series of attacks on innocent people by terrorist means. In that context, I do not believe that our record on freedom of speech can sensibly be compared with that of the Libyan regime, which today has proposed the expulsion of 250 Community and European journalists, either in retaliation or for some other reason. The hon. Gentleman ought to be pointing his gun in the opposite direction.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Did my right hon. and learned Friend have the chance to stress to our European friends, particularly the weak-kneed French, that the Western Alliance and NATO would not last a week without the backing of the United States and the force that it can bring to bear? If we are to be isolated, is it not best to be isolated with our friends rather than with our enemies? If the allies continue to deny to America the right to defend its people throughout the world, we shall end up with America becoming isolationist again. That would damage the interests of the free world, possibly for years to come.

Sir Geoffrey Howe: I entirely understand the importance of my hon. Friend's point. I have tried to point out, both within Europe and across the Atlantic, the importance of both pillars of the Alliance taking full account of each other's opinions and sensitivities. It is of the utmost importance that we should not allow Colonel Gaddafi to achieve within the Alliance what Moscow has been unable to achieve.

Mr. Tam Dalyell (Linlithgow): Albeit there was no knowledge of a final decision, will the Foreign Secretary spell out what he meant in answer to my right hon. Friend the Member for Leeds, East (Mr. Healey) when he referred to "separate considerations and separate circumstances"? If we are a Community, there is surely a certain candour between Foreign Ministers. The French, having been asked for the use of air space, must have known what the proposition was. Why was there no discussion among the partners—albeit the circumstances were not, apparently, appropriate, according to the Foreign Secretary—on this vital, urgent issue? Why was it that the Secretary of State for Defence was left in ignorance until Monday 14 April? Will the Foreign Secretary answer the question that was eloquently put by Field Marshal Lord Carver in another place: who was consulted, and who agreed?

Sir Geoffrey Howe: I have been trying to answer questions eloquently put in this place rather than those put in another place. The story has been plainly outlined. I have explained that the Prime Minister, myself, the Secretary of State for Defence and other colleagues were consulted in the first week. The Overseas and Defence Committee was convened on the——

Mr. Dalyell: Did the Foreign Secretary say that the Secretary of State for Defence was consulted?

Sir Geoffrey Howe: That has been public knowledge for a long time. The knowledge of the Secretary of State for Defence, the Prime Minister and myself on the Monday was precisely the same until we heard——

Mr. Dalyell: But on Scottish radio he was for stopping attacks.

Sir Geoffrey Howe: Our knowledge was the same, on the basis of the consultations that took place during the weekend. The knowledge of a number of other European countries was on the basis of similar consultations, but not all of them. But none of us received news of any final decision that had been taken about what and when, until late on the Monday.

Mr. Bill Walker (Tayside, North): Does my right hon. and learned Friend agree that it comes ill from the Opposition to be critical of United States weapons, equipment and other factors that were used in the raid on Libya, because when they were in office their idea of deterrence in the middle east——

Mr. Speaker: Order. The hon. Member is asking a question that goes wide of the statement.

Mr. Walker: It refers to questions that were asked by the Opposition Front Bench.

Mr. Speaker: Order. The hon. Member should be asking a question of the Foreign Secretary.

Mr. Walker: The European action was helped, but when the Opposition were in office it was not helped. Their idea of deterrence in the middle east was to order the Royal Force into action in battle zones unarmed. Their idea of——

Mr. Speaker: Order. The hon. Gentleman could get his question in if he were a little more sophisticated about it.

Mr. Walker: The Opposition's idea of effective deterrence was the ineffective Beira patrol.

Sir Geoffrey Howe: I do not think that I sufficiently follow the inwardness of that question to be able to answer it.

Mr. Dennis Skinner (Bolsover): Is the Foreign Secretary aware that the British people will have noticed in the measures that he has announced today that there is no reference to the possibility of banks and other commercial institutions being affected in any way whatsoever? Is that not best exemplified by the fact that this Government refuse to take part in any exercises that result in a loss of profit for their friends in the City, although the Prime Minister is prepared, on a nod and a wink, to say to President Reagan, "Go ahead, you can cause loss of life?"

Sir Geoffrey Howe: No, the hon. Gentleman has it absolutely wrong.

Mr. Peter Bruinvels (Leicester, East): Is my right hon. and learned Friend able to evaluate the number of Libyan nationals to be expelled throughout the EEC? Does he share the concern of many people in this country that not a lot, and not enough, have been expelled so far? Will he confirm that security at Rome and Athens airports was looked at, bearing in mind that terrorist activity has taken place at both of them?

Sir Geoffrey Howe: The specific incidents at Rome and Athens airports take us back some way in time. However, I know that at that time, and subsequently, much closer consideration was given to security at those airports. The intensification of airport security is one of the matters upon which agreement was reached last Monday. It was agreed that airport security should be the subject of urgent study by the Community's transport ministers. The best point to make about expulsions is that, as a result of the intensely strict visa regime that has been applied by this Government in the last two years to Libyans, the number of Libyans being admitted to this country including students has been reduced to about 10 per cent. of what it was previously.

Mr. John Evans (St. Helens, North): Did any EEC country with American bases say that it was willing to allow them to be used in the event of a further American attack upon Libya? Was there not a very curious contradiction in the latter part of the Foreign Secretary's statement? He announced that we are on the brink of a trade war between the EEC and the United States of America, but there was no announcement of a trade war between the EEC and Libya. On the contrary, we are continuing to supply cheap foodstuffs to Libya, to which the Americans, quite rightly, object.

Sir Geoffrey Howe: The first question did not arise. The second question is a completely false parallel. In the course of the action and counter-action being taken in relation to trade by the Community countries and the United States, both sides contemplate the imposition of retaliatory sanctions if, but only if, negotiations under article XXIV.6 are not successful.

Mr. Tony Marlow (Northampton, North): What institutional initiatives are Her Majesty's Government taking so that in future cheap European food is not used to strengthen those regimes that we would wish to weaken? Will my right hon. Friend take it from the Conservative Benches that there is nothing quite as supine as the IMF doormat on the Opposition Front Bench?

Sir Geoffrey Howe: I am always glad to endorse, even from my hon. Friend a valid judgment of the right hon. Member for Leeds, East (Mr. Healey). The broader question must in essence be looked at in the context of the case for and against economic sanctions and in the context of the sustained action that is necessary to reduce the volume of subsidised exports for disposal.

Mr. Tony Banks (Newham, North-West): In the discussions between representatives of the American Government and the Prime Minister about targets to be bombed in Libya, did the Americans at any stage say that one of their objectives was the killing of Colonel Gaddafi?

Sir Geoffrey Howe: As my right hon. Friend told the House, we set strict criteria for the use of those aircraft based in the United Kingdom. They were to be directed against

"clearly defined targets related to terrorism" — [*Official Report*, 15 April 1986; Vol. 95, c. 729.]

and every effort would be made to minimise collateral damage. The operation arrangements were within those criteria.

Mr. Richard Hickmet (Glanford and Scunthorpe): Did my right hon. and learned Friend remind his opposite numbers of the growing disenchantment in the United States at the European attitude, and in particular of the importance of the NATO Alliance? did he draw to their attention the damage that would have been done to the Alliance had not the United Kingdom supported the American action last week? In those circumstances, did he call upon his opposite numbers to take more effective and constructive action to deal with state-sponsored terrorism?

Sir Geoffrey Howe: That is precisely the point that I have already made in answer to my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont Dark). I have made plain to the United States and our European partners our concern for effective united action

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within the Alliance. If either side is heedless of the interests or concerns of the other side, that poses a risk to the Alliance.

Mr. Healey: Can the Foreign Secretary confirm the statement of the Secretary of State for Defence on the "Today" programme this morning that Her Majesty's Government have the right to refuse permission for the use of the RAF bases on which American aircraft are based in Britain for the delivery of nuclear weapons against the Soviet Union, but has only the right of consultation on the use of those bases against countries with which NATO is not in dispute? That is exactly the opposite of what a former Conservative Prime Minister told the House in the debate last week. Secondly, will he inform the Secretary of State for Defence that those bases are RAF bases, not American bases?

Sir Geoffrey Howe: Plainly, they are RAF bases. Equally plainly, the whole basis of agreement rests on the Churchill-Truman understanding——

Mr. Healey: Answer the question.

Sir Geoffrey Howe: I am coming to that, if the right hon. Gentleman could contain his supine self for a second.

That 1952 agreement reaffirmed that the use of those bases in an emergency would be a matter for a joint decision by Her Majesty's Government, and under that arrangement either party can withhold agreement until it is satisfied on any point.

Mr. Healey *rose*——

Mr. Speaker: No, I think——

Mr. Healey: May I intervene for a moment as Pithecanthropus Erectus?

Mr. Speaker: Order. The right hon. Gentleman has had two bites.

References to Members

4.13 pm

Mr. Harry Greenway (Ealing, North): On a point of order, Mr. Speaker. May I seek your guidance and information on the courtesies of the House? The Opposition spokesman on transport, the hon. Member for Wigan (Mr. Stott), made an erroneous and ineffective attack upon me in the House at the beginning of the debate on transport yesterday without informing me in advance that he would refer to remarks that I had made. I have today told him that I shall be referring to him in the House and I invited him to be in his place to hear me do so.

If an hon. Member intends to refer to another hon. Member, is it not customary to give notice of that so that that hon. Member has the right to reply, should he wish to exercise it? Therefore, was the hon. Gentleman not yesterday grossly discourteous to the House and to me?

Mr. Speaker: I have looked at this matter because the hon. Gentleman raised it with me beforehand. It was not a serious attack, but I confirm that if a right hon. or hon. Member is to be mentioned in a debate, it is our courtesy that he is informed in advance.

Company Political Donations (Government Contractors)

4.14 pm

Mr. Austin Mitchell (Great Grimsby): I beg to move,

That leave be given to bring in a Bill to prohibit companies which contract with the Government, or any department or agency thereof or any local government authority, from making donations, gifts or contributions either directly or in conjunction with any other company, association, or body or otherwise indirectly to any political party or to any candidate for Parliament.

The Bill deals with the murky, obscure and rather difficult subject of party finances and political contributions. It is part of a consistent plea by Labour Members and something that we shall implement when we return to power. It is a plea, first, for light, more light and still more light. Let us know what is happening in this area and let us know who is giving what to whom and why. Secondly, it is a plea for more democracy in political donations so that people do not find that companies are giving money on their behalf without their consent, with no power for them to opt out and without any real consultation on their views.

Ideally, political parties—this is a widely-held view—should be financed by the state, but until that happy day comes the very least that we can do is establish these two basic principles to dissipate the air of sleaze and scandal and the possibility of undue and unreasonable influence and of wrong deals which is all too prevalent today.

My Bill is part of that process and it is much the simplest part of the process because it provides, simply and straightforwardly, that public contractors — those working on or bidding for contracts with central Government, local government or public bodies—shall not make political donations to any party and shall not be considered for contracts if they make political donations to any party. That is a simple principle and it is one that is firmly established by law already in that great bastion of free enterprise, the United States, where federal legislation provides accordingly. My Bill is intended to follow that federal legislation in the United States.

I shall not unveil any great scandals, which is perhaps why the Press Gallery has emptied already, but it is wrong that, for example, Sir Horace Cutler, as Conservative leader of the GLC, set up in 1977 and again in 1981 his own political fund—Sir Horace was trying to be a mini-Lloyd George for beginners—which raised £22,000 in 1977 and £20,000 in 1981, and which was apparently mainly financed by builders with contracts with the GLC. Indeed, Wates gave £3,000 to the first of those funds, which was not reported in its accounts through the normal procedures. Some of the firms giving money to that fund —McAlpine, for instance—asked that restrictions be placed on the GLC's direct labour department as a price for those contributions. That is wrong.

It is also wrong that firms such as Trust House Forte, which has cleaning interests and donates £37,500 to the Tory election fund, and Pritchard, which gave £10,000 in 1982, £5,000 in 1983 and £12,000 in 1984, should be giving money to encourage Government to privatise cleaning contracts, particularly for the DHSS, but also for local councils. Indeed, that has often been done with disastrous results.

The National Union of Public Employees privatisation fact sheet, which appears regularly, devotes nine pages of the latest issue to faults, failures, inadequacies and lawsuits arising from hospital and local government cleaning contracts undertaken by firms, many of them donors to the Conservative party, as a result of privatisation, which their donations were presumably meant to encourage.

That principle is completely wrong. It is also wrong that defence contractors should make donations, especially because the area for competition in defence contracts is very limited. Even so, Plessey has donated £55,000 and Racal has donated £75,000. Even poor Westland donated £2,000 to the Conservative party. That may be a small donation in view of the company's financial position. Indeed, in view of the way that the company was treated by the Government, I would have expected the Government to give money to Westland rather than the company giving money to the Government.

It is also wrong that the principle of donations should apply in the new area of privatisation as we do not know what rules will govern contracts in that area. It is significant that half of the financial advisers and lead underwriters to the Government's privatisation programme are donors to the Conservative party or to its backing group, the Economic League. Kleinwort, Benson donated £30,000 to those organisations. It will not escape the attention of hon. Members that Kleinwort, Benson did very well out of the flotation of British Telecom, and many of the advisers did well out of that and other flotations.

As long as there are donations of this nature, there will always be the imputation that influence is being used, that favours are being sought and given or that contracts are being influenced. It is significant that construction is the fourth largest donor to the Conservative party. We do not know whether there are scandals in that area. However, there have been major scandals overseas, especially in Canada, over Government contracts for construction firms. It is important that we know what is happening and that justice is not only done but seen to be done. The Bill, plus the publication of company donations, will ensure that that is done.

The bulk of the contributions that we are discussing today will go to the Conservative party. That party has seen the justice of legislating to ensure publication of donations and to ensure full consent for donations made to the Labour party by trade unions. The Conservatives must therefore see the justice of establishing the same principle in the case of the even larger donations made to the Conservative party. There cannot be one law for the poor and one for the rich in this instance.

I do not know why people contribute to the Conservative party. They certainly cannot do that to get the benefits of the Government's economic policies which have brought disaster for so many firms, record rates of bankruptcies and closures and such record under-running in capacity. They cannot be contributing to secure honours because the Government assure us that that is not the case. The Government are honourable and I am sure that they would not lie, especially when they can use a carefully lawyered and cunningly phrased half-truth instead.

The donations must be made in the hope of gain. Donations are being made in the hope of gaining tax cuts for the substantially wealthy, the gain of Government contracts for City firms, cleaning firms and others. It is therefore vital that we establish the principle that these

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donations should not be made by firms which are bidding for Government contracts as there is a possibility of corruption. We have a responsibility to act against that possibility, and my Bill provides the way to achieve that.

Question put and agreed to.

Bill ordered to be brought in by Mr. Austin Mitchell, Mr. Terry Davis, Mr. Frank Dobson, Mr. Mark Fisher, Mr. Michael Meadowcroft, Mr. Nick Raynsford, and Mr. David Winnick.

Company Political Donations (Government Contractors)

Mr. Austin Mitchell accordingly presented a Bill to prohibit companies which contract with the Government, or any department or agency thereof or any local government authority, from making donations, gifts or contributions either directly or in conjunction with any other company, association, or body or otherwise indirectly to any political party or to any candidate for Parliament: And the same was read the First time; and ordered to be read a Second time upon Friday next and to be printed. [Bill 141.]

Orders of the Day

European Communities (Amendment) Bill

Order for Second Reading read.

4.24 pm

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): I beg to move, That the Bill be now read a Second time, and that this House take note of the White Paper "Developments in the European Community July-December 1985" (Cmnd. 9761).

Mr. Speaker: Before we proceed with this important debate, I must announce to the House that I have not selected either of the amendments on the Order Paper. It will, of course, be in order to advance the arguments set out in those amendments in the course of the debate. I must also tell the House that many right hon. and hon. Members wish to take part in the debate. If necessary, I will introduce the 10 minute limit on speeches between 7 pm and 8.50 pm

Sir Geoffrey Howe: We have thought it right to include within the scope of the debate the latest White Paper "Developments in the Community."

The six months in question was, of course, dominated by the conference, whose outcome is the subject of the Bill now before the House. However, during that six months we also received the first of the abatements due to us under the Fontainebleau agreement. The Commission published its proposals for reform of the common agricultural policy, which emphasise the need for policies that we have long advocated, including sustained action on prices to bring about a better balance between supply and demand. *[Interruption.]* In a situation of serious overproduction worldwide——

Mr. Speaker: Order. I sense that the House is slightly confused by the Foreign Secretary's opening comments. He is moving the Second Reading of the Bill and not asking the House to take note of the White Paper.

Sir Geoffrey Howe: That is correct. I was simply stressing that it will be essential in this context to persist with the reforms initiated over the past few years, and for similar action to be undertaken in a number of other countries outside the Community.

The Bill will give effect in United Kingdom law to the changes to the treaties establishing the European Communities, which were agreed by the Prime Minister and other European Community Heads of Government in Luxembourg last December. That agreement is contained in the Single European Act, which was signed on behalf of the United Kingdom by my hon. Friend the Member for Wallasey (Mrs. Chalker), the Minister of State, on 17 February. That Act embodies not only those agreed changes but also the new, specific treaty provisions on political co-operation that were introduced at the initiative of the United Kingdom.

I would like first of all to describe the Bill and then the Single European Act and its implications for the United Kingdom. The Single European Act involves changes in Community law. The main purpose of the European

Communities (Amendment) Bill is to give effect to those changes as part of Community law applicable in the United Kingdom. The principal vehicle for that is clause 1, under which the relevant part of the Single European Act becomes a Community treaty within the meaning of the European Communities Act 1972.

Clause 2 covers the agreement by Heads of Government to attach a new court of first instance to the European Court of Justice. There is no question of extending the powers of the court to new areas. The court of first instance will simply provide for the more efficient disposal of the court's growing workload. This is a much needed improvement. The Bill will ensure that decisions of the new court of first instance will be given effect in United Kingdom law.

Clause 3 provides for the change in title of the European Assembly, which will formally be known as the European Parliament once the Single European Act enters into force. In this country it has already for some time been the practice of successive Governments to use the term European Parliament in all but formal legal documents. It is the term that was used by all the major parties in their manifestos for the direct elections to the Parliament in 1984 and indeed in all their manifestos in the 1983 general election as well. So clause 3 brings the law into line with well-established practice.

Mr. Tony Marlow (Northampton, North): I may be wrong, but am I not right to believe that a Parliament is a legislature that can make laws and that the Assembly at present cannot make laws and is therefore not a legislature? Would it not be more appropriate to call it an Assembly unless we wish to give it powers to make laws? If we do that, will we reduce the powers of this House?

Sir Geoffrey Howe: I do not think that we can confine the definition of a Parliament to a specific function. The fact is that nearly all hon. Members and in the country have talked about the European Parliament for many years.

Mr. J. Enoch Powell (South Down): Not all of us.

Sir Geoffrey Howe: Of course there are one or two dissenters but the reality is that all the major parties, as I have said, spoke about the European Parliament at the last elections. I know that my hon. Friend the Member for Northampton, North (Mr. Marlow) retains a long-standing affection for the alternative phrase and he is likely to continue to use that phrase. However, we are now bringing official practice and official designation into line with well-established practice and that should be the end of that question.

Clause 3 also includes provision for the approval of a Single European Act for the purposes of section 6(1) of the European Assembly Elections Act 1978. I shall explain the purpose of these provisions when I come to describe the changes in the role of the Parliament that were agreed at Luxembourg.

Clause 4 contains the short title and consequent repeals.

So much for the Bill. I shall now tell the House something about the impact of the Single European Act. First, I shall deal with EC treaties and, secondly, with co-operation in foreign policy among the Twelve.

The main changes to the EC treaty fall into three groups. The first group updates it to include specific reference to, and an agreed basis for, long-established areas of Community activity which have been conducted so far as a piecemeal basis: notably research and technological development and environment. The second group introduces a carefully considered co-operation procedure involving the Council, the Commission and the European Parliament. Most important of all is the introduction of a commitment and timetable for completion of the common or internal market as one of the principal goals of the treaty and a long-standing aim of successive British Governments.

The Community has, of course, made real progress towards the completion of a common market in goods and services. The first part of that—abolishing tariff barriers to trade — was relatively easy. The second part — breaking down non-tariff barriers — has proved more difficult. As the House knows well, these barriers take many forms. They include technical standards for industrial products, which mean that in practice only the domestic product can be sold in its own market. They include barriers to services, including rules such as those which currently apply in some member states prohibiting their citizens buying insurance from anywhere outside their domestic markets.

There are barriers to the exercise of the professions, some of which we have already succeeded in dismantling — for example, the agreements that we reached on architects and pharmacists last year. They include numerous impediments to a liberal transport policy. Among these are the provisions for quota restrictions on lorry movements between one Community country and another which inhibit free competition. Another example is the cartel arrangements which still apply to air travel.

The implications of the completion of the internal market for Britain can be put in three ways. First, we must think about the implications of not achieving a common market.

Sir Russell Johnston (Inverness, Nairn and Lochaber): The Secretary of State for Foreign and Commonwealth Affairs did not mention that the agreement that was reached on architects took 17 years to complete. He did not mention either whether the Single Act will have any effect on health regulations, for example, which are used as a form of non-tariff barrier.

Sir Geoffrey Howe: I shall deal with health regulations in a moment. The hon. Gentleman is right to point out that progress on non-tariff barrier restrictions on the single market has been lamentably slow. That is one of the reasons for the changes which are now being proposed for moving in the areas which I shall define, from unanimity to majority voting. I was merely pointing out that we have made some progress, and I have given two examples. Of course, we want to make more progress. As I have said, the implications of not having a common market would remain serious.

We are a nation that already sends 48 per cent. of its exports to members of the European Community and Britain needs to have completely free access to those markets. We need to ensure that that free access is mutual so that benefits enjoyed by trade and services coming to this country can be enjoyed by our exporters elsewhere. That applies especially to the services sector and to certain areas of transport such as maritime shipping. That is why the views of British industry are so plainly in support of the commitment to the early establishment of the common

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market. All the major organisations such as the CBI, the Institute of Directors, the British Institute of Management and the Association of British Chambers of Commerce have long campaigned for the completion of the internal market.

Thirdly, there are benefits for our citizens. By deregulating coach services in Britain six years ago, for example, we have achieved a 50 per cent. increase in passengers, a 20 per cent. increase in services and a decrease in fares in real terms of up to 40 per cent. The benefits are obvious to service operators and consumers and to manufacturers as well. This is because an expansion of economic activity is taking place. How much more obvious the benefits would be if that could be achieved on a European scale.

My second example is air transport. Thanks to our persistent efforts we have succeeded in reaching bilateral agreements with the Netherlands and Germany. We are currently negotiating an agreement with Denmark. The agreement and arrangements between the United Kingdom and the Netherlands have led already to a drop in the cheapest air fare from £82 to £49 and an increase of 16 per cent. in air traffic between the two countries—70,000 extra passengers and 10 new services in the first year. Once again, how much more effective it would be if we could make similar progress throughout the Community.

Thus far the remaining obstacles to the completion of the internal market have been largely political. That underlines the importance of the success that we have achieved in getting completion of the internal market at the top of the Community's agenda.

Mr. Teddy Taylor (Southend, East): Is it not the case that air fares for travel from the United Kingdom to the United States have reduced substantially and rather more dramatically than air fares from the United Kingdom to Europe? Is it not possible to achieve what my right hon. and learned Friend is talking about without having a common market, without having the Treaty of Rome, without having a Single European Act and without having all the excessive bureaucracy that is involved in maintaining that structure?

Sir Geoffrey Howe: It is possible to achieve deregulation between two countries. I have explained that that has been achieved between ourselves and the Netherlands. The effect of a Community framework would be to apply a general policy of liberalisation, and that has been considered by the Community for some time. It is the habit and practice of working together on a Community basis that is more likely to promote the achievement of agreements than working under a series of bilateral arrangments. I see no argument against what we are trying to do. Indeed, the contrary is the case.

It is important that we have succeeded in putting completion of the internal market at the top of the Community's agenda but institutional problems have been tackled as well, such as the requirement—this takes up the issue raised by the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) — that measures to complete the internal market can be taken only by unanimity under article 100 of the treaty. That is one of the institutional problems that we have been addressing.

When we came to discuss the possibility of a treaty change a general agreement developed that, where political determination could be reinforced and facilitated, that should be done by making carefully balanced changes in the Community treaty. In the Single European Act these changes take two main forms. First, there is a definition of the internal market and a commitment to its completion by 1992. Secondly, there is the provision that in most of the internal market areas that have so far been subject to unanimity majority voting should apply.

Once the changes have been ratified in all member states, with some exceptions that I shall describe, qualified majority will replace unanimity for the measures which are major components of the construction of the common market. These are policies for sea and air transport, for the right to provide services freely in another member state and for the agreement of common standards that are the key to export growth.

These are potentially important changes but at the same time their scope is not indefinite. It was recognised that some subjects were of such importance to the national policies of individual member states that they should remain subject to unanimity voting. The three principal topics for which unanimity is retained are tax measures, measures relating to the free movement of individuals and measures affecting the rights and interests of employed persons.

For Britain and Ireland, among others, perhaps, there was an additional need reflecting our position as island countries with special requirements in terms of human, animal and plant health. Our position is protected in that respect by an additional safeguard that will permit us to retain or take national measures on the ground of significant need, notably where health, safety, environment and consumer protection are involved. That is not intended to extend to the preservation of measures of the sort for which there can be no justification on that ground.

I know that there are some who will be anxious that in promoting the achievement of an internal market in this way we may diminish the essential protection of our national interest that is inherent in the requirement for unanimity. I would not accept that: first, because we have got the safeguards that I have described, which protect us on the key issues; secondly, because it will be open to us to combine with other member states to form a blocking minority; and, thirdly, because, as a last resort, the Luxembourg compromise remains in place untouched and unaffected. When I say the last resort, I mean it, because I strongly believe that it will benefit this country more for progress to be made towards completion of the internal market through the introduction of qualified majority voting than for progress to remain blocked, as it often has been in the past, by one member state alone.

Mr. John Browne (Winchester): With regard to the Luxembourg compromise, could my right hon. and learned Friend explain to the House why it was that on the one occasion that I know of that this country tried to use its rights under that compromise we were not allowed to do so?

Sir Geoffrey Howe: It was because, as the House well knows, the Luxembourg compromise is not a provision of the treaty; it is a component of political reality in the Community. We were outvoted on the occasion in 1982 because other member states argued that our invocation of that proposition was unrelated to the matter in hand; in other words, we were seeking to invoke it in a wider area

unconnected with the point on which the discussion was taking place. That was the position in 1982. That argument would remain available in today's circumstances. The one thing that is clear is that the Luxembourg compromise as I have described it is in no way affected one way or the other by the Single European Act.

Mr. Marlow: My right hon. and learned Friend will know that there is a short sentence in the Single European Act referring to these measures which says:

"The Commission, in its proposals . . . concerning health, safety, environmental protection and consumer protection, will take as a base a high level of protection."

Is this not likely to have two effects which we can do very little about? One is that if there is a socialistic majority on the other side of the Channel we shall have all sorts of socialism rammed down our throats. The second is that, if a lot of European industries gang up together to set conditions which are to their advantage and to the disadvantage of British industries, there will be nothing that we can do about it.

Sir Geoffrey Howe: The provisions will still be governed by decisions taken under the qualified majority proposals described in the changes being made and will be subject in the same way to the Luxembourg compromise unchanged by anything in these provisions. I really do believe that it will benefit this country more for us to be making progress towards completion of the internal market through the use of qualified majority voting than for that progress to remain blocked, as it has often been in the past, as the hon. Member for Inverness, Nairn and Lochaber pointed out, by one member state alone.

Mr. Teddy Taylor: On the desperately important point raised by my hon. Friend the Member for Winchester (Mr. Browne), is the Foreign Secretary saying that the only time that we tried to use the Luxembourg compromise in recent years, in 1982, it did not work and that the only safeguard we have, the Luxembourg compromise, can be used only if the majority of other member states agree with us that it is of supreme national interest for our country? Does not that mean that the Luxembourg compromise is no real protection at all?

Sir Geoffrey Howe: The Luxembourg compromise is not set out in the treaty and is not, therefore, provided for with the precision that would appeal to my hon. Friend, but the nature of it is unchanged by the proceedings which we are now considering.

The Luxembourg compromise, as many hon. Members have said, has cast its shadow over many considerations and has deferred the reaching of decisions in many circumstances; it has upheld our national interest and that of many other countries, so that people have recognised that it was the weapon that could be exercised in the last resort. That reality remains. I will give just one example. We had a very important package last year of 15 industrial standards directives which had been agreed in 1984 and had been held up by one member state and then another in isolation for over 12 months.

The other major changes in the treaty incorporated in the Single European Act are those which involve long-standing areas of co-operation which so far have not been formally reflected in the treaty itself. The first is co-operation in research and technological development. That activity has been taking place in the context of meetings of Research Ministers since 1975.

Mr. Tam Dalyell (Linlithgow): On the question of the European initiative on cancer research, would it be fair to say that this has been rather disappointing so far? What are the various countries of the Community going to do to fulfil the hopes of co-operation in cancer research that the right hon. and learned Gentleman put forward six months ago?

Sir Geoffrey Howe: I am not able instantly to tell the hon. Gentleman the position on that, but it is being considered by ministerial colleagues. My hon. Friend will no doubt have an opportunity of dealing with it in her reply.

The other area of change, apart from that of research and development, is in the treaty amendments governing the environment. Again, the Community has had environmental action programmes since July 1973 and there are already a number of directives in the environment field. That activity is now being codified.

I come next to the role of the European Parliament, because this is a topic to which a great deal of attention has been given.

A lot of attention was given to the role of the Parliament in the debate on 5 March and in particular to the so-called co-operation procedure, which was very fully and expertly described in the report prepared for that debate by the Select Committee on European Legislation. As hon. Members will know, the European Parliament already has the right to be consulted under some 17 articles of the treaty. The Single European Act provides that for 10 articles, including some new ones, that procedure will be changed.

The new co-operation procedure is designed to enable the Parliament to make its views known, and for the Council to take account of them, before positions have become set in concrete. Under the 10 articles to which I referred—mainly measures affecting the internal market—when a proposal goes to the Council, the Council will have a discussion on it and adopt a common position. Thereafter, if the Parliament, by an absolute majority of all its members, votes for amendments to that proposal, both Council and Commission will have to take account of those amendments.

Where the Commission agrees to change its proposal to accommodate the Parliament's amendments, the Council, as now, can further change the Commission proposal only by unanimity. Where the Council accepts the revised proposal, it will, as now, vote according to the relevant article of the treaty. If the Parliament rejects altogether the common position of the Council, the Council can still vote through a proposal in the form in which it wants it to be enacted, but in those circumstances it must do so by unanimity.

In short, therefore, the Parliament can in certain circumstances change the Council's voting provisions back from qualified majority to unanimity. In no circumstances can it change them the other way.

The new co-operation procedure will produce a greater awareness in Council and Parliament of each other's views, but it will make no decisive change in the institutional balance because the last word remains with the Council. If judiciously used, the new procedure could enable the Parliament to play a more active and positive role in Community decision-taking. The Parliament is one of the Community's institutions. It was elected in 1984 by 114 million people and serves a total population of 320

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million. Its negative powers are considerable — the House has always acknowledged that—but its positive opportunities have until now been relatively few. If it works co-operatively with the Council and the Commission, that can only be in the interests of faster decision-taking, for the benefit of the Community as a whole.

The Single European Act involves two further changes.

Mr. Nicholas Budgen (Wolverhampton, South-West): Can my right hon. and learned Friend confirm that these proposals enhance the role of the Parliament? If so, is that not to the disadvantage of other institutions in the Community?

Sir Geoffrey Howe: Let there be no misunderstanding about this. The Council can reject European Parliament amendments by a qualified majority where the Commission does not adopt them as its own. Where the Commission does adopt them as its own, the Council can reject them by unanimity. That represents no change from the present position, but of course the pattern of exchanges that I have described will enhance the potential influence of the Parliament and that will, I believe, be in the interests of faster decision-taking, to the benefit of the Community as a whole.

I should like to deal with two further changes in the role of the European Parliament. At present, the Parliament's opinion is required on requests by non-member states to join the Community. Henceforth, the Parliament will have to give its agreement before such accessions can take place. This change does not diminish the role of national Parliaments. No new accession can take place without the consent of this Parliament and of every other national Parliament. Similarly, the European Parliament will henceforth be entitled to approve new association agreements between the Community and non-member states. These agreements take various forms. Where the consent of national Parliaments is currently required, that will remain the case for the future.

It is these two new provisions which give rise to the requirement under section 6 of the European Assembly Elections Act 1978 for the Single European Act 1986 as a whole to be approved by the House. That requirement is covered in clause 3 of the Bill.

Mr. Robert Jackson (Wantage): Does my right hon. and learned Friend agree that one of the most important features of the Act is the extension of majority voting? In cases where the Council takes a majority vote, the only way in which the views of elected people can be directly brought to bear is through the European Parliament.

Sir Geoffrey Howe: That is not the only way. I take the point made by my hon. Friend. That is an additional channel through which those views can be brought to bear, but they can also be brought to bear by the impact on members of the Council by national Parliaments.

Sir Anthony Meyer (Clwyd, North-West): Does my right hon. and learned Friend not find it extraordinary that those hon. Members who were claiming that the unanimity rule had been breached are now complaining because the Parliament, apparently, has powers to enforce the unanimity rule?

Sir Geoffrey Howe: I have explained the position. These changes will enable the Parliament to secure a change from majority voting to unanimity. As my hon. Friend points out, on the whole that should be a change in the direction in which my other hon. Friend said would be welcome.

I should now like to turn to the other part of the Single European Act 1986 which is not part of the Bill but which is in the document, the treaty provisions dealing with foreign policy. They do not form part of the Bill, because they do not and will not form part of Community law. However, the House will wish to take this opportunity to consider these provisions which relate to foreign policy.

The new treaty provisions do not in themselves break new ground, but for the first time they enshrine in an international agreement the agreements and practices that have been built up over the last 15 years. The treaty also strengthens the existing commitment to consult on the economic and political aspects of security questions. As hon. Members said, in the last couple of weeks that objective has faced a severe practical test. Events have dramatically demonstrated the need for Europe to speak with one voice. To the extent that I have described, Europe has demonstrated a growing capacity to do so. *[Interruption.* The House may be dismissive about this, but it represents a substantial change. It would not have been possible to mobilise agreement between 12 independent nations to the extent that we have done so were it not for the habit of working together in the European Community.

On Monday, we took a significant step towards denying Libya the capacity to mount terrorist actions in Europe. Of course, that outcome was not reached quickly or easily. As people pointed out, we could have gone further on our own. But vigorous action by one member state could not be as effective as concerted action by 12 member states. If the terrorist threat in Europe is to be reduced, the tentacles put out by Gaddafi or by anybody else have got to be severed in Greece as well as in Great Britain, in Lisbon as well as in London. That is the significance of the step we took this week and that step was an important achievement. We need to build on this beginning. It must inevitably be harder to agree common action than simple consultation. That task will be helped by the treaty provisions that we have agreed.

Mr. J. Enoch Powell: The Secretary of State has told the House that the provisions for political co-operation are not embodied in our law by the Bill. That is what I understood him to say. Could he explain how the embodiment of title I does not do that, because article 3.2 of title I appears specifically to bring into force the contents of title III?

Sir Geoffrey Howe: It brings into force title III because that title is a component of the international agreement which is here set out. It brings it into force as an agreement binding in international law between the member states, but it does not require incorporation in the law of member states. Of course, it requires to be brought into force as an agreement between member states. That is why I am describing it now, because it is translating into a binding international agreement the habits and practices that have grown up on political co-operation in recent years.

An important aim of these treaty provisions—and they are treaty provisions — is to achieve greater

consistency between external policies that are decided within the Community framework on matters such as trade and aid, and the foreign policy objectives identified by member states on political co-operation. Clearly, we need to make sure that policies decided in the Community march alongside and reinforce actions and assessments agreed in political co-operation.

The treaty will also provide for the creation of a small secretariat based in Brussels that will help the presidency of the day. That will provide greater continuity between presidencies, help to ensure consistency in Community policies, and take on the burden of arranging meetings, most of which will take place in Brussels. This task now falls on the presidency of the day. The secretariat officials will be seconded on a rotating basis from their national Administrations.

Mr. William Cash (Stafford): Would my right hon. and learned Friend care to comment on the fact that on Second Reading of a Bill of this importance that deals with the future of Britain and the European Community, the most important measure in this field since 1972, there are six Labour Members present, one Scottish Nationalist, one Unionist, one Liberal and not a single member of the Social Democratic party?

Sir Geoffrey Howe: That is an interesting observation because it shows that the matter is no longer something about which there is great controversy. I am not in the least surprised that there remains a small, valiant and observant watch on the Government side of the House. That is also the case when we are debating other topics. The generality of the propositions I am commending are well supported on both sides of the House. I know that the small and enthusiastic group of my hon. Friends who are in the House are anxious about references to European union in the preamble to the Single European Act 1986. Such declarations are not new in the Community. They have been made at European Councils under successive Governments, Labour as well as Conservative, since at least 1972.

The reference in the Single European Act specifically relates to the Stuttgart Declaration agreed by my right hon. Friend the Prime Minister and the other Heads of Government in June 1983. That declaration referred to the growing unity among the member states in the following terms:

> "European Union is being achieved by deepening and broadening the scope of European activities so that they coherently cover, albeit on a variety of legal bases, a growing proportion of member states mutual relations and of their external relations".

We are not talking about the declaration or proclamation of a United States of Europe or about vague political or legal goals. We are talking about practical steps towards the unity that is essential if Europe is to maintain and enhance its economic and political position in a harshly competitive world.

These are steps to which all the member Governments are ready to agree. No doubt the House will hear a good deal from some of my hon. Friends and from some Opposition Members about the fearful constitutional fantasies that preoccupy them. Those are terrors for children; not for me. I hope that the House will put them aside.

In a world where no European power can any longer stand on its own, our national goals can be achieved only in co-operation with our Community partners. The most fundamental of those goals has always been the preservation of peace and the enhancement of democracy. The Single European Act serves that fundamental objective. It enhances co-operation in foreign policy, and it enhances our ability to take the steps that we need to take as a Community to make ourselves competitive internationally and to create prosperity and jobs. It is on that basis that I commend the Bill to the House.

4.59 pm

Mr. George Robertson (Hamilton): In many ways the importance of this debate can be measured by the fact that a Scot is making the opening Opposition speech and that another Scot will make the closing one in an evening when, at Wembley, an even older union than that with Europe will be put under even greater strain than the European Community is under now because of the unhappiness of some Conservative Members.

About nine weeks from now the Foreign Secretary will take over the presidency of the European Council of Ministers. He will then find himself in the driving seat of a European Community with massive and seemingly insuperable problems. He will find another gigantic crisis, with the cash already running out and all the promises of budget discipline that were paraded before us last year lying in a heap. The CAP is again out of control, its costs swallowing up bigger and bigger chunks of the entire Community budget, and with no sign of reform on the horizon.

A new and frightening split has developed between the traditional allies in western Europe and the United States of America, with the Community incapable of persuading President Reagan of the consequences and dangers of his recklessness. A trade war with the United States is not far away either. The 12 nations in the Community for which the Foreign Secretary will take responsibility on 1 July have over 15 million people out of work. Two in every five are under the age of 25. Little or nothing is being done to mobilise the political will to get them back to work. On top of all that, the competitive edge of our collective industrial capacity is continually under challenge from the far east, from Japan and from the Americans.

That is the European Community which the Foreign Secretary will inherit in only nine weeks' time. It is a formidable prospect, and it is easy to see why the Minister, the hon. Member for Wallasey (Mrs. Chalker), the Mary Poppins of the Tory party, has been drafted in to put an acceptable face on the solutions which the Foreign Secretary might have to dredge out during his presidency.

In the face of all those mind-blowing problems, we are today considering a wholly irrelevant Bill that will give effect to what is remarkably and, indeed, mysteriously called the Single European Act. The 11 other national Parliaments will later do the same thing. However, so remarkable and mysterious is the Act's name that during the last debate the Minister of State, who is responsible for European Community affairs, did not know why it was called the Single European Act. Moreover, at the Königswinter conference a couple of weeks ago at Cambridge, her opposite number in the German Government confessed that he did not have a clue why it was called that.

Today, the Foreign Secretary seemed to say that the Single European Act was the greatest thing since imperial preference, but it is, in reality, a child whom he and the

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Prime Minister wanted to strangle at birth. When the Prime Minister came back last July from her humiliation at the Milan summit, she was absolutely explicit to the House when she said:

"positive improvements in the Community's decision-making could have been decided in Milan and did not require any treaty amendment . . . I saw nothing before us that would require an amendment to the treaty."—[*Official Report*, 2 July 1985; Vol. 82, c. 185-89.]

Even before Milan, the right hon. and learned Member for Edinburgh, Pentlands (Mr. Rifkind), who has now been parachuted into the Cabinet, but who served on the Dooge committee, whose ideas formed the basis of the Single European Act, rubbished, with characteristic vigour and in his own inimitable style, the idea of amending the treaty. He said:

"Her Majesty's Government believe that major progress can be made at the present time without amending the treaty".

The right hon. and learned Member for Pentlands also made another point that should not escape us. He said:

"Once one embarks on the road of treaty amendment, one must bear in mind that, in whatever area it is amended, it will require not only the unanimous agreement of all 12 member Governments but the unanimous ratification of all 12 national Parliaments. Even if any proposals were considered to be acceptable, at the least we would be contemplating a delay of one, two or possibly even three years before such a process would be complete."—[*Official Report*, 20 June 1985; Vol. 81, c. 473.]

Those are the words, not of some fly-by-night forecaster, or of some marginal figure who, like so many Conservative Members, has held high office and then gone into well-deserved obscurity, but of a man who has been promoted as a result of his record as a Minister with responsibility for the Common Market. He is now a full member of the Cabinet. We should therefore accept the authority of his words, his prophecy and his pessimism. We look forward to hearing from his successor later in the debate and to finding out whether the hon. Lady can say when this new vision that has been paraded before us will become a reality.

We have a measure which the Government did not want, thought unnecessary and believed would divert us for years away from the real areas that need attention, yet it is now placed before us as the answer to all our problems. The Government and the then Minister of State were right then, just as the Foreign Secretary is wrong today. This measure is of profound irrelevance to the deep-seated concerns of Europe's peoples, and it diverts us from the remedies and solutions for which we should be reaching.

The Labour party believes that Europe's nations should be looking together for a strategy for growth and the creation of jobs. We believe that with political will and courage such a strategy is both possible and necessary, and could be successful. Indeed, the annual economic report of the European Commission, which was published in November 1985, and which is dismissed in a couple of lines in the White Paper tacked on to this debate, is entitled, "A Co-operative Growth Strategy for More Employment", but we have heard not a word about the report from the Government. Of course, that is not surprising when this country has the highest unemployment rate known in modern times.

We believe that radical reform of the CAP is urgently needed and should be a precondition of any possible future action by the Community in any area because its financial excesses endanger all programmes, but we have heard nothing on that subject today, although it is necessarily part of the debate. We believe in the importance of the regional and social funds, and in their being properly funded to redistribute the Community's resources in a better and more organised way. The Single European Act places obligations on the regional and social funds in order to avoid the worst problems that might arise in a wider and more effective internal market, but the Government have voted to cut those valuable instruments of economic action and to sit immobile as the CAP's excesses threaten a drying-up of the funds, with all that that means for our own regions.

Mr. Jackson: The hon. Gentleman and his colleagues should be congratulated on their efforts to bring the Labour party into modern Europe. In his consultations with representatives of the Social Democratic and Socialist parties observers in the Community, does he find the same lack of enthusiasm for institutional developments as he has just expressed?

Mr. Robertson: I know that the hon. Gentleman finds himself on the margins of this debate, and he will probably remain there for most of it. In discussions with Social Democratic and Socialist colleagues it became clear that their priority is that of the Labour party, which is to use the engine of European economic growth to get our people back to work. Institutional reform is still well down the ladder of their priorities, just as it is for ours.

We believe in joint collaboration on research and technology, and in using public funds in Europe to stimulate the Eureka project—and ESPRIT—to counter the competition from the ill-directed public largesse of the American SDI programme and the economic locomotive in the far east.

We believe that in all these ways Europe could mean something to its beleaguered citizens, but the Single European Act and the Bill offer them little or nothing. Institutional reform is the bread and circuses of European politics. It erects monuments—usually in paper—when people instead want action and results.

The Minister of State, Foreign and Commonwealth Office (Mrs. Lynda Chalker): This is a most interesting deployment of the hon. Gentleman's case. I wonder whether he can square his statement of Labour party policy with the comment of the hon. Member for Dagenham (Mr. Gould), the Opposition Front-Bench spokesman on trade, who was not only part of the research group of the Labour Common Market Safeguards Committee, but edited a report in September 1985, which seems to be at variance with what the hon. Gentleman has been saying for the last five minutes?

Mr. Robertson: No, it is not. My hon. Friend the Member for Dagenham (Mr. Gould) is entitled to his opinions. He holds a Front-Bench position and will undoubtedly express his own point of view, but I assure the hon. Lady that his views and mine on most of the practical issues of European policy do not diverge as much as she would like them to do.

I wish to concentrate on a couple of areas of the Single European Act which I believe show how meaningless even this Government see this treaty change. The first is an area in which we broadly agree with the Government as being desirable. In Common Market gobbledegook they call it

European political co-operation, but they mean foreign policy co-operation. The Act calls on the European Community to

"endeavour jointly to formulate and implement a European foreign policy"

and to

"undertake to inform and consult each other on any foreign policy matters of general interest"

and

"avoid any action or position which impairs their effectiveness as a cohesive force in international relations or within organisations."

It is small wonder that we have heard so little of this matter from the Foreign Secretary this afternoon. This pie in the sky is a considerable embarrassment to the Government in a week when they have found themselves seriously out of line with their Community partners. Perhaps I might remind the hon. Lady of her words in the debate on 5 March, although they ring somewhat hollow in the light of today's and this week's events. She said:

"It is helpful to be in firm political combination with our partners in Europe, as we have shown in the past two months in the statement on terrorism".—[*Official Report*, 5 March 1986; Vol. 93, c. 403.]

A week after the bombing of Libya from bases in Britain, which were used in the face of united and concerted Europen opinion, and two weeks after consultation and discussion in the Community on Libya, we get some limp decision to stop the export of subsidised butter to that evil regime, but no statement on other subsidised products which flow from these shores to that regime, which we are told is to be isolated in every way possible. Are the Government still muddling around trying to be Communautaire on the one hand, and halfheartedly endorsing this idea of "informing and consulting" our partners, while at the same time trying to square it with our obsequious toadying to the Americans and their anti-Europeanism?

We have been told that the Foreign Secretary is the architect of the draft treaty on foreign policy co-operation —or so all the British papers told us before the Milan summit fiasco — but as the architect surveys the shambles for which he has personally been responsible, should he not reflect on the other areas where the rhetoric that he peddles with such conviction in his speeches founders so often on the reality of his actions?

It is not just on Libya that Her Majesty's Government depart from the European line. They vetoed the common line on South Africa and the minimal sanctions proposed until President Reagan had done his U-turn. They ignored the united voice expressed among our partners about the Falkland Islands, where we stand alone. They ignored the unanimous advice offered on our supine withdrawal from UNESCO, and they show none of the genuine feeling of concern for American action in central America that is shared by our European partners.

What do the Government mean by "formulating and implementing a European foreign policy?" Is it to be the Prime Minister's policy just foisted on our European partners, or will she and other Ministers start to listen to the other members of the Community when they speak —and speak sense too?

Mr. Marlow: Would the hon. Gentleman like to take this opportunity to tell the House and the country whether the Labour party is now totally and utterly anti-American?

Mr. Robertson: It is always likely that the hon. Member for Northampton, North (Mr. Marlow), who usually spends his time harassing Ministers, will try to attack the Opposition, but if that is the level of his criticism I think that he had better stay in his seat for the rest of the evening. The Labour party is not anti-American, it never has been, and it is unlikely to be in the future.

The central issue of this Act, we are now told, is not better decision making within the Community, as the Dooge committee told us, but the vision of the internal market. The dream of Lord Cockfield is to be the target of the British presidency and all the eggs are to be precariously placed in this basket. The Dooge committee was eloquent on the objectives of the internal market. It said that it

"would mean more jobs, more prosperity and faster growth, and would thus make the Community a reality for its citizens."

Nowhere are we told when or how this is all to take place, or how, in a recession-battered continent, fewer barriers will not just mean shared misery and not increased prosperity.

To get to Lord Cockfield's dream, this Act introduces qualified majority voting, and single majority voting, across a host of areas in EEC decision making, stretching from Common Market banking and insurance to directives on radio and television broadcasting.

The Labour party is not opposed to moves towards a more genuine internal market. It is not opposed to reducing some of the bureaucratic and protectionist barriers to trade inside the European Community. However, there are fundamental issues at stake for this country, and all the heady vision of Lord Cockfield and the Foreign Secretary himself do not answer the points.

First, do the Government have any idea of the effects that these changes will have on British industry—for employment, for our balance of payments, for the degree of import penetration, for our balance of trade in manufacturing, which has now sunk so low, and for our invisible earnings from services? Nothing that they have said in the last two years suggests that they have the slightest clue about the effect, but if they have, they have a duty to tell us in detail in a White Paper which the House can consider. We have asked for that repeatedly. It is one of the minimal requests that this House can make, but the Government have failed to provide such information. Conversely, they may not know the effects—that is the most likely scenario—and we are embarking on another experiment, a gamble with what is left of Britain's future for the sake of the free market ideology of the Government.

The second point on the internal market concerns the desire by Lord Cockfield and by the European Commission and others to get to fiscal harmonisation, especially of VAT rates. The Government have rightly stressed their opposition to that feature. We welcome that commitment and the fact that such changes will be subject to unanimity, but Lord Cockfield, who is a key member of the Thatcher establishment, is fully wedded to fiscal harmonisation, and he is not alone.

Sir Henry Plumb, the leader of the Tory Members of the European Parliament, said in the debate on 11 December in the European Parliament:

"It was hard to see how there could be an internal market without a measure of harmonisation in fiscal matters."

What confidence can the House have that the Prime Minister's resolution will stand up to such powerful

[Mr. Robertson]

influences within the Community when she so enthusiastically accepts the basic philosophy of Lord Cockfield and the other free traders?

The third point of principle on the interal market concerns the British Government's view of the internal market and how it diverges from that of the other member states. The Government's ideology sees a free trade area — a Europe-wide enterprise zone — with deregulation triumphant and all social protections dismantled, but for our partners in the European Community, even those on the Right wing, it is about much more than that.

The President of the European Commission, Jacques Delors, said in January:

"The creation of a vast economic area based on the market and business co-operation is inconceivable, I would say, unattainable, without some harmonisation of social legislation."

Yet the Single European Act which we are asked to approve today treats the people of Europe as inferior to the goods which they produce.

Because unanimity is to be required for provisions relating to the

"rights and interests of employed persons",

our Government will go on denying the people of Britain —and indeed the rest of the European Community—the benefits of directives on employee consultation and information, parental leave and worker participation. Instead, Lord Young has presented a programme for deregulation Community-wide which will strip workers of many of the rights which they already enjoy.

The Government say that this is because they believe, first, that the directive would impose costs on small and medium-sized businesses and would destroy jobs; and, secondly, that such arrangements are a matter between employers and employees. Neither of those foot-dragging excuses stands up. To take one example, the House of Lords Select Committee could find no reason for believing that the directive on parental leave, which the Government still insist on vetoing, would impose burdens on industry which would result in job losses, since it would affect only 1 per cent. of the people.

The Government find it convenient to accept European legislation on health and safety and, with some reluctance, legislation on equal pay, but they happily meddle in their own industrial law jungle. Why, therefore, should they veto the beneficial standards set by the Community if they truly believe in a genuine internal market?

Where we really distrust the Government in their belief in the idea of an internal market which will work for the interests of Europe's people is on the impact on the regions. The Single European Act recognises explicitly, even if the Government will not admit it, that if the internal European market is to succeed, it can only be through the achievement of economies of scale in production. If that is not to mean another magnet for industry, drawing it to the golden triangle in the centre of northern Europe, the Community needs the clout of the regional and social funds.

The Act calls on the Community to

"in particular aim at reducing disparities between the various regions and the backwardness of the least favoured regions"

and says that

"the implementation of the common policies and of the internal market shall take into account the objectives."

The Act demands that there be new rules for the management of the structural funds and that they should be subject to unanimity. The Government must tell the House whether they will allow the regional and social funds to do what they are designed to do and what the Single European Act says they must do. Will the cash crisis which threatens these valuable—and now legally designated valuable—funds be solved in their favour, or in favour of a capitulation to the German farm lobby?

If the words in the Single European Act mean what they say, and if the Government mean what they subscribe to, we might have some faith in these changes in the Treaty of Rome. However, we agreed with Ministers and with the Prime Minister before the Milan summit when they said that treaty amendments were unnecessary, undesirable and a time-wasting diversion. The Labour party has not done any somersaults and still believes that that is the case.

Even when it struggles through the 12 Parliaments, this measure will not help even one of Europe's unemployed, and it will not add 1 per cent. to Europe's pitiful and lamentable growth rate. Nor will it galvanise the political will which alone can transform European words into action which our peoples will understand. Instead, it will provide another bureaucratic alibi for inaction on the key areas of the Community's crisis—inaction on the food mountains and on the price regime which builds them, and inaction on real technology co-operation to ensure our future.

The Single European Act will mean more majority voting, nominal and purely cosmetic references to monetary union, a gesture to increased influence in the European Parliament, foreign policy co-operation, and more paper commitments to technological development. That is the summation of the Single European Act. To pretend that it is a substitute for political courage and economic hard progress is to delude cynically all the people of the Community. It is a diversion from the real task before us. That is why we shall vote against it tonight.

5.26 pm

Sir Edward du Cann (Taunton): This is a short Bill but its appearance entirely belies its significance. As the hon. Member for Hamilton (Mr. Robertson) said in his thoughtful speech, it is probably, in terms of Britain's membership of the European Community, the largest constitutional measure that the House has had to discuss since our discussions on the European Communities Act 1972. It is right that we in this House should be concerned about and interested in the constitutional proposals which are put in front of us. We have very good reasons in practical terms to be most proud of our own constitution and the experience which we have evolved over the centuries.

We have learnt in our democracy how to provide Governments with authority, yet at the same time to provide opportunities for those of us who are privileged to be in the House as the people's representatives to exercise some control over that authority—a process which, in the context of the increased growth of the power of the Executive, we have substantially enhanced by the introduction of departmental Select Committees in recent years. All of us who are privileged to be Members of Parliament have every reason to defend what we have improved over the centuries; indeed, have been ready to defend at any time that it came into peril.

Mr. John Butterfill (Bournemouth, West): My right hon. Friend has welcomed the evolution of the British

constitution. Does he agree that this Bill represents evolution within the European Community and should be welcomed equally?

Sir Edward du Cann: I think that the Bill represents a very substantial step forward in the process of constitutional change on which this country deliberately embarked some years ago. The question I have to ask is whether the pace is correct.

I listened with great interest to what my right hon. and learned Friend the Foreign Secretary said. He used a phrase that I found offensive. It is wholly wrong to describe those of us who have shown a genuine interest in constitutional matters over a long time. We have arrived at our view after most careful thought, and hold it sincerely. I do not care for being called, in his phrase, one who is concerned about terrors for children. It is the duty of all of us, whoever we are and whatever our political faiths may be, to defend our constitution and all it stands for with all the strength we can possibly command. I therefore make no apology for attempting to do exactly that today.

My personal position on these matters is well known in this House. I was opposed to Britain's signature to the treaty of Rome. I believed it was not in the best interests of this nation, nor in accordance with our historic tradition. Policy alternatives were open to us. I see no reason to change my mind about my decision. In signing the treaty of Rome we abandoned some flexibility in dealing with our own affairs and in negotiating our position in the world in matters of foreign policy and trade, and that I am sure was a mistake. Instead, we have now taken on board a new rigidity of discipline in foreign policy and trade matters which in the end I believe will serve this country less well than a more flexible position would have done.

There it is; the matter has been decided by an overwhelming vote in the House and in this country. The task of all of us now is to endeavour to make the European Community a more effective instrument, if we can. That is exactly what we should be talking about now and that is why I believe the Bill is so wrong.

Why the devil are we talking about constitutional matters at this stage? There is immense impatience in this country with the European Community and the way in which it conducts its practical affairs. If we want to get the country behind the European Community, all our energies should be devoted to making it much more effective, by reforming, for example, the common agricultural policy, by bringing some sense into the way in which the Community deals with its cash, and by achieving greater co-ordination, as my right hon. and learned Friend has argued, in matters of trade and foreign policy. I believe that our priorities now are entirely wrong. We should not be wasting time on constitutional matters when there is so much to do practically.

Sir Geoffrey Howe: I hope that when my right hon. Friend addresses these matters he will focus on the point that the central features of the Bill are designed to make the institutional changes so that faster progress can be made so that there can be more effective co-operation. He may not agree with the method, but those are our objectives.

Sir Edward du Cann: It is a most extraordinary thing that that is exactly what has not been happening. If there were an attractive record of progress and co-operation, I should have more faith in my right hon. and learned Friend's protestations.

My point is really very simple. I believe that we are giving our discussions the wrong emphasis and that we are going for the wrong priorities. In that way, we are being tactless, because the country generally will regard us as impractical, to say the least. There may well be a case for improving procedures, as my right hon. and learned Friend argues, but I do not believe the country is ready yet to make the substantial constitutional changes that are now proposed. For instance, this is not the time to agree to any derogation of our national sovereignty. I was very surprised at the exchanges my right hon. and learned Friend had with some of my hon. Friends on the subject of the Luxembourg agreement. I do not know whether hon. Members have had the opportunity to refer to the admirable reference sheet on the Bill, produced by the Library, but I draw attention to a paragraph on page 7 which makes a striking point. This is not produced by any partisan group; it is a factual report. The paragraph states:

"The legal fragility of the Luxembourg agreement was demonstrated in April 1982."

That is the point that my hon. Friend the Member for Winchester (Mr. Browne) was making. It continues:

"The Council then adopted EEC agricultural prices for the coming year by majority vote, despite the demand of Britain that adoption should be delayed until a settlement was reached on the budgetary situation."

That matter was of vital national interest to us, yet it was ruled that, since the majority vote was in accordance with treaty provisions, the Council regulation stood and took legal effect. Many of us felt that we might just as well not have had the Luxembourg agreement at all. Derogation of national sovereignty while the affairs of the European Community are in such a mess practically has gone far enough and should go no further.

Mr. Cash: Will my right hon. Friend agree that the problem lies not necessarily in the workings of the Luxembourg compromise but more in the scrutiny arrangements that take place in the House? It is a matter of great importance that we manage to organise our affairs here to ensure that we have proper control over things done in our names in the working groups in the Council of Parliamentary Representatives and thereby through the Ministers themselves.

Sir Edward du Cann: I would not disagree at all with my hon. Friend if he says that we should strengthen our scrutiny arrangements in this House. Indeed, I have pressed hard for that to be done, as he will recall.

I also noted what my right hon. and learned Friend the Foreign Secretary said about the commitment to European union. He said that this sort of thing is always said. I believe that it is said too often, and that people should stop saying it. If we go on saying it, the country will believe that that is what we really seek. However, it is not the view of the majority of hon. Members that that is a correct objective. The less said about it in future the better. Right hon. and hon. Members and members of the Government shold make that clear at every possible opportunity.

Mr. Bill Walker (Tayside, North): My right hon. Friend will be aware that union means something north of the border, and certainly in Northern Ireland; it is something we care deeply about. This afternoon an explanation was given why it was right to call the

[Mr. Bill Walker]

European Assembly a Parliament. Would it not be correct to assume that, if we continue to use the word "union" in the way it has been used and is being used, we Scots will be justified in thinking that the word means union as we understand it?

Sir Edward du Cann: I think that that is a wise observation. I believe that my hon. Friend does well to remind us all, wheresoever the word is applied in the United Kingdom, of our Unionist tradition.

We should not now be giving substantial new powers to what is still called the Assembly. I do not believe that it was ever suggested that that was what would be achieved so soon, nor do I believe that the Assembly is properly equipped to exercise those new powers at present. If it is ultimately intended in this Parliament to give these powers, let us come clean with the electorate and say that that is the position. These important steps in that direction at this time are hopelessly premature.

I find it extraordinary that the European Court receives as much attention as it does. If it has some useful function to perform for private citizens in this country, there must be some lack in our judicial system, and I should like to see that rectified. I dislike very much the idea of a supranational court and I would do nothing to see that cause advanced at this stage.

Mr. Jackson: Like all other hon. Members, I accept my right hon. Friend's sincerity. He argues that it is a matter of choosing the right moment. Can he tell us what are the circumstances in which he thinks it would be appropriate in future to take the steps that he suggests we now defer?

Sir Edward du Cann: If the European Community were to show itself effective in running its own affairs and adopt practical policies for instance in agriculture, in which the population generally has some faith and belief, and if there were a genuine spirit of working together in foreign affairs, perhaps one could say that we should move on to other things. However, as the world knows, that is not the situation. The population of this country is extremely impatient with the way in which the European Community conducts its affairs. In endeavouring to press on too early with such important constitutional changes, we risk ridicule.

I believe that commitments to monetary union would be hopelessly premature. What we should be aiming to do, surely, is to popularise the EEC by making it effective. That is what my right hon. and hon. Friends should be devoting their attention to.

Since the treaty of Rome was adopted by its original signatories, much has changed. The United Kingdom has joined the European Community. More recently, there has been the accession of Greece, Spain and Portugal. No doubt the House is very pleased to see how the Community is developing in numbers.

However, the original considerations that led to the establishment of the Community have changed entirely. One could see every reason why France and Germany should come together in the years immediately after the war. No doubt there was a sigh of relief throughout Europe, and perhaps throughout the civilised world, when that happened. However, the worldwide interests of our friends in Greece are very different from those of the United Kingdom. Again, the interests of Spain and Portugal are very different from the interests of Germany, Italy and Greece.

Instead of endeavouring to drive the Community forward along old-fashioned tram lines adopted to serve an earlier situation, is it not perhaps time that we took a fresh look at the scene in order to decide whether important provisions should be added to the treaty?

Mr. Hugh Dykes (Harrow, East): Sabotage.

Sir Edward du Cann: That would not be sabotage at all. We are talking about evolution and development. Let us evolve in tune with the times. Let us not automatically assume that an old pattern is appropriate for today. I hope that my right hon. and learned Friend and the Government will take that suggestion seriously.

I am not sure, either, that it is appropriate that the Committee stage of the House should be taken in the usual way. I suggest that the Bill is an admirable case for submission to one of the Special Standing Committees, the procedure for which was adopted during the last Parliament. Many detailed matters require consideration in connection with the Bill, and it would be appropriate for evidence to be taken from outside.

A large section in the centre of my right hon. and learned Friend's speech was taken up with technical and trade matters. I am sure that we are unanimous in our agreement that we need to make the European Community more effective. That being so, it would be no bad thing to call in outside experts to advise us about the constitutional and other developments contained in the Bill. I hope that that suggestion will commend itself to my right hon. and learned Friend.

For the reasons that I have endeavoured to advance, it is essential that the House should dedicate itself to making the European Community arrangements more effective. I do not believe, therefore, that it is timely that we should be discussing, let alone deciding, a measure such as this. I wish with all my heart that the Government would withdraw it.

5.45 pm

Sir Russell Johnston (Inverness, Nairn and Lochaber): I greatly respect the right hon. Member for Taunton (Sir E. du Cann), but I deeply disagree with him. As a citizen of the United Kingdom — and indeed one of Scottish origin, as may be visually perceived—I am entitled to take a critical view of the constitution of the country in which I live, just as much as the right hon. Gentleman is entitled to suggest that he wishes that constitution to evolve extremely slowly or perhaps not to change much at all. I want to move faster; the right hon. Gentleman wants to move more slowly. That is a fair difference. However, the right hon. Gentleman should give me and others like me the right to our views.

I take a very critical view of our country and its constitution, of the degree to which we are properly democratic and of our failure to take advantage of the opportunities presented by the European Community. I should like to begin with two relevant quotations. The first is from the solemn declaration on European union, to which the Foreign Secretary referred. It was signed at Stuttgart in 1983 by the Prime Minister, among others. The preamble states:

"The Heads of State or Governments of Members States of the European Communities meeting within the European Council

resolved to continue the work begun on the basis of the Treaties of Paris and Rome and to create a united Europe, which is more than ever necessary in order to meet the dangers of the world situation, capable of assuming the responsibilities incumbent on it by virtue of its political role, its economic potential and its manifold links with other peoples."

Paragraph 4(3) of the declaration also stated that the heads of state or Government would subject the declaration to a general review as soon as progress achieved towards European unification justified such action, but not later than five years from the signature of the declaration—in other words, by June 1988.

I am not sure whether the present measure is regarded as a step in that direction or whether—as the Foreign Secretary seemed to suggest — although declarations about union take place from time to time, behind the rhetoric, we must move in a practical manner. I want us to move in a timed manner. It is now generally accepted that the Single Act does not do much to further the aim of European union. That is the view of the European movement in the United Kingdom, as the right hon. and learned Member for Hexham (Mr. Rippon) will confirm. It is also the view of the international European movement, which has passed a resolution to that effect.

What is the Liberal position? From 10 to 11 April——

Mr. Teddy Taylor *rose*——

Mr. Cash *rose*——

Sir Russell Johnston: Patience. If the hon. Gentlemen will wait a moment, I will tell them.

On 10 and 11 April the 10th congress of European Liberal Democrats was held in Catania. I moved a resolution on the European Single Act on behalf not only of the British Liberal party but of the German Free Democratic party, the Dutch National Democratic Freedom party or VVD, the Italian Liberals and the Italian Republicans. The motion was passed unanimously with no dissent from any of the Liberal parties in the European Community. It therefore represents the position of Liberals in the Community.

The resolution stated that the congress

"endorses the European Parliament's critical assessment of the Single Act and confirms the opinion that the amendments to the EEC Treaty proposed therein are insufficient to achieve the development of the political Union so necessary to the European peoples, leaving, for example, foreign, security and monetary policy solely to intergovernmental cooperation, nor are they sufficient to confer on the European Parliament the legislative and budgetary powers appropriate to an Assembly elected by universal suffrage"—

even if that suffrage is, at least in our country, flawed—

"or to transform the EEC Commission into an effective European executive;

Reaffirms its support for a European Union with adequate competences in the fields of foreign, security and monetary policies, and in which the Parliament has joint legislative powers with the Council. Restates its commitment to a uniform electoral system for the EP based on the principle of proportional representation and invites the Committee preparing the 1989 elections to maintain these goals as top priorities in their work.

Welcomes the programme of Action for the completion of the internal market by 1992 put forward by the Commission and endorsed by the Single Act, but emphasises the fact that unless the Council of Ministers returns to the practice of taking its decisions by majority vote, even this more limited goal is also doomed to remain merely a pious wish".

I see that the Foreign Secretary is about to leave. I would very much like to ask him to comment on one paragraph.

The resolution went on:

"Welcomes the Dutch Presidency's proposal to amend the Council statutes so that the European Commission or a minimum of 3 member states would suffice to oblige the Council to proceed directly to a vote in all those cases where the Treaty provides for majority approval".

I understand—the Foreign Secretary can correct me but he did not mention it in his speech—that the Dutch Presidency, which is in control until the end of June, has proposed at the Council that this could be done through the standing orders of the Council which can be changed by majority vote. That would be a considerable step forward. I do not expect the Foreign Secretary to say anything about that now but I wonder if there is a possibility of the Minister mentioning it when she replies.

The resolution concluded by saying:

"Invites the Member States Governments to approve this proposal without delay, overcoming any opposition which may be raised"—

they used a rather gentle phrase—

"by some more reticent members."

On the face of it, one could say that the approach by the Council of Ministers in Stuttgart in 1983 was very much the same as that of the Liberals in Catania in 1986. In reality there is a deep difference. The Single European Act is not a step backwards. That is good. However, it is a great disappointment. It seems almost like a sidestep.

For the Council of Ministers the Single European Act proposes majority voting on a limited number of topics largely connected with measures, as the Foreign Secretary said, to establish an internal market but not, as he confirmed, mobility of labour or health regulations. Both, especially the latter, have been used to hold up imports between European countries. I found the Secretary of State unpersuasive in his remarks on that. One cannot just say, "We will have majority voting where it suits us, but not where it might not suit us." One would not get anywhere that way. The Dutch proposal to which I have referred is at least a practical one.

Mr. Butterfill: Does the hon. Gentleman agree that, as an island, we have a rather special position to protect with regard to certain health matters? Therefore, we need to have the right to veto certain specific proposals which reflect that character of our nation.

Sir Russell Johnston: That is utter nonsense. The idea that because one is on an island one has a different view on health is nonsense. My goodness, the Cheviot hills are a border between England and Scotland. We have strong views on health.

Mr. Geoffrey Rippon (Hexham): Does the hon. Gentleman agree that it is right that we reserve our position on animal health regulations in order to prevent such things as rabies? That is, of course, protected under the measures which the Government are proposing.

Sir Russell Johnston: That is right. Surely it is also right to seek positively to reach harmonisation on health regulations — although, naturally, on a basis not of reducing standards but of maintaining them at the best level. I accept that.

Mr. Jim Craigen (Glasgow, Maryhill): One could never guarantee that.

Sir Russell Johnston: That will be guaranteed, because that is what one negotiates with one's partners. There is no doubt that health regulations have, at times, been used as an excuse.

Mr. Bill Walker: Chickens.

Sir Russell Johnston: Indeed, and I think that the French were up to some tricks. We have all been at it and it does not help the cohesion of the Community at all.

The Single European Act proposes that the Parliament should be allowed a second opportunity to voice an opinion on a range of subjects related to the internal market. That looks as if the Parliament's powers are being increased. However, that extension is deceptive. Once the Council of Ministers has discussed a measure and reached a view, it is now required to give the Parliament a chance to express a view. If the Parliament does not give an opinion within three months, the Council of Ministers can go ahead anyway.

If the Parliament does not agree with the Council and proposes amendments, those amendments can be accepted by the Council of Ministers only by unanimous voting, which weakens the position of Parliament. That contrasts with the fact that Commission recommendations, in certain circumstances are passed by majority voting within the Council of Ministers.

The Dutch have been very good in respect of the European Community. They are currently suggesting that each member state should agree that they will never support the unanimous vote on a decision in the Council of Ministers unless it has the support of the Parliament. That is a very moderate proposition. I hope that that is the sort of proposition that the Government would be prepared to agree to.

I should now like to refer to the two amendments. There is a damp amendment and a dry amendment.

Mr. Cash: The hon. Gentleman referred earlier to his position as spokesman for the Liberal party. Are we to understand, from the reply that he gave to an earlier intervention, that he is to explain the position of the alliance in respect of this Bill? No representative from the Social Democratic party is present and it would be a matter of real interest to have some idea where the alliance stands in relation to a Bill which is so important to the United Kingdom.

Sir Russell Johnston: Firstly, the absence of members of the Social Democratic party shows their confidence in my good self. Secondly, it is clear that the attention span of the hon. Gentleman is somewhat short. If the hon. Gentleman searches his memory, he will recall that he has asked me the same question many times before and I have given the same answer time after time. I have told him that, if he goes to the Library and finds a copy of the alliance manifesto for the European election of 1984, he will find all the answers that he wishes. I will not say any more than that.

I disagree with the first amendment, but I am disappointed with the second amendment. It contains the words

"whilst accepting the need for a Bill which enacts the Single European Act, without eroding national prerogatives or changing the substantive balance of powers between the Community institutions".

One cannot have that. That means no change. Unfortunately, I am speaking before anyone has had the opportunity to speak to the amendment. I shall be very interested in what they say because I cannot understand what the amendment adds to or substracts from the Government's proposal.

The outright nationalistic amendment in the name of the right hon. Member for Taunton seeks to do two things. It states that the Bill

"undermines the national right of veto."

We have been over that old story repeatedly. We cannot expect to achieve an internal market if we sustain that position. What is the national interest? Unless Europe becomes a political Europe rather than a nationalist compromise, it will never achieve coherent political positions. I suggest to the right hon. Member for Taunton that to say that one's attitude to agriculture, fishing or industry is determined primarily by whether one is British, Italian or French, rather than by whether one is a Liberal, a Conservative or a Socialist, is to talk political nonsense.

Mr. Bill Walker: The hon. Gentleman has been consistent and, at times, courageous. He will remember that one of the major platforms during the referendum campaign in Scotland concerned the veto — what it would achieve and how it could be retained. There was no question of it being qualified or watered down. The hon. Gentleman remembers the campaign as clearly and as well as I do. He remembers how a majority of people were persuaded.

Sir Russell Johnston: I never thought that that made any sense. The people who suggested at that time that it made sense have changed their minds. Times change, and there is no getting around that. The concept of a national right of veto presumes that somehow the British view of a political matter is coherent. The Prime Minister says now what our right of veto is, but the alliance might, if the heavens were gentle and understanding, or the Leader of the Oppostion might be in a position to do the same. None of those three would necessarily define a proper national stance. They would simply define a transitory political position in the United Kingdom. If we want the advantages of size and co-operation gained by being a member of the European Community, it is right and proper that we should take political decisions on a Community-wide basis.

Mr. Teddy Taylor: Does the hon. Gentleman, who is a fair person, think that there was a great deal of merit and logic in the comments of my right hon. Friend the Member for Taunton (Sir Edward du Cann)? He said that this was not a constitutional revolution, but that it was wrong to give additional majority powers to the Community before it had solved some of the problems by using its existing powers. Is it not reasonable to say to the Community, "Use the powers to solve some of the problems you have before you come back and ask for more."

Mr. Marlow: That makes sense.

Sir Russell Johnston: The hon. Member for Northampton, North suggests that it makes sense, but that severely devalues its impact upon me. I say to the hon. Member for Southend, East (Mr. Taylor) that the reason that this limited proposal has been made and all the arguments have taken place in Milan, Luxembourg, and so on is that the decision-making processes of the European Community have not been working. More and more decisions are being delayed. The Secretary of State for Foreign and Commonwealth Affairs confirmed that it takes 17 years for the Community to decide on common qualifications for architects.

Mr. Marlow *rose*——

Sir Russell Johnston: With great respect to the hon. Gentleman, I must point out that time is passing.

Mr. Marlow: How will that make it easier for us to reach sensible conclusions on the common agricultural policy? What will the Bill do to bring about changes in the nonsensical common agricultural policy?

Mr. Deputy Speaker (Mr. Harold Walker): Order. I remind the House that interventions are made only at the expense of speeches by other hon. Members. A number of hon. Members are waiting to speak. I am making a note of the number of interventions made by hon. Members.

Sir Russell Johnston: The second aspect of the amendment concerns the power of the European Assembly. Those who support the amendment do not wish its power to be extended. They say that the Bill

"increases the power of the European Assembly".

If one believes in democracy, one must have an elected body to take care of Community legislation.

I listened with great interest to the speech by the hon. Member for Hamilton (Mr. Robertson). I notice that he has left the Chamber temporarily, but he is represented by his Scottish colleague the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). Although the hon. Member for Hamilton told us what he would do, he failed to tell us the Labour party's view on Britain's place in the European Community. For a long time, the Labour party bitterly opposed Britain's entry into the Community. It seems to be moving from that position, but is not clear where it is moving to. I say to the hon. Member for Northampton, North, who is an expert on these matters, that it is simplistic to argue that the CAP must be reformed forthwith, but, as the hon. Member for Hamilton stated, institutional reform must be low on our order of priorities. As the old song said, you cannot have one without the other. If CAP expenditure were decreased, an effective regional policy would be required to take care of the problems that would be created. If there is to be a harnessing of economic forces for the creation of jobs, as the hon. Member for Hamilton suggested, fiscal and social harmonisation and common political answers would be required. That issue must be faced. At the moment it is not being faced. It is being fudged by the Labour party.

I agreed with the hon. Member for Hamilton when he castigated the Foreign Secretary for his bland references to political co-operation. The right hon. and learned Gentleman suggested, in the way that he is very good at doing, that Britain has been the country which has taken the initiative to achieve political co-operation in the European Community. That is not true. The hon. Gentleman pointed out, rightly, that it was remarkable that the Foreign Secretary should say that. Admittedly, as a consequence of yesterday's ministerial meeting, the Foreign Secretary was able to announce some progress regarding Libya. The events leading up to that were not indicative of a proper degree of co-operation. South Africa's position was quoted. UNESCO was a classic case in which all our European colleagues were saying "No". In my view, there was no proper form of consultation. That seemed to be incredible. We must work these things out in a more satisfactory way.

The Single European Act contains no timetabling procedure. The Council tries to agree on a position but if it is unable to do so, it puts it off. Very often, there is no need to use a veto. It is the prospect of its use that creates the delay. I believe that the European Parliament was right, in the Spinelli draft Act, to argue for a firm timetable on decision making. A timetable is essential if these matters are to be speeded up.

The right hon. Member for Taunton said that we are moving too fast. I think that we are moving too slowly. Although my colleagues and I will support the Bill in the Lobby if there is a Division, we make it clear that we would have liked much more and we shall continue to press for much more.

6.9 pm

Mr. Michael Knowles (Nottingham, East): The hon. Member for Hamilton (Mr. Robertson), the Opposition's Front-Bench spokesman, spoke about splits between the United States and Europe. That is hardly surprising. At one time, there was talk about the twin pillars of the Atlantic Alliance, but the reality is that there is one pillar, the United States, and a pile of building blocks on this side of the Atlantic. That does not resemble a pillar at all. The countries of western Europe do not stand equal with the United States. Until they are united more coherently there will be no need for the United States to treat them as equals.

It is only in unity that Europe has achieved some economic strength. It has been said that Europe has become an economic giant but a political pigmy. There is some truth in that. We have not produced a political institution. However, when the Community has stumbled, all too unwittingly, into various forms of trade wars—even with the United States—it has not always come off second-best. We are strong economically, but we are not strong enough in other spheres. It is only through unification that the Community will be strong enough to have a voice on the world stage and be able to meet the economic challenges from the United States and Japan and the obvious political and military challenges of the Soviet bloc.

Some hon. Members have put before us a will o' the wisp which has long gone—the idea of an independent Britain. We heard faint echoes of the 19th century in their speeches but that concept has gone. They cannot offer a future independent Britain. Britain and the other European nations will, perforce, be colonies, albeit economic colonies, of the United States and Japan. If the worst comes to the worst, European nations might be political colonies of the Soviet bloc. If we wish to survive, there is no choice but unification.

When my right hon. and learned Friend the Foreign Secretary takes over the presidency of the Council of Ministers he should bear in mind that, to implement the Cockfield report, we should join the exchange rate mechanism of the European monetary system. The time has long passed when we should have entered. I hope that my right hon. and learned Friend will announce that decision when he takes over the presidency, as that would seem a suitable moment to do so. I am prepared to wait another nine weeks for that announcement but it should have been made years ago.

The completion of the single market is important for Britain, especially with regard to services. Implementing Cockfield by 1992 will mean vast changes in Britain and in other Community countries.

Mr. Teddy Taylor: It will not happen.

Mr. Knowles: If my hon. Friend the Member for Southend, East (Mr. Taylor) had his way, it would not

[Mr. Knowles]

happen. It is possible, but it depends on political will power. My right hon. and learned Friend the Foreign Secretary has made it clear that the Bill is primarily concerned with those necessary changes.

I wish to comment on the speech of my right hon. Friend the Member for Taunton (Sir E. du Cann) who has, unfortunately, left the Chamber. My right hon. Friend exposed some of the underlying attitudes which have led to our difficulties in the Community. He said that he opposed our entry into the Community. My right hon. Friend said that he was not against evolution but against the pace. If the pace was slower we would be at a standstill. The Community's movements are so slow that they are glacier-like.

My right hon. Friend also claimed that Britain is impatient with the Community. That is an argument I have heard before. It is argued that Britain is a practical nation, that we want to get down to the nuts and bolts of things, yet we are linked up with all of these airy-fairy European intellectuals who exchange words. The continental airy-fairy intellectuals have increased their gross national products at a remarkably faster rate than this practical nation has managed to do in the past 40 years. As politicians, we ought to believe that words are important. They are our business.

Mr. Teddy Taylor: Can my hon. Friend tell me of any other area of the world which, in the past three years, has had a poorer rate of job growth — with the possible exceptions of El Salvador and Tibet—than the European Economic Community?

Mr. Knowles: That is because the Community is splintered into 12 separate markets. If one separated the United States into 50 separate markets they would not have had a growth in jobs. If we wish to emulate the job growth in the United States we must emulate their economic structure.

It has been said that Britain should say less about European union to our European partners. That is not true. Its exact import may vary in different countries but it is an aim that is shared by all European partners. We signed the treaty of European union, the object of which, as outlined in the preamble, was to produce an ever closer union among the people of Europe. Britain also signed the Strasbourg declaration. The concept is important and our European partners expect us to deliver on the treaties.

There has been endless mention of the common agricultural policy. The truth about the agricultural policy — this is sure to produce a laugh — is that the agricultural policy has been too successful. Thirty years ago the idea that Europe could feed itself seemed a pipe dream. That is the only area in which we have practised a single market and it is the one area where food costs have fallen and where we have massive food surpluses and problems.

Thirty years ago over 25 per cent. of the people worked on the land. They have been shifted off the land but there has been increased productivity. The success of the common agricultural policy was based on the single market and if we had a single market for our industries we could produce similar results. We must press forward.

Mr. Budgen: Does my hon. Friend have the same idea about stockpiling motor cars? Can he give us his further thoughts about state aids and subsidies, of which he plainly approves on a European scale, which would resuscitate Britain? I am sure his views will be much appreciated by Opposition Members.

Mr. Knowles: I cannot recall any period in postwar Britain when there has not been some form of state subsidy. Even in that haven of free enterprise, the United States, the biggest single subsidy is given to agriculture. Some of those employed on the land have to be shifted off and that has social consequences. We must pursue an agricultural policy which has social as well as economic aims. That is inevitable.

Mr. Budgen: Is my hon. Friend saying that we do not have a dreadful lesson to learn from the common agricultural policy and that the same principles should be extended to industry? Would he favour doubling the price of motor cars and excluding all imported ones? That would be the result of applying that principle.

Mr. Knowles: One would apply those principles to protect agriculture but not to industry. One uses different horses for different courses. Certain hon. Members claim they oppose the principle of subsidies, but when the industry concerned is in their constituency it is a different matter. I have not seen many hon. Members who will argue that in principle and then face their electorate and tell them that they are in favour of closing their factory down. State intervention can be used, from time to time, to give an industry breathing time to sort itself out.

Successive Governments have used subsidies. Surely nobody is pretending that the United States Government have not used their vast purchasing power to bolster American industry. The Boeing 707 swept the board because the development costs of the B52 bomber were written off. Nobody could compete with that. Those who want to compete at the top end of technology must do what others do, but better. It is nonsense to imagine that we can live in a cocoon. Reality must break in.

I do not accept the idea that any increase in power or influence for the European Parliament necessarily affects Westminster adversely. The power does not reside at Westminster or at Strasbourg. It has disappeared to the Executive in the middle-national Governments, the Commission and a supra-national Council, which is the only legislature that I can think of which meets in secret. It is not a democratic system. I favour the democratic system and would like Strasbourg and Westminster to exercise more control.

Parliament does not influence European matters practically because we do not give the Select Committee the power to do so. I have argued this case before. There are members of that Committee in the Chamber. We have argued time and again that we must reconsider how we scrutinise European legislation. That is especially true in view of the proposed changes. At the moment, the Select Committee considers matters when they are so far down the road that we can do nothing about them. We do not have close relations with British Members of the European Parliament; we do not have the close liaison such as the French and Germans have. The House loses as a result. We fail to influence European affairs to the country's benefit because we are bound up with petty jealousies.

In France, for example, a Deputy from the French National Assembly may become a Member of the European Parliament, return to Paris as a Minister and then

go to Brussels as a Commissioner. The two institutions are closely knit. A line is drawn between the two in British politics. What happens in France might be called patronage but it protects French interests. I am in favour of protecting British interests. We must be realistic. We should not lock ourselves in a cupboard, put our hands over our eyes and say, "The bogy man will go away." The world is not like that.

Can my hon. Friend the Minister assure us that the Government are willing to reconsider the powers and status of the Select Committee? That has become an urgent matter. We must grapple with realities. All too often, we trample over the ground that we have trampled over ever since we entered the Community. Other countries have moved on. Their political perspectives are shifting. If we are not careful, we shall be left behind wondering what everyone is talking about and why they are impatient with us.

Mr. Dykes: As this applies to economic and political issues——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The hon. Member must address the House. I cannot hear what he is saying.

Mr. Dykes: I am sorry, Mr. Deputy Speaker. I was trying to decide which way to face.

Mr. Marlow: You always are!

Mr. Dykes: I now realise that I should not have said that.

My hon. Friend the Member for Nottingham, East (Mr. Knowles) is speaking persuasively about political and economic co-operation. I am sure that many hon. Members agree with everything that he has said. Does he agree that it is ominous and nerve-racking for Britain that, because of the failure to get stuck in and to work to create a strong Community, Italy has, for the first time, overtaken the United Kingdom, whereas it was always the weakest of the big four? Is that not a good example of a country seizing its opportunities and doing well economically and politically because of political will?

Mr. Knowles: My hon. Friend is absolutely right. That has happened before and it will continue to happen. Britain must accept that it made a decision about its future when it entered the Community. We should stop haggling in the corner over private quarrels and ensure that the Community works and that we get benefits out of it.

6.25 pm

Mr. Eric Deakins (Walthamstow): I listened to the hon. Member for Nottingham, East (Mr. Knowles) with increasing incredulity. His was the first openly federalist speech of the day, although we have had a few others in previous debates. I hope that, when the hon. Gentleman loses his seat at the next election—he has a marginal—he may have done himself some good with the British European movement.

The Government admitted last year that the Bill would not have been necessary if they had not been defeated by the increasingly federalist sentiment which guides some of our colleagues in the EEC. I am not sure whether it was inadvertent or deliberate, but the Government seem to have been blind to the growing trend towards federalism and integration in the EEC.

I tabled a written question to the Minister's predecessor on 8 May 1985 asking about the phrase "European integration" which had been used in a Government document supplied to a summit meeting in June 1984. The Minister replied that the phrase denoted co-operation of EEC states. A Minister who cannot distinguish between integration and co-operation is either stupid or trying deliberately to mislead. In view of that Minister's reputation, I shall leave the House to decide.

The Government are accepting a further loss of sovereignty by the extension of majority voting. We no longer have faith even in the Luxembourg compromise —the so-called veto—which might have existed before last year's events. We had one defeat on the use of the Luxembourg compromise in April or May 1982 concerning CAP prices and the link with our budget contribution. We were outvoted and refused use of the Luxembourg compromise. That was a defeat for Britain at the hand of other members of the Council.

There was a more serious breach in the Luxembourg compromise concerning the CAP price negotiations last year. The Germans vetoed a cereal price reduction whereas, under the rules, cereal prices for the previous year should have been continued. The veto was overruled not by other Council members but by the Commission. The Commission arrogated to itself the right to overrule a veto in the Council. That is even more disturbing than what happened in 1982.

The Bill also accepts a great extension of competence to the EEC. I am surprised that nobody but the Foreign Secretary has mentioned that. If the Bill is passed, the Community will have competence in environmental matters, in research and development and in other areas which until now have been outside its area of competence, as laid down in the basic Community treaties. The extension of Community competence has a rachet effect. Its competence must be at the expense of the legislative and economic competence of individual member states. When powers have been given up they can never be regained — at least, not so long as one remains a member of the Community. The rachet effect is one of the great disadvantages of the Single European Act and of this Bill which gives legislative effect to it.

The Bill also gives more power and, what is even more important, more status to the European Assembly. The treaty of Rome referred in many instances to the Commission and the Council consulting the Assembly, but the words that are now used are "in co-operation with." Those words must mean something. There has been a change in the wording, which will enhance the status and the powers of the Assembly.

Last, but by no means least, in this Bill the Government accept the idea that indirect taxation should be harmonised under article 17. There is a qualification: that that harmonisation must be essential for the workings of the internal market. But what form of indirect taxation is not essential to the workings of the internal market? Every form of indirect taxation is essential. Therefore, the qualification is no safeguard. The Bill accepts, as does the Single European Act, that ultimately there shall be harmonisation between member states over indirect taxation. I am surprised that the Chancellor of the Exchequer has agreed to it.

As for the change of name of the Assembly, Conservative Members ask, on behalf of the federalists both inside and outside Parliament, "What's in a name?" Right hon. and hon. Members have forgotten that the name of the Assembly was changed by the European Parliament

[Mr. Eric Deakins]

in a resolution of 31 March 1962. Because of their federalist leanings, that change was recognised gradually by the other institutions. However, what would be the reaction if the European Council of Ministers took it upon itself to change its name to the European Cabinet? Would right hon. and hon. Members adopt a sanguine attitude towards that change of name? Of course they would not.

Names have a meaning. They are also symbolic. The symbolism involved in changing the name is probably more important than the immediate practical effect. The Assembly, which is now to be called officially the Parliament, will try to arrogate to itself the powers of a real Parliament as distinct from the Assembly's present advisory and supervisory role under the relevant section of the treaty. I shall continue to take the advice of the former Minister of State, Foreign and Commonwealth Office on how to use these terms. In reply to my written question about the terminology on 15 March 1984, he said:

"Whatever terminology is used, the nature of the institution is not affected. We shall continue"—

that is, the Government—

"to use the term 'Assembly' in legal texts or"—

I put emphasis on this—

"where it is necessary to distinguish that institution from the Westminster Parliament."—[*Official Report*, 19 March 1984; Vol. 56, c. 340].

When this institution has changed its name officially to "Parliament", it will be even more necessary to use the term "Assembly" in our debates to distinguish it from the proceedings in this House of the Westminster Parliament.

The Assembly has been granted a large number of new powers. However, it is not a responsible Parliament, such as the national Parliaments of the member states. According to its record, it is a most irresponsible body. Last year it passed a motion that rejected the idea of budget discipline in the EC. This year it could not agree upon any form of reform of the common agricultural policy. It produced a document that was eventually voted down, but that document was shot through with contradictions. During the agricultural price review debate last year in the Strasbourg institution, the Assembly argued for a 3·5 per cent. average increase in agricultural prices. That was at a time when even the federalists in this Chamber accepted the need to rein in the financial effects of the expansion of the CAP.

The Assembly is looking for a high profile role. It is increasingly bloated with its own pretensions. I refer to its attitude to the Single European Act which was grudgingly accepted as the minimum. It was probably very much in tune with the comments of the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) who, quoting from the proceedings of the Liberal assembly on the European basis, said that this is a very small step indeed.

Much more significant about the Assembly's pretensions is its attitude to the 1986 Community budget. It rejected the Council's budget and tried to arrogate to itself the power to increase expenditure. That is outside its powers under the treaty of Rome. It is also outside its power under the Single European Act. Furthermore—this was an even more heinous crime on its part—it tried to arrogate to itself the power to increase the rate of VAT from own resources within the 1·4 per cent. ceiling and the power to determine the taxation of individual citizens in member countries. The House debated this matter a few months ago, and I shall not go into the details. However, it shows the nature of the institution. It wants there to be more expenditure and to get its hands on taxation, but it does not yet have those powers.

My last word on the Assembly, at least in this debate, is that we are seeing the beginning of a struggle between the Assembly and the Council, with the Commission openly backing the Assembly in its desire to get more power away from the Council and, therefore, away from national Parliaments, particularly over financial control. The same kind of struggle took place in England during the later middle ages. There was a struggle between the English Parliament and the Crown over the one vital issue that involved power in the community and its society, the power of taxation. That struggle was eventually won by the English Parliament. We must hope that there will be a different outcome to the struggle that is now beginning in the European Community.

The Bill gives great encouragement to the federalists in our midst and outside. The federalists are not just the people on the fringe. When Mr. Gaston Thorn was President of the European Commission he made a speech to the European Assembly in February 1984 in which he said:

"Parliament's role in decision-making is not commensurate with the legitimacy the direct elections gave it. Parliament is an expression of the deep-rooted aspirations of the people of Europe. As such, it should have a much larger say in policy-making. I would like to see it sharing legislative and budgetary powers with the Council."

The federalists in this Chamber will applaud those sentiments. However, those right hon. and hon. Members who do not wish the EEC to follow a federal direction but who believe that this is inevitable unless it is strongly resisted in this country and in other countries will take careful note of that warning.

There is also a passage in the Dooge report that was opposed by the Minister of State at the time. It says:

"A Parliament elected by universal suffrage cannot, if the principles of democracy are logically applied, continue to be restricted to a consultative role or to having cognizance of only a minor part of Community expenditure. That dooms it to oblivion or over-statement, and more often than not to both."

The Minister entered a reservation, but it was only a technical reservation. In the light of the Bill and the Single European Act, I believe that a majority of the Cabinet and the Government are convinced that gradually we should go down the federalist path, but that we should not speak too loudly about it for fear, to quote the Foreign Secretary's rather offensive words, "of putting terror into the children".

Mr. Cash: Recently, in reply to the right hon. Member for Chesterfield (Mr. Benn), my right hon. Friend the Prime Minister said:

"I do not believe in the concept of a united states of Europe, nor do I believe that it would ever be attainable."—[*Official Report*, 5 December 1985; Vol. 88, c. 432.]

Mr. Deakins: I accept that. I too have that quotation. The Prime Minister may have said that, but I am afraid that she has said many things about her attitude to the EEC and in the course of time we have seen that she has changed her views. The Milan summit was a classic example of that.

My third point of caution about giving encouragement to federalists in the Bill relates to the draft treaty of union which was considered by the Assembly not so long ago. I shall not weary the House by reading out some of the appalling——

Dr. Norman A. Godman (Greenock and Port Glasgow): The distinction that my hon. Friend makes between an assembly and a parliament might be seen as a confusion between the two by other hon. Members. Would that confusion be worsened when we obtain an elected Scottish legislature if it is called an assembly or a parliament?

Mr. Deakins: The Referendum Act 1975 referred to an "assembly". That would not have led—I see Scottish Members assenting to that proposition — to any confusion at all. If there are parliaments in different parts of the same institution, there is bound to be confusion between them regardless of their legislative and financial roles.

Let me mention briefly the draft treaty of union, which is horrifying. It has been rejected, but nevertheless it is, so to speak, in the wings waiting for a favourable moment to come forward. I do not agree with the right hon. Member for Taunton (Sir E. du Cann) who finds the pace of change too fast. I look at the destination and say that I do not want to get to that destination. I suspect that the majority of the British people, given the opportunity, would say the same.

There is nothing in the Bill to improve parliamentary control and scrutiny of Council decisions and treaty-making. I refer the House to the 16th report of the House of Lords Select Committee on the European Communities in Session 1984-85, where that point was hammered home. I cannot believe that hon. Members would regard the other place as being a radical institution. Nevertheless, it said some excellent things about the inadequate nature of our scrutiny in the House. We also have the report of our Select Committee on European Legislation.

The Single European Act talks about harmonisation of external policies. It would be a serious mistake—I shall not necessarily carry even my hon. Friends with me on this —for us to co-ordinate our external policies with a club of rich nations, which they certainly are. That will not resolve the world's north-south problems. It would be much better to give greater prominence to using the Commonwealth in tackling those problems. Unfortunately, the Commonwealth is sadly neglected by all parties in the House and that is a pity.

What matters is not the military, economic or political power, as the Foreign Secretary and those who support him would have us believe, which lie behind particular policies, but whether a policy is right or wrong. If it is right it must be put forward irrespective of the power that one has to put behind it. The worst of all possible worlds would be to have policies that are decided by consensus in the Community. As we know, all convoys proceed at the pace of the slowest ship. I am afraid that those policies are just as likely to be highly inadequate or wrong as they are to be right.

This political co-operation is the politics of declaration. There have been about 30 declarations in recent years and they have had no perceptible impact on the course of world events. It is the politics of gesture by countries unwilling to accept their declining influence in the world. Incidentally, I accept that concept because Europe cannot go on dominating the world for the next few hundred years in the way that it has in the past 500 years.

My last comment is to my party. Our continued membership of the EEC, the Bill and what is involved in it, threaten the economic programme of the next Labour Government. There can be no restriction on capital movements. I refer hon. Members to the amendment to article 70 in the Single European Act. There will have to be a reduction of state aids. There can be no import control policy and there certainly can be no managed trade policy which would involve negotiations between this country and others in Europe or elsewhere. Our economic and financial policies will be subject to much greater interference, and indeed some of them will be set completely at nought by our continued membership and by the Bill. That is why we should all oppose it tonight.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I have decided not to enforce the 10-minute limit, but if speeches are as long as they have been a good number of hon. Members will not be able to speak. Therefore, I ask for voluntary restraint.

6.44 pm

Mr. Geoffrey Rippon (Hexham): I welcome the Bill and the way in which it was introduced by my right hon. and learned Friend the Foreign Secretary. I must confess that I have heard some of the speeches which have been made this afternoon before. I am not surprised that my right hon. and learned Friend was right when he said that anxieties would no doubt be expressed about the concept of European union.

European union means different things to different people, and it is hard to define. Reference has already been made to the preamble to the treaty which states simply, and commits us to,

"an ever closer union among the peoples of Europe."

That is something that I have always believed can only be achieved step by step with realism. There is no question in our minds of European union, or movement towards European union, meaning, ipso facto, the creation of a federalist state. Last year's report on European union presented by the House of Lords European Communities Committee rightly emphasised that that union, in the sense in which we talk about it and commit ourselves in the various documents, is not about some Utopian plan for a European federation. It is about how best we can, step by step, realistically bring about the aims of the Community so that its future success is assured.

I should have thought that all hon. Members could accept what my right hon. and learned Friend had to say in introducing the Bill and stating its purpose. It is simply to deepen and broaden the scope of European activities, to our mutual advantage. We do that in every sphere in which it is to the advantage of all the members of the Community to co-operate, because what they do together they can do more effectively than what they attempt to achieve on their own.

Of course, in that context it is right to review from time to time the provisions of the treaty of Rome. As General De Gaulle once said, treaties are like roses; they fade, they fade. The negotiation of an entirely new treaty of European union, which some have advocated, would have been doomed to disaster. That, as I understand it, is what our Ministers were saying at the time people were talking about a comprehensive new treaty. That is quite a different thing from the arrangements which were agreed at Luxembourg and which are to be embodied in the Bill.

The practical steps which were envisaged at the Luxembourg summit and are embodied in the Bill are both possible and useful. I warmly endorse what my right hon.

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and learned Friend had to say, that the provisions in the Bill are admirably drafted to serve British interests no less than those of our European partners. There is nothing in the arrangements in Luxembourg, nothing in the Bill, which can do other than benefit the British interests that our Government have been seeking to protect within the Community.

Three areas of action will particularly benefit the United Kingdom, increase trade and so create jobs. First, I cannot understand how anybody could not welcome a timetable for the establishment of a genuine internal market in services as well as goods. It is perfectly obvious that we in the United Kingdom would benefit enormously from access to the Community markets for our various financial services, house mortgages, insurance and such matters. That access is bound to help us in every possible way.

Secondly, we must welcome the prospect of speedier and more effective decision-making. Finally—I attach special importance to this—we must welcome action to make Europe competitive in the new technologies. If, as the hon. Member for Walthamstow (Mr. Deakins) implied, that is widening the competence of the Community, so be it. The Community should be directly concerned with increasing European and therefore British competitiveness in new technologies and with the protection of the environment. The Opposition have made much of the importance of the environment and I recall my hon. Friend the Minister saying in March that pollution knows no frontiers. I should have thought that we would welcome European co-operation in those matters.

These are matters of common sense. Another matter of common sense from the British point of view is that, if we are to complete the internal market by 1992, it is essential that we increase the use of qualified majority voting.

As my right hon. and hon. Friends have explained, unanimity is still required for tax measures or such matters as movement of people or animals. It is important to emphasise that there are the safeguards that we need; for example, to protect an island against the introduction of rabies. Above all, as my right hon. and learned Friend the Foreign Secretary said, the so-called Luxembourg compromise—or the Luxembourg disagreement as some people have called it—for what it is worth, will remain as it is.

There may be arguments about the circumstances under which that agreement may be used. Some people may say that it has a legal frailty or that it did not cover—and I believe that it should not have covered—cases in which the veto was used for a purpose other than one which was under consideration. In other words, the veto should not be used to stop one policy simply to promote another. That is probably a misuse of the veto. However, that facility is present and it is there to protect a very important national interest. That must be a matter for argument from time to time.

The Bill and the agreement in Luxembourg are important steps to avoid unreasonable blocking of measures to liberalise trade or to introduce what many of us want—reforms in the operation of the CAP.

I was especially disappointed in the points made by the hon. Member for Walthamstow about increasing the competence of the Community in areas such as technology and the environment. If the Opposition believe in the speeches that they have made outside the House on these matters, they should be welcoming the provisions which increase the possibility of increased trade and create jobs and also increase the quality of life of the citizens of Europe.

Since when has the Labour party become so obstinately isolationist that it cannot even support measures to improve the quality of life and the environment? The tragedy of the last generation is that Europe has been slow to recognise the importance of scientific and information technology for economic development, growth and the creation of jobs. More than 20 years ago, I remember expressing my anxiety that, if we did not press at the very frontiers of science and technology, we would end up flogging hand-knitted Union Jacks to tourists.

I also remember as the Parliamentary Secretary to the Ministry of Aviation sending to the then Prime Minister, Mr. Harold Macmillan, a United States report on space research which began: "This is no astronautic boon doggle." That was a curious phrase but it was the one that was used. The report stressed that there was a spin-off in advanced technology—for example, in computers. My hon. Friend the Member for Southend, East (Mr. Taylor), who intervenes in these matters, suggested that Concorde was a waste of money. However, if we had not produced a Concorde we would be even further behind in advanced technology.

The first minicomputer was produced 23 years ago. The United States and Japan immediately recognised the importance of that new technology. We have followed on, but we have all, especially the Opposition, tended to regard technological change as a threat to job creation instead of an opportunity for industrial and economic growth.

I was very encouraged when the European Council at Milan last year gave the go-ahead for the creation of a European technological community. The Council favoured

> "A close link between technological development and the effort to unify the internal market."

The Luxembourg package and the Bill take that idea a step further. There is now a better understanding that priority must be given to improving conditions for cross-frontier co-operation between companies in research and development.

Mr. Teddy Taylor: Before my right hon. and learned Friend progresses too far on his points about technology, would he clarify his comment about the Bill helping to solve the problems of the CAP because of majority decisions? I understand that the Bill makes no change to CAP decisions and that on many of the issues, for example price-fixing, there is already majority voting.

Mr. Rippon: If the Bill makes no change, there will be no need for my hon. Friend to oppose it. I said that there is no change in the Luxembourg compromise but I hope that the arrangements that were agreed in Luxembourg, for which the Bill provides the foundations, will avoid the use of blocking precedents of the kind employed by the German Government last year.

The Bill puts down a marker that there should be a general understanding between Community members that the veto should be used only when there is a very important national interest involved.

I also welcome another matter to which the Government have given priority. That is the way in which

the Commission and the Council have emphasised the importance of social and regional progress. Some reference has already been made to this and I believe that the development of the regional and social funds has been very important to the United Kingdom and especially to the north-east. Those who suggest that the Government have neglected those aspects of our interests are quite mistaken.

Measures are also needed to protect the environment, and fundamental freedoms and rights and to advance social and educational policies. Within that broad context, I welcome the proposals to give the European Parliament an increasing role in the European partnership.

The change of name is not of immense significance. As my right hon. and learned Friend the Secretary of State said, it recognises what has been happening, in that it is already called the European Parliament, although it does not have legislative powers. Earlier this month, at the Inter-Parliamentary Union conference, a proposal was put forward for a central American parliament. A legislative assembly was not contemplated. Instead, they wanted somewhere that Members of Parliament could discuss matters of mutual interest.

Whether we have an Assembly, a Parliament or a European Congress, its influence and powers will evolve in time according to whether it behaves sensibly. This House might have more influence and therefore more power if it occasionally conducted its affairs more sensibly. A parliamentary influence depends on the quality of debates. That is why the other place nowadays has a higher reputation in many quarters than we have.

The Bill simply changes the name, having regard to reality. It does not give greater powers. We can argue again about whether there should be co-operation or consulation but there will be better co-operation between the Council, the Commission and the Parliament if there is earlier consultation. One of the Parliament's troubles so far has been that matters come to the Parliament so late that its reactions tend to be negative rather than positive. If it could be consulted earlier, and brought into matters at an earlier stage, it would have a more useful role to play and would be more effective.

It is not disputed, as the Scrutiny Committee's report states, that

"at the end of the day the European Parliament still has no power to insist and the last word remains with the Council."

The European Parliament will be listened to by national Parliaments only in so far as it uses its new influence successfully. In that sense, influence can lead to power.

In the course of a splendid and comprehensive speech on 5 March, my hon. Friend the Minister of State said:

"The third major area covered by the new treaty amendments is the environment . . . Pollution knows no boundaries."—[*Official Report*, 5 March 1986; Vol. 93, c. 340.]

In that context I emphasise that there are many other matters where we should recognise that our horizon cannot and should not be limited by the boundaries of the European Community. I have never regarded Europe as the Europe of the Nine, the Ten or the Twelve. I regard the Council of Europe and its parliamentary assembly as the parent body.

It is important in our debates on Europe that we do not continue going over the old and stale ground of definition of terms. We must show that we as a country are concerned about the development of the European Community and of the other members of the European family. For example, we should not forget our partners in EFTA, bearing in mind that one of our reasons for joining the Community was to protect EFTA's interests.

Damage will be done and a danger will be posed in future if members of the European Community become so obsessed with their own economic problems and progress towards union or integration, however it is defined, that they neglect the wider Europe. We should not allow Europe to be split in two with a widening gap between states that are members of the Community and those that are not.

The Council of Europe, starved though it is of adequate financial resources, has a vital contribution to make in legal, social, education and cultural matters. I hope that we shall spend more time talking about the ways in which the Council of Europe and the European Community co-operate.

The parliamentary assembly of the Council of Europe now provides the widest, indeed the only, European institutional framework, where elected Members of national Parliaments can meet and have discussions. The views of some Opposition Members might be changed if occasionally they talked to other European MPs and understood what they were trying to do in the European context.

I welcome the Luxembourg package and the Bill. I only hope that we never forget that what we are doing, to use Jean Monet's words, is to unite not states but people.

7.4 pm

Mrs. Ann Clwyd (Cynon Valley): As a former Member of the European Parliament, I cannot feel the same passions as some hon. Members on both sides of the House about the name of the institution. I find it extraordinary that so long after joining the European Community we are still arguing about whether the institution should be called an assembly or a parliament. The French have their Assembly, the Americans have their Congress and, as the right hon. and learned Member for Hexham (Mr. Rippon) said, there are other names which define various organisations throughout the world. I find it incredible that some in this House spend so much time arguing about what we should call the European Parliament.

As a former Member of the European Parliament, I should like to see it have more powers. I do not understand why we continue to argue in this place about the European Parliament's role. We should remember that its Members are elected as we are. If we believe in democracy, we must believe in giving powers to politicians who are democratically elected. It is inconceivable that anyone who has been elected to this place should argue about whether someone in another place should be given certain powers.

The European Parliament is criticised; it is said that it does not act in the right way, that it is too slow to react and that it does not make the right decisions. I find these criticisms strange. We cannot urge a horse to gallop while hobbling it at the same time. However, that is precisley what some hon. Members would like to happen. They wish to continue to criticise the European Parliament while constraining its powers.

I remind hon. Members on both sides of the House that there is a clause in the treaty of Rome which supports the

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redistribution of wealth between rich and poor. That was never contained in the EFTA treaty, of which we used to be so proud.

There are those who continue to talk about what we should do when we leave the European Community. I know that they do, but I should like to know what the options are. I should not like Britain to rejoin EFTA. We may be a long way from the goal of redistributing resources between rich and poor in the European Community, but there is a deal for that among many Members of that Parliament. If the European Parliament were given more powers and some of the Council's powers were taken from it, progress would be made.

Members of this place who were formerly Members of the European Parliament will remember working with parliamentarians of other nationalities from day to day. I can assure the House that that is a sobering experience. Initially I was opposed to the European Community, but I found after a period as a Member of the European Parliament that there were advantages in working with people of other nationalities from day to day. I wish that more Members of this place had had that experience; I shall be eternally grateful that I had it. It had a profound effect on me and it changed my attitudes towards the European Community.

As a member of the Socialist group, I had an advantage over members of some other groups. That is because the members of the Socialist group worked with parliamentarians from 10 countries. I shall be responsive, Mr. Deputy Speaker, to your appeal for short speeches and the constraint on time, because I remember that it was necessary to fight for the opportunity to speak for only three minutes in the European Parliament. The representatives of the other nations wanted to speak in almost every debate, and to come to this place and to be able to speak at length was a great luxury.

Sir Anthony Meyer: I am listening with immense interest to the hon. Lady's remarks. Does she agree with me that one of the sad features about the Labour party, which I criticise in many respects, is that it is no longer dedicated to the internationalist ideals which used to command universal respect? Nothing is sadder than to find that the hon. Lady is a relatively isolated voice among those on the Labour Benches.

Mrs. Clwyd: People in glasshouses should not throw stones. The speeches that I have heard this evening from Conservative Members do not give me cause for any enthusiasm. Some of the opinions that they have expressed have not coincided with mine. Perhaps the hon. Gentleman should do some missionary work among his right hon. and hon. Friends before starting on mine.

I do not know why Members of this place are still so sensitive. Is it because we are conscious of the fact that we are criticised by many for comprising one of the most ineffective legislatures in western Europe? Is it thought that the European Parliament might become more effective than the Westminster Parliament? I believe that in 20 years the European Parliament will be more important than the House of Commons.

I agree with the Secretary of State for Foreign and Commonwealth Affairs that our national goals can be achieved only in co-operation with others. I believe strongly that we must co-operate with people from other countries. We talk about controlling multinational companies, but how can one country on its own control the strength of the multinationals? It is only by co-operating with other countries that we can exercise that control. The Council of Ministers missed a good opportunity to exercise that control when it voted down the proposals that were advanced by the Parliament and the Committee of which I was a member for five years. Had that legislation been voted through it would have meant that workers in multinational companies could have had much more information about the way their companies operated.

So it is conceivable that some of the aims which we support can be achieved. In many areas of foreign policy, for example, I found that the European Community was much more sensible in its approach than I have found the House of Commons to be in the two years that I have been here.

Earlier this year, the states of the Community raised the level of their subscriptions to the club. What I have said already does not mean that I am uncritical of the European Community. Indeed, I am extremely critical. It has been a goal of the European Community for some time to control agricultural spending, but somehow, because of the actions of the Council of Ministers, I believe, that goal has not been achieved. As regards the budget compromise, which has been much praised by Government Members, some four weeks after the subscriptions were raised we got an inkling that there was not enough to pay for the rapidly rising costs of the organisation.

If the bleak picture drawn by the budget Commissioner in Brussels recently is correct, spending cuts are obviously on the way. These will have to come from the social and regional funds, youth training, job creation or industrial research programmes. We benefit greatly from the social and regional funds of the European Community and it is a great pity that those funds are such a small percentage of the total budget spending of the Community. If we could control agricultural spending, obviously this country in particular would benefit.

The figures also show that the much-hailed system of budgetary discipline agreed by EEC Finance Ministers in 1984 to control the growth of agricultural spending and keep it below the overall growth in EEC revenue is all too easy to breach. The idea is constantly bandied about that the EEC and its institutions are hopelessly spendthrift, restrained only by the valiant efforts of the Secretary of State and his colleagues. But the Community is made up of 12 member states and its budget is directly the result of their decisions. The Commission is only the bureaucracy which tries to put the policies into effect, and occasionally suggests policies.

The European Parliament as it is at present is only a sop to democratic control. It can add only a small amount of extra spending at the margins. It cannot do anything about the vast bulk of the budget, and above all agricultural spending. The budget crisis which is likely to land on us yet again is, I suggest, the result of years of fudged compromises in the Council of Ministers and of a failure to co-ordinate the policies of the different national Departments involved.

The *Financial Times*, in a very good article on "The crisis that never went away" a few weeks ago, said:

"The Council perpetuates the legal myth that it is somehow united and indivisible. In reality, it is a machine of ill-fitting cogs often working in competition rather than co-ordination. The unhappy consequence is the annual budget, invariably negotiated

through the night by junior treasury Ministers who have been known to make wild and foolish compromises in the early hours in the faint hope of getting to bed."

Mr. Rippon: As they do here.

Mrs. Clwyd: I would suggest that that is not true of the European Parliament, the Members of which work together on a day-to-day basis over a long period. I believe that the objective of compromise and of reaching some sort of sensible control of agricultural spending is much more likely to be achieved in the European Parliament than in the Council of Ministers.

In other ways too, Britain is being proved a nation of idiots, and male chauvinist idiots at that, with humiliating regularity in the European Court of Justice. The latest instance, of course, was the judgment of the court in favour of plain common sense — more evident there, apparently, than in the corridors of power here. The judges agreed that forcing a woman to retire at 60 or 62, against her will, from a job in which a man would be allowed to stay until he was 65 is discriminatory and against EEC rules.

That was only one of a string of judgments which show that, however liberal and far-sighted the equal pay legislation and the Sex Discrimination Act were when they were introduced more than a decade ago, it is now time to look at the legislation again. The legislation at present going through the House of Lords is not going to achieve this aim. The alternative is to face continuing ridicule in the European Court of Justice, because Britain has appeared before it on sex discrimination issues more times than any other EEC country.

Last year the EEC initiated a programme to promote equal opportunities for women, noting that, despite past efforts at Community and national levels, inequalities in employment still existed in practice and might well be exacerbated in the present crisis conditions.

I want to take up briefly the point made by my hon. Friend the Member for Hamilton (Mr. Robertson) about the EEC directive on parental and family leave. For me one of the worst times in the two years that I have been in the House was the evening when we discussed that directive on the Floor of the House, and the way in which the spokesperson on this matter was ridiculed by some Government Members. The subject of equal rights was discussed many times in the European Parliament and I never heard the kind of remarks that came from the Government Benches on what is a very serious subject on which progressive legislation was being proposed. That says something for the European Parliament as compared with the House of Commons—but then, of course, there were more women in the European Parliament and it would have been more difficult to ridicule women there than it is, apparently, to ridicule women in this House who make sensible contributions to debates.

I therefore urge the Minister to look again at this matter; I am sure that she will be sympathetic. I have had many letters asking the Government to look again at the proposals for parental and family leave. Parental leave is time off work for either parent following the end of maternity leave to care for a child under the age of two. That leave is becoming increasingly available in other EEC countries. From January 1986, nine EEC countries will have some form of parental leave. In two member states, West Germany and Belgium, parental leave and sabbaticals have been established not only to strengthen family life but as a way of reducing unemployment—something which I thought might be rather attractive to this Government—parents on leave being replaced by unemployed workers. It is estimated that in West Germany, when parental leave comes into effect fully during this year, one-year contracts may be given to 200,000 people currently unemployed.

I urge the Government to look again, so that we do not again look ridiculous among our EEC partners, at the subject of parental leave. This is a progressive reform, as have been many of the reforms in the European Parliament over the years — on equal rights, on environmental issues and on other social and employment issues — which have helped workers throughout the EEC.

I support the hon. Member for Nottingham, East (Mr. Knowles) who was on the Select Committee on European Legislation. I had hoped that that Committee would properly scrutinise EEC legislation, but it does nothing of the sort. It simply rubber-stamps a succession of documents without any proper discussion on the merits of the proposals. It is left to the other place properly to scrutinise EEC legislation. When I was a Member of the European Parliament I was grateful for the excellent reports produced by noble Lords in the other place. I hope that our own Select Committee can become more relevant. If we believe in the proper scrutiny of EEC legislation and want to influence that legislation, we should have proper discussions about it in our Select Committees. We are abdicating our responsibilities if we do not take up that challenge.

7.21 pm

Mr. George Gardiner (Reigate): I listened to the speech of the hon. Member for Cynon Valley (Mrs. Clwyd) with great interest. I disagree with many of the things that she said, and I certainly disagree with her eager anticipation of the future powers of the European Parliament. I also differ from her in her assessment of the relative importance of the European Parliament and the Council of Ministers. However, her ready understanding of the need for much closer co-operation in Europe and her recognition that this must involve some compromise on all sides came as a breath of fresh air from the Opposition Benches and certainly sets the hon. Lady apart from the contributions made by some of her hon. Friends.

I shall not follow the hon. Lady further than that, because I should like to speak about one aspect of the Bill —the proposed limited extension of qualified majority voting that will enable the Community to meet the 1992 target date for completion of the internal market.

In our discussions on Community matters we speak on several levels. We sometimes speak of ideals, and we also discuss practicalities. I have great respect for those who regularly expound the ideals, but it is perhaps more useful for us to concentrate on the practicalities. My hon. Friend the Member for Southend, East (Mr. Taylor) tries hon. Members with his humour about their being Euro-fanatics. I join in the fun, but I hope that I am not counted among them. It is our duty not to indulge in great flights of oratory in favour of pie in some European sky. We should approach matters in a pragmatic British way.

We all acknowledge that in some spheres our membership of the Community works against us. It is commonplace for us to attack the size, importance and operation of the common agricultural policy, the foundations for which were laid long before we became

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Community members. By and large, the CAP has not worked in our favour, although one notes the efforts now being made by our Government and others to bring its spending and its budget under control. It is still a colossus built on principles and priorities that were established in the Community before we joined.

If we are to take a pragmatic approach, surely we should be throwing all our energy and our arguments into developing those aspects of the European Community that will work significantly to our advantage—if they are allowed to develop. In that respect we come once again to what is often commonplace in our discussions, the desirability of creating a genuine common market of the kind that so many of our people thought we were joining, a full internal market. That is why we have the programme upon which members have embarked to scrap all non-tariff barriers before 1992. The achievement of that target is essential for our industrial and commercial survival, and it is just as essential for the other members of the Community.

It is interesting to note when comparing the home markets in the world how the home market that we have created in the Community is vastly greater than that enjoyed by Japan. It is larger even than that of the United States of America, yet in a great many of our economic activities we persist in behaving as if the Community consisted of 12 related but separate markets. As I have said before, the result of this is that the industry and commerce of western Europe cannot achieve the economies of scale that a large home market can offer and so have to sell overseas and at home against American and Japanese competitors whose own home markets confer upon them precisely that advantage. The United States and Japan exploit to the full their smaller home markets. If it wants to, Europe could do the same, but we are still fragmented and until we put this great disadvantage behind us we will never achieve anything like our potential.

My right hon. and learned Friend the Member for Hexham (Mr. Rippon) spoke about high technology industry in Europe. Surely that industry offers the most classic case of that which I am describing. Each Government lean over backwards to place orders in a way that will boost or protect their own national, favourite industries. That applies especially to telephone and telecommunications equipment. Every Government in Europe do that and it has been estimated that the total cost to our European Governments is £24 million or more each year. When we do that, we deny our high technology industries the opportunities that would be offered in much greater cross-frontier co-operation, and as we shrink from that we lose the battle in competition abroad. It is noteworthy that in information technology the European industries supply only 10 per cent. of the world market and only 40 per cent. of our own home market. What an example of lost opportunity.

It has also become commonplace for us to argue in favour of the full internal market to create the opportunities which our insurance and other commercial institutions seek in Europe, and which I am sure they could exploit to our advantage. They cannot do so until a full and effective internal market has been developed. We have heard about the exasperation caused by frontier delays, that personal form of non-tariff barrier that operates every day of every week of every month of the year. It has been calculated that the delays in crossing frontiers cost trade and industry in Europe about £7 billion each year.

I should like to cite a rather human example, which moved me, of the experience of a British engineer who was bound for his company's annual conference. The company had sales representatives throughout Europe, and the conference had been booked at Vittel in France—which is, I am told, a rather sleepy spa town. About 90 engineers were due to converge on Vittel from all over western Europe. As is usual at such conferences, there was a theme which was repeated on folders, pens, stationery generally and on tee-shirts. I shall call our friend Henry; he certainly exists, but not under that name. He loaded his car with a selection of all those goods and boarded the hovercraft for Calais.

Once in Calais, Henry joined the queue of cars at the customs barrier. He was waved down and asked a few questions. All was going quite swimmingly until the customs officer spotted the box of tee-shirts in the rear of his car. Then the problems started.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): A box of what?

Mr. Gardiner: Tee-shirts. I thought that I was speaking clearly. The hon. Gentleman either was not listening or needs some attention to his hearing.

All was going well for our friend Henry until the customs officer in Calais spotted that box. Then the trouble started. Henry was told that it was quite illegal for him to import those tee-shirts into France without some documentation. He was told that he would have to return to England to get the proper papers. Henry expostulated: could he not dump the tee-shirts there, as the conference could get on without them? He was told that he was not allowed to do that either, and that he must go back to get the proper documentation.

So Henry boarded the hovercraft again for Dover leaving his car in Calais. On the hovercraft he was informed that he needed T2 forms to validate that importation. Of course, as soon as he arrived at Dover a customs officer said, "Excuse me, Sir, but you realise that you must pay if you want to import those goods into Britain." However, our Henry took that as a joke, and he was told how to obtain his T2 forms.

Henry then had to appoint a shipping agent. Ten minutes later an agent was produced who did the necessary paperwork for the quite modest fee of £18. Henry then proceeded again to customs. But he was stopped and told, "Sorry mate. You're freight. You must join the queue over there." The queue over there was a queue of juggernauts. So Henry lifted up his box of tee-shirts and went to join the queue of juggernauts. There another customs officer looked at him and shook his head again; "I am afraid your papers are not in order. You're freight but you're travelling on a passenger ticket. Your ticket does not declare you on the ship's manifest." The ship's manifest is the list of all the freight on the ship or hovercraft. Henry was told that he would have to go back and change his ticket.

So Henry went back and coughed up another £26 to get the necessary ticket. He then cleared customs, but while he had been waiting in the juggernaut queue it had been announced that his hovercraft was leaving early, so he had missed it. Being rather philosophical by this time, he said, "All right, I'll have to catch the next one." But someone

else said, "Sorry sir. All your papers are for the last crossing. They're all wrong for the next one." As one might expect, Henry exploded and a good British compromise was reached. He was allowed to board the hovercraft again for Calais even though he was apparently travelling with his goods illegally.

Henry arrived there brandishing all his forms in triplicate or quadruplicate, but found that there was no customs officer to present them to. However, having gone through all that, he was going to make sure that his papers were duly stamped. So someone was woken up and his papers were stamped. He was told that he would have to pay duty the following Monday at Epinal, which was the nearest tax point to Vittel, where the conference was being held. Henry then handed the whole exercise over to a secretary engaged in organising the conference. Come Monday, she contacted the tax point at Epinal to be told that she could not undertake the transaction herself but would have to appoint a French shipping agent. A French shipping agent was duly found who did the necessary work. It cost £180 including tax and the fee.

That is the situation that one admittedly ignorant citizen encountered after we have been in the Common Market for 10 years, just because he tried to perform the quite innocent task of taking 100 tee-shirts to a conference held in a French spa town. The tee-shirts, which were worth £300, ended up costing £526 and involving an unbelievable hassle. That is a microcosm of what traders and exporters experience every day at frontiers. It may be objected that the regulars know the ropes. Of course they do, but hon. Members should contemplate the cost in time and money to them of meeting the required rules.

Thus, most of us agree about the end, but the question is how do we achieve it. The barrier is the ease with which an agreement to scrap internal barriers can be blocked, usually in response to some entrenched and often fairly narrow national interest. I differ from the hon. Member for Cynon Valley because I believe that, if the situation is to be rectified, the driving force for reform must come from within the Council of Ministers. It cannot come from the European Parliament. We need a qualified majority voting system to get round that blockage.

If we want a genuine common market and a full internal market, we must will the means to that end. If we deny the means by denying the mechanism for achieving that end, we have no moral or political right to castigate the Community for its preoccupation with agriculture or for failing its citizens in those areas in which it could achieve so much for us. We know what we want; let us give ourselves the tools to get it.

7.36 pm

Mr. Tam Dalyell (Linlithgow): I welcome a small announcement that seemed to be spatchcocked into the Foreign Secretary's speech. It concerned the secretariat that is to be set up to promote continuity between Community presidencies. Those of us who have had the good fortune to have been members of the indirectly elected European Parliament must be worried about the peripatetic nature of European institutions. Consequently, anything that operates to ease the transition between one presidency and another is to be welcomed.

The announcement may have been small but it was significant. By its very nature, this group of people will be extremely powerful. Of course, incoming Ministers and their officials will be dependent on those who have the power that is derived from continuity. The permanent people in the permanent secretariat will be at a great advantage compared with those who come for six months in the expectation of leaving. But how will the secretariat be accountable? I should welcome an answer to that point at the end of the debate.

Secondly, I interrupted the Foreign Secretary earlier on the question of research, and European cancer research. On 18 December 1985, the Foreign Secretary said:

> "Following discussion at the European Council it was agreed to set up a committee of scientific experts to recommend co-ordinated action to combat cancer." — [*Official Report*, 18 December 1985; Vol. 89, c. 299.]

I asked him on that occasion whether he would reflect on the concentration of work in centres of excellence, not only in Britain, but the universities of Edinburgh and Cambridge, in the Max Planck institute, the university of Leyden and elsewhere. I refer specifically to the Minister of State, Foreign and Commonwealth Office, since she gave me an answer on 15 January 1986 on the question of progress of cancer research that said:

> "Yes. The Committee of EC cancer experts set up following the December Foreign Affairs Council will meet for the first time on 24 January in Brussels. Its task is to make recommendations for a co-ordinated plan of action to combat cancer in EC member states. The United Kingdom's representative will be Professor Norman Bleehen, honorary director, Medical Research Council unit of clinical oncology and radiotherapeutics."

I see that we have the Minister for Health answering this debate. It is particularly apt that I should then quote that reputable correspondent, Thomson Prentice, the science correspondent for *The Times*, who wrote in his paper of 18 February:

> "Professor Derek Crowther, the cancer research campaign's professor of medical oncology at the Christie Hospital, Manchester University, and a member of the organisation's board, said yesterday 'I am concerned that the funding that we need will not be forthcoming from the EEC.'"

So, hopes having been raised of meaningful inter-European research on cancer, what is now happening? Or is this just one of those good ideas that gathers dust in the pigeonholes?

Few research projects could be of more concern to Europe than the proposals on the strategic defence initiative. This is neither the time nor the occasion to go into the case of Mr. Clarence Robinson, of which more anon, but today I asked the Secretary of State for Defence what discussions his Department has had with the authorities of the Federal Republic of Germany about the terms of the agreement entered into by both countries with the United States of America for strategic defence initiative work. The reply was:

> "There have been some exchanges but none of detail with officials of the FRG about the respective agreements between the Government of that country and HMG with the United States Government for SDI research."

This is deeply unsatisfactory. In this of all projects there really should be some kind of co-ordinated European reaction. In the light of the leaked memorandum of understanding from Bonn, would it not have been sensible that we should have had an understanding in this country with our European partners on some kind of coherent reaction to the American SDI proposition?

I would have thought that there were more Foreign Office Ministers. Why the Minister for Health has to be dragged in to answer a foreign affairs debate I do not know, but I do not complain about these things as he is a senior Minister. I refer to the Foreign Secretary's speech. He talked in terms of treaty provisions relating to foreign

[Mr. Tam Dalyell]

policy, how the agreements and practices of 15 years had worked well, of severe practical tests and the need for Europe to speak with one voice. The House, he said, should not be dismissive of such things.

If ever there was an occasion when Europe should have been speaking with one voice it was surely in the present Libyan crisis. The Foreign Secretary said that it was not possible to mobilise opinion on Libya unless we were in the habit of working together. They do not seem to work very well together, and I ask specifically did we, or our European partners, do anything to discourage the United States from taking the action against Libya? If not, why not? Surely it was the duty of the Europeans at least to warn the United States if they felt like this. Did they do so?

Earlier this afternoon the Foreign Secretary, when replying to my right hon. Friend the Member for Leeds, East (Mr. Healey), talked about separate considerations and separate circumstances which had made it difficult on 14 April to discuss the possible American attack on Libya. If these people were in the habit of working together, as he claims, why did they not discuss it? After all, it is not as if the French and others were ignorant of the problem, because their Governments had had requests for the use of airspace. Surely the very fact that they were asked about the use of airspace reveals that they were in the know about the intentions.

Why was it not discussed? Was any inkling given of the British state of knowledge to our European partners? I ask this because, as my hon. Friend from Carrick, Cumnock and Doon Valley (Mr. Foulkes) will know, his constituency neighbour, the right hon. Member for Ayr (Mr. Younger), the Secretary of State for Defence, made a speech on Scottish radio giving all the reasons why we should not launch an attack on Libya. Was there a difference in the state of knowledge between the Foreign Secretary and the Defence Secretary? How could the Defence Secretary make that kind of speech if in the previous week he had been brought into the know about, at any rate the possibility, more likely, probability, or certainty, of an American attack?

There is something to be settled here between the Defence Secretary and the Foreign Secretary. The act of refusal of the airspace reveals that the Foreign Secretary——

Mr. Deputy Speaker: Order. The hon. Gentleman can discuss the principle of working together, but he knows he is straying from the Second Reading.

Mr. Foulkes: On a point of order, Mr. Deputy Speaker. As well as discussing the Second Reading, we are also discussing developments in the European Community, July to December, 1985, and I would submit that my hon. Friend's remarks are within the context of that.

Mr. Deputy Speaker: I am listening very carefully. We are discussing the principle of working together and developments within the Community. Fair enough. But we must not go over again some of the incidents that the hon. Gentleman is referring to.

Mr. Dalyell: I ask how it is that Italian sources have now made it clear that the F111s which rendezvoused over the sixth fleet peeled off not only to Tripoli but to Benghazi. One source of information is the chief defence correspondent of the *Corriere Della Sera*. If European co-operation at Foreign Secretary level says that this is wrong, I would like an outright denial tonight in the wind-up. Last night, hurriedly, 10 Downing street issued a denial that there were F111s over Benghazi. The truth is that from their transponders the Italians did track——

Mr. Cash *rose*——

Mr. Dalyell: It is always said that it is disgraceful when Downing street is caught again concealing the truth or misleading the House.

Mr. Cash: Will the hon. Gentleman accept that there are those engaged in this debate who would like to talk about the Bill before the House, and would he accept that this is nothing more or less than a publicity exercise, a "super-Belgrano", on his part?

Mr. Dalyell: I will not be too long.

I admit that cluster bombs found in Benghazi had navy markings, but I ask the very direct question of the Minister who is to reply: were there F111s over Benghazi? Are the Italian sources wrong? I do not think they are, and if they are not wrong, why was Downing street going to such pains to issue that statement last night? Is it that they simply do not know what is happening?

I ask for clarification of the *Official Report* of 16 April, column 950. The Foreign Secretary said to my right hon. Friend the Member for Leeds, East:

"There was scarcely any mention of the United States intention."

Mr. Cash: On a point of order, Mr. Deputy Speaker. May I draw your attention to the fact that you have just ruled on the hon. Gentleman's speech? It is getting very tedious for those of us who have to listen to it to hear these revelations about something that has nothing to do with the Bill.

Mr. Deputy Speaker: Order. Whether hon. Members are in order is a matter for the Chair. I am listening carefully. The hon. Member for Linlithgow (Mr. Dalyell) must relate his remarks to the Second Reading of the Bill.

Mr. Dalyell: As my hon. Friend the Member for Carrick, Cumnock and Doon Valley pointed out, we are discussing also page 29 of the White Paper on Developments in the European Community where there is a heading, "EC/United States". I think I am in order.

Mr. Deputy Speaker: I have been listening carefully and the hon. Gentleman's last remark did not seem to relate even to that.

Mr. Dalyell: The Foreign Secretary continued:

"No evidence emerged during the discussion that any Foreign Minister was aware during the meeting of a final American decision to attack. For my part, I had no confirmation of any decision by the President, still less of any decision to authorise raids that night, until I came back to London and met the Prime Minister."—[*Official Report*, 16 April 1986; Vol. 95, c. 950.]

What exactly is meant by confirmation? Does that mean that the Foreign Secretary had no inkling?

If we are to have the European co-operation which the Foreign Secretary thinks is so important, there must be at least some candour between partners. I believe it to be both hypocritical and unwise to try to justify the action on the ground of article 51 of the United Nations charter; it is hypocritical because the article was never intended to

cover anything like that, and it was unwise because it opens the door to its abuse. To extend it to justify armed action——

Mr. Deputy Speaker: Order. The hon. Gentleman has quoted page 29 of the White Paper. There is nothing there about armed action. He must relate what he is saying to the Bill.

Mr. Dalyell: We are discussing also the relations between the EC and the United States, but I shall be brief. Beyond one's own frontiers it could have very undesirable repercussions. For example, it could be used by Libya to justify a reprisal——

Mr. Cash: Boring old twat.

Mr. Dalyell —for something that happened to a Libyan in this country.

Did I hear the hon. Gentleman aright, saying that that was rubbish?

Mr. Cash: I was saying that it was extremely boring.

Mr. Deputy Speaker: Order.

An hon. Member: He said "Twat."

Mr. Dalyell: The twat in this case is the Field Marshal Lord Carver. I was quoting exactly——

Mr. Deputy Speaker: Order. The hon. Member for Stafford (Mr. Cash) must withdraw those remarks. They are unparliamentary.

Mr. Cash: I withdraw the remark, but it was said under provocation of an extreme kind.

Mr. Dalyell: We want to know who was consulted and at what stage——

Mr. Deputy Speaker: Order. The hon. Member is talking about particular actions and who was consulted. That is not related to the debate. He must come to the subject of the debate or I shall have to ask him to resume his seat.

Mr. Dalyell: One of the troubles about the House of Commons is that generalities are all right, even if they are waffle, but when one asks specific questions of fact, things are more difficult. I am interested in fact because it is fact that illuminates the dreadful things that have happened.

There is one other matter that the Community should consider—an agreement on the vexed question of end user certificates. To have the countries of Europe competing in exporting sophisticated armaments without asking questions about where those armaments end up is highly dangerous. More and more of us are concerned about terrorism. We know that arms are exported from the countries of the Community to other countries and that a blind eye is turned to those arms finding their way into terrorists' hands. Is there not something to be said for countries getting together to consider the whole question of how sophisticated armaments can easily end up in terrorists' hands? Could not the European countries get together to produce meaningful legislation about end user certificates? It is such European co-operation that some of us believe in.

7.54 pm

Mr. Teddy Taylor (Southend, East): I think that most of us agree that in many respects this is an unsatisfactory debate. The Government are gaining a day by taking the six-monthly Community report with the Bill, although the six-monthly report makes only a tiny reference to the Bill.

We have heard again a pile of generalisations that if only we pass the Bill things will be better, although there is no indication of why or how. Rather than having the Bill and the treaty, how much better it would be for all of us and the country if we were simply to concentrate on trying to persuade the Common Market to solve, with the powers that it already has, some of the problems which have existed for years and years and which have been getting worse.

Hon. Members will know that when we joined the EEC we were advised that it would bring us more jobs, more prosperity and better trade. I am not saying that it is necessarily cause and effect, but since we joined trade has been disastrous, so that instead of the constant surplus which we always had previously we now have a deficit of £9 billion in manufactures. With regard to employment, there is hardly an area of the world, apart from the Common Market, and possibly Tibet and El Salvador, which do not publish figures, with a worse record in job creation.

Apart from that, Common Market spending has got out of control. Of every penny that it spends, 54 per cent. goes not on agriculture but on the dumping of food in outside countries, mainly Russia, east Europe and Libya. Plenty of things are wrong. They need to be solved, and they could be solved with existing powers. That is the view, not just of a Back-Bench militant, but of the Prime Minister, the Foreign Secretary and the whole Government until a few months ago.

That view was repeated time after time by the Prime Minister and the Foreign Secretary when we asked them about it. We had the Milan summit. Immediately after it the Prime Minister said:

> "I saw nothing before us which would require an amendment to the treaty."—[*Official Report*, 2 July 1985; Vol. 82, c. 189.]

Later my right hon. Friend made it abundantly clear, as did the Minister of State, Foreign and Commonwealth Office, that far from being necessary a new treaty would hold Europe back from solving its problems, would divert it, would take up its time and would not solve anything at all. Therefore, the Bill is unnecessary and irrelevant, and will simply divert Europe from tackling its problems. That is not the only point. We should be trying to persuade Europe to apply properly the powers that it has.

The Foreign Secretary made a rather ungracious speech. I think that that was because his heart was not in it. He is such a nice person that we can usually tell when his heart is not in a subject. He was giving us assurances. On a previous occasion when he wanted us to pass something else which he did not like, namely, the agreement of 4 December 1984 which led to increased contributions to the Community and all the rest of it, we were given specific assurances. We were told, "You need not worry. We will have regular reports month by month to make sure that there is not any spending."

That was not just a decision of the Government, but a provision in the agreement. Under paragraph 6*(b)* the Commission had to submit a monthly report to the Council of Ministers about trends in agricultural spending. On 11 March I asked the Minister of Agriculture, Fisheries and Food how many such reports had been made. The answer

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sadly was, none. Yet it was a provision of the agreement that a monthly report be made. The answer to my question was:

"The Commission has not recently produced a formal monthly report to the Council".

The EC Commission was also obliged, under paragraph *6(b)*, to give a report on early warning procedures of possible budget overruns. I asked the Minister whether the Commission had done so. The answer was:

"The Commission has not specifically reported under this procedure".—[*Official Report*, 11 March 1986; Vol. 93, c. *436*.]

If the Government are saying that we must pass the Bill because assurances have been given, I ask them to start trying to ensure that the Common Market actually applies some of the legislative provisions that exist now.

There is also the rather astonishing decision of the Commission—this makes me think that the Government should be chasing the existing powers—to take power unto itself to sell dairy products to anyone at any price and not to publish the figures. Despite our disagreements with them from time to time, Agriculture Ministers are very good in telling us the whole truth. When I asked whether the Commission had the power to which I have referred, the answer was:

"The Commission considers that it already has the authority to act in this way, so no proposal was put to the Council."—[*Official Report*, 8 April 1986; Vol. 95, c. *37*.]

Many things need to be done, and the Bill will not do any of them, but will simply be a diversion. My hon. Friend the Member for Reigate (Mr. Gardner), in his fascinating speech, talked about the problem of people taking tee-shirts to Paris. He did not say that every problem could be solved within the existing rules if there was the will or if the European Court worked. The only problem that could not be solved was the difference in VAT, which led to the tax liability.

We also have the problem, which we constantly put to the Government, of the abuse of some of the trade laws, a good example of which is the abuse of the inner German trade agreement. Hon. Members on both sides have been pestering the Government with complaints about the abuse of the inner German trade agreement. There is the strange situation that 40 per cent. of all Britain's imports of powdered eggs come from Germany, although Germany is not self-sufficient in the manufacture of eggs. This is simply because piles of materials come from eastern Europe and get into the Common Market through the abuse of the inner German trade agreement. This problem must be solved, but nothing is being done about it; no one is taking any action. Yet what the Government want are more legislative provisions.

There is a decided lack of will by any Government to do anything about the absurd problem of the CAP. They all say that something should be done, but no meaningful or sensible policy is put forward by anyone. This problem could be solved, yet in this case the Bill makes not the slightest difference. What we need, instead of more power for the Common Market, the European Assembly and the Commission, is to get them to try to solve some of the problems which exist now and which are certainly not being solved.

My hon. Friend the Member for Reigate also referred to the problem of telecommunications. He said how much better it would be if we in Europe could stop discriminating on a national basis and buy home goods to establish the basic market that we need to export abroad. He knows that it is unlawful to discriminate in public purchasing against the products of Germany, France, Italy, Luxembourg or any part of the Community. That is the law now; we do not need new provisions. The law that exists needs to be implemented if we think it is sensible.

We can look back to when we were told that if only we joined the EEC lots of good things would happen. It is rather like a doctor giving one pills to make one's tummy better. If one's tummy gets worse, the answer is not to take more pills. However, in this case we are being asked to give more powers to the European Assembly—which is now to called the Parliament — and to the Common Market to do things. As well as the disappearance from some areas of the unanimity rule, the Common Market is taking on new activities, ideas, spending and bureaucracy. How will it help this nation, or help the Common Market to solve its problems, if we simply give more power and responsibility and, I believe, create more complexity in the way that it operates?

The Bill gives more confidence to the Common Market to take action and to spend money. Do we really think that by putting more public funds into the activity of the Common Market it will solve the problems? The Bill will give a new name to the European Assembly — a marginal provision. Some people would regard that as a point of principle, but I think that it is rather silly. The Bill provides for a new European Court because the existing court has become overloaded. I understand that the number of cases considered by the court has tripled over the past few years.

The Bill provides for a new commitment to European union. As I have said, the Foreign Secretary was a little nasty in his speech today because, I believe, his heart was not in the task, so perhaps it would not be unkind to remind him that when he was asked, at the time of the announcement of this treaty, whether it referred to a commitment to European union he said that I was misleading the House as there was no question of European union being mentioned. However, in the Bill there is a clear commitment to European union and, most important, a commitment for the first time to provide the means to achieve the union.

In addition, the European Assembly is being given the power to stop certain action. The powers are complicated, but the provisions simply mean that, if the European Assembly, by a clear majority, does not like what the Council is doing, the Council can overturn the rejection only by a unanimous vote. In those circumstances, obtaining a unanimous vote will be difficult, particularly in view of the attitude that Italy has to the views of the European Parliament. So in this case a major new blocking power is provided.

Then there is the removal of the provision for unanimity or veto on a number of issues. This is not a new principle, because of the provision in several areas already for majority voting. The Bill extends this provision into other areas, particularly harmonisation measures. It has been suggested that this will make completion of the market easier, but I doubt whether it will do anything in that direction.

The Minister should give an assurance to those who are worried about this extension. For example, will the new television directive limit on the number of non-EEC programmes shown in this country and in others fall under

the majority voting procedure? My understanding from those who know about it is that it will do so, but it would help to know for certain whether that is the case. Will the provision mean that the Government will be committed to support the harmonisation of taxes? We know that such a provision will need unanimity, but if this is what is intended, are we willing politically to face the desirability of introducing VAT on gas, electricity and so on?

I suggest that the Bill will not improve the working of the Common Market. It will add a little more confusion by giving more power to the European Assembly, and we do not need that. What we need to do is to persuade the Government to use all their resources to try to persuade the Common Market to solve the problems that it has, without giving it new responsibilities.

I hope that hon. Members considering the Bill will bear in mind that £75 million is a lot of money. With that sum we could build many schools, hospitals and roads. Yet £75 million is what the Common Market spends every week simply on export rebates for dumping food. It is an outrage that we are spending so much on dumping cheap food in the Soviet Union and Libya. Those who care about the Third world should think about what this dumping is doing to the poorest countries in the world. It is depriving them of a decent price for their produce and spreading devastation, destruction, distress and debt.

I hope the House will reject all the silly nonsense in the Bill. I hope that it will get rid of it, as the Government wanted to do before they were persuaded by the views of the other partners to adopt it. We know that the Government think that this is a wretched piece of legislation and that they never wanted it. The Government should stand by that position, throw out this silly Bill, and make it abundantly clear that as from now we expect the Common Market to try to solve some of the many problems which remain unsolved and which in some cases are getting worse.

8.9 pm

Mr. Tom Clarke (Monklands, West): I will for the most part direct my remarks to the document ,"Developments in the European Community". If there is time, on international matters, I would like to refer specifically to pages 32, 29 and 9. I am encouraged to do so by paragraph 2.11 on page 9 which states:

"The new treaty on European Co-operation in the sphere of Foreign Policy, based on the British text tabled earlier in 1985, formalises and strengthens the commitment to consult and concert. It applies to the existing pattern of consultation on the economical and political — but not the defence — aspects of security".

I hope that what I have to say will be considered relevant to the debate.

I welcome the presence of the Minister on the Front Bench. However, I would not have complained if the Minister for Health were still present, because I had intended to refer to the section of the document which refers to the anti-poverty programme. I had hoped that the Department of Health and Social Security would pay due regard not just to the views of many people on the document—important though it is—but to the response to some of the remarks of the right hon. Member for Taunton (Sir E. du Cann) who seemed to pour cold water on the influence of the European courts and the role that they play.

I could not disagree more strongly with the right hon. Gentleman. The European courts offer, if perhaps not more experience, certainly fresh attitudes to many matters. They are not bogged down by commitments to the establishment, and they can bear in mind the demands of the modern world. It is perhaps unfortunate that the right hon. Gentleman said what he did after the expression of opinion by the Lord Advocate to the European Court of Justice in the case of Mrs. Drake. I wish that the Minister for Health had been here at that point in the right hon. Gentleman's speech. I believe not only that the views expressed in that case on the invalidity care allowance are profoundly progressive and humane, but that it would be outrageous if the Government did not accept those findings. I am sure that many hon. Members will join me in deploring the rumours circulating today not only that the Government will set the opinion aside but that they might discontinue the allowance in all its aspects. I do not believe that the House would be prepared to accept that.

The document made at least three references to the steel industry. If I understood the hon. Member for Nottingham, East (Mr. Knowles) correctly, he described the EEC as an economic giant. His speech was in many ways a courageous one and I hope that I am not taking that remark out of context. However, it would be difficult to persuade those in the west central belt of Scotland that the Community represented an economic giant in terms of the real world, especially in view of the heavy and growing burden of unemployment—especially long-term unemployment — that we bear in that part of the United Kingdom.

The report refers to the problems of protectionism. I shall not want to sound anti-American, especially when I discuss international matters, but the report shows that in 33 categories the Americans are applying protectionism. I am not sure that that is consistent with the policies that the Community, in co-operation with the United States, would wish to see pursued.

There are practical effects for my own constituents in the steel industry. We have had more than our fair share of job reductions in that industry. For every three jobs in the United Kingdom in 1979, there is only one today. I am sure that the same applies to many other industries—for instance, shipbuilding. Last week I was in the constituency of my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman). I was reminded that my hon. Friend's constituency has lost 4,000 jobs in shipbuilding alone since 1982. Such a situation does not seem to show the influence of the policies of an economic giant.

Dr. Godman: My hon. Friend's natural courtesy ensured that I knew of his proposed visit to my constituency far in advance.

The decline continues. My hon. Friend may be interested to know that I was unable to be in the Chamber to hear the opening speeches in this debate because I was seeking meetings with Ministers in both the Scottish Office and the Ministry of Defence for the trade union representatives of another shipyard in my constituency which has no orders whatsoever and faces closure.

Mr. Clarke: I know that my hon. Friend's constituents are fully aware of the excellent job that he does in stating their case and are very appreciative of his work.

I deplore the decline in our manufacturing base and the de-industrialisation which, alas, is taking place throughout the Community and especially in my part of the world. I am also concerned about the environmental issues raised

[Mr. Clarke]

by the right hon. and learned Member for Hexham (Mr. Rippon). On Monday, I drew to the attention of the Minister for Overseas Development the document "Mandate for Change" published by the World Commission on Environment and Development. The Minister said that he regarded the document as an interim one. He gave the impression that he was not responding wholeheartedly to the concern expressed in that document for the environment not only in the United Kingdom and the developed countries but also in the Third world, where the environment is just as important to those who live there as our environment is to us.

The document "Mandate for Change" made it clear that there is evidence that has led 20 other countries to act in the interests of the environment. We should bear that in mind when we are dealing with funding for overseas aid and overseas investment and development. I have no wish at all to encourage a reduction in our contribution, but I believe we should try to improve the quality of that contribution, and I believe that bearing the environment in mind will help us to achieve that objective.

I wish briefly to mention the international aspect. The document suggests that the Community is now more concerned with the problems of the developing world than was the case until perhaps a year or two ago. That is very laudable. I believe that the Lomé convention meeting held in Inverness not long ago made an important contribution to the consideration of such matters and also to the acceptance of the role of women in the underdeveloped world. In passing, I believe that the House was delighted with the speech by my hon. Friend the Member for Cynon Valley (Mrs. Clwyd). Her experience in those matters was self-evident, and helpful to both the House and the Community.

We must be concerned about the future of our planet, the future of the Third world and the growing problems of armaments at a time of great international poverty and friction. We should therefore give some thought to the paragraph in the document that deals with our relationship with the United States and with East-West relations.

I think that it is fair to say that the Community, on the evidence of this document and on many other actions in which it has been involved, now has a more progressive view on such matters as the Iran-Iraq war, South Africa and East-West relations in addition to the growing problem of central America.

Some hon. Members suggested earlier that anti-Americanism is evident on the Opposition Benches. That represents a considerable misunderstanding of the genuine problems which we feel are being faced in terms of our relationship with the United States. It is not anti-American to take the view that I take. It certainly is not true today that America has the leadership it deserves. That is not always the case, despite the fact that it might be stated often.

I do not think that America deserves its present leadership. I believe that circumstances have changed very dramatically since President Reagan took office, not just for the standing of the American presidency but for the American role in the world. I do not think that any of us should assume for one second that the kind of policies and philosophy that he endorses represent anything more than a temporary aberration from which I am sure both the United States and our relationship with it will in time recover.

Perhaps the saddest aspect of the present American President's attitude is that, because of the philosophy he pursues and because of his carefully considered and carefully projected rhetoric, he has no solutions to the present problems. The President last night addressed the Heritage Foundation. He presented serious problems, not only in simplistic but in unhelpful terms when trying to find a solution to the problems. Did he think when he talked about the relationship between Daniel Ortega and Colonel Gaddafi that his policies in recent years——

Mr. Deputy Speaker: Order. I have listened carefully to what the hon. Gentleman has said. These are important matters, but the hon. Gentleman must relate his comments to the Bill before the House.

Mr. Clarke: I was attempting to do that, and also to bear in mind the Order Paper, which refers to the document I have been discussing. You will be happy to know, Mr. Deputy Speaker, that I am about to conclude.

The document refers to the problems of relationships between ourselves and other countries, including the United States. The time which was given to this debate, important though it is, was limited in scope and was bound to limit hon. Members on the amount that we feel it is appropriate to contribute. That said, I think that it has been a welcome debate. If it means that the House can address itself to the problems of Europe — Europe itself and Europe in a changing world—in the knowledge, which seems to be universally accepted, that we have a great deal more progress to make in the House and in Europe, I believe that that will be in the interests of our people and very much in the interests of a wider world.

8.23 pm

Mr. John Butterfill (Bournemouth, West): When my right hon. Friend the Member for Taunton (Sir E. du Cann) addressed the House, he stressed the importance that we attach to having an unwritten constitution and the great contribution that that has made to the development of this country. It has enabled us to adapt over the years to changing circumstances. The degree to which the European Community has been able to adapt over the past few years to changing circumstances without needing to change the treaties is remarkable. The original treaties have been stretched in all sorts of directions. Many things have been done that were not originally envisaged. Indeed, the Parliament has been exercising more powers, in many ways, than it was originally granted.

When it is said that the Bill and the Single European Act are not necessary for Britain, we can probably agree with that. We are used to living with an unwritten constitution which is continually evolving out of custom and precedent, but we have to remember that the vast majority of states in the world, certainly the majority in the European Community, are not used to living with an unwritten constitution. They are used to having written constitutions which, if they wish to change, they have to change in writing. I hope that we will agree to pass this legislation and adopt the Single European Act, because of the need to conform to the practices of our partners. That is an entirely honourable thing to do.

In view of the changes that have taken place, the subtle changes that are envisaged in the Single European Act and

the proposal to change the name of the Assembly to Parliament are right. When the treaties were established the Assembly was an appointed body. It is now an elected Assembly and it does a good deal more than it originally did. It certainly scrutinises legislation and, although strictly speaking it is not entitled to do so, it has, of late, subtly been proposing legislation.

It is extraordinary that those who hold democracy dear should consider that it is reasonable that under the treaties as they stand only the Commission can propose legislation. It seems to be far more reasonable that an elected European Parliament should be able to propose legislation. The modest change envisaged suggests that the European Parliament will be able to propose amendments to legislation. I cannot see how anybody who holds democracy dear to his heart can object to a proposal of this nature.

I can find only one thing objectionable in the entire Single European Act. This is contained in the preamble to the Act, where it refers to something that is not part of the treaty setting up the European Community. It refers to the

"Convention for the Protection of Human Rights and Fundamental Freedoms".

This convention has caused us much trouble. It is the convention which the European Court of Human Rights upholds, and it is the convention which tells us, for example, that we cannot have corporal punishment in our schools. I do not believe that a court consisting of a few judges in Europe should be able to dictate to a sovereign Parliament what it can or cannot do in its own country about social matters or sentencing policy. Therefore, I object only to that one element contained in the recital of the Act.

Mr. Foulkes: I think that the hon. Gentleman is getting mixed up. I think that he is talking about the European Court of Human Rights, which is under the jurisdiction of the Council of Europe and is not part of the European Community at all.

Mr. Butterfill: The hon. Gentleman is right. Perhaps he was not listening to what I was saying. I referred to the

"Convention for the Protection of Human Rights and Fundamental Freedoms

This is contained in the fourth paragraph of the preamble to the Single European Act, if the hon. Gentleman would care to refer to it. It says:

"Determined to work together to promote democracy on the basis of the fundamental rights recognised in the constitutions and laws of the Member States, in the Convention for the Protection of Human Rights and Fundamental Freedoms and the European Social Charter, notably freedom, equality and social justice."

That is the only element in the Act to which I have any objections.

With regard to the importance of the development of the internal market, I cannot improve on the demonstration of the difficulty involved which was given by my hon. Friend the Member for Reigate (Mr. Gardiner). It is important to my constituency that the changes are achieved by 1992. Bournemouth has become a major centre for insurance and financial services. The European headquarters of the Chase Manhattan bank are being constructed in my constituency. To exploit the considerable advantages and expertise that Britain has built up in insurance and in financial services, it is vital that we succeed in completing the internal market.

We must remember that, although Britain is an island and is less affected by what others around us do, our partners in the European Community have direct and abutting land frontiers and are much more directly affected by what goes on in neighbouring states. Although we feel that environmental co-operation is important to us, it is much more important to our continental neighbours.

I support the proposals for the regional fund. The United Kingdom has benefited greatly from the operation of that fund. It is extremely important to develop other aspects such as the regional and social funds, which take away some of the enormous preponderance that has tended to attach to agricultural policy in the European Community. If the Community develops in other directions, this will greatly benefit the citizens of the Community, particularly those in the United Kingdom.

It is vital that Britain co-operates with her European partners in research and development. There is only one way in which we can meet the competition which we are now facing from Japan and the United States of America. That is by co-operating and exploiting the advantages of what is potentially the largest single domestic market in the world. We have begun to do that through the ESPRIT and BRITE programmes. It is vital that we expand those operations.

The events of the past week illustrate more clearly than anything else the need for us to co-operate on foreign policy, the need for us in Europe to be able to speak with one voice, and the enormous influence that we can have on events in other parts of the world if only we are prepared to get together and co-operate. I very much hope that we will increase co-operation. My final hope is that we can join the European monetary system and demonstrate even more clearly our commitment to membership of the Community.

8.35 pm

Mr. Ron Leighton (Newham, North-East): The EEC spends most of its money on the common agricultural policy. The best description of the inanities of this money-eating monster is in last year's July report by the Comptroller and Auditor General. I urge all hon. Members to read it. Since then the position has deteriorated. In 1985-86, public spending in Britain on national grants and subsidies under the CAP increased by £500 million to £2·215 billion, yet, in 1985, farm incomes dropped by £879 million to £1·154 billion. The astonishing fact is that support spending on agriculture exceeds farm income. It would be cheaper to pay farmers to produce nothing.

Public spending averages more than £9,000 for each of the 240,300 farm holdings in the United Kingdom. Each holding receives an average subsidy of £9,000 per annum. Most goes on buying up and storing surplus farm produce for which there is no market. Public spending plans allow for further increases. Is not all that wicked and insane? These costs, together with a high level of guaranteed prices, represent a significant transfer of resources from the consumer and taxpayer to the producer. This has stimulated agriculture at the expense of other sectors of the economy. A uniform price for all producers means that large producers are oversupported and encouraged to maximise production, but that does not help small farmers and poorer farming communities.

Let us consider the remarkable feat that present policy has achieved. The CAP was invented in 1957. The policy has boosted public spending to massive levels. The people who are supposed to benefit from this spending have suffered a severe income drop, and their numbers continue

[Mr. Ron Leighton]

to fall. Huge food mountains continue to grow, and the price of food is much higher than it needs to be. By doing this, we damage the interests of our friends around the world, such as those in New Zealand. Only a madman could have achieved that.

Let the House answer the lunacy of one of the chief activities of the CAP. Expensive energy is used to dry into powder skimmed milk left over from making surplus butter. We subsidise the sale of the skimmed milk powder to other EEC farmers who feed it back to the livestock, after adding the water removed in the earlier costly process. We are financing that. Britain has been paying a disproportionate amount to finance this tomfoolery. We were told that all this would be put right by the Fontainebleau agreement. The agreement was to guarantee Britain its rebate and impose financial discipline on the CAP. Spending on agriculture was to grow more slowly than the growth of budget own resources. The Fontainebleau agreement immediately increased by 40 per cent. the VAT contribution to own resources. The Commission has pointed out that agricultural financial discipline could be breached in "exceptional circumstances" or "aberrant circumstances". We know that the whole of the EEC is an aberration and is exceptional.

This much-lauded financial discipline was breached last year. It will be breached spectacularly this year and will be breached again next year. The Fontainebleau agreement is proving worthless in practice and is breaking down.

The breach of financial discipline has been caused by the fall in prices on the world market, which makes it more expensive to subsidise the dumping of EEC surpluses, and by the change in the value of the dollar. As a result, the EEC keeps coming back for a supplementary budget—for even more money to throw down this black hole. Some of us predicted that that would happen. In previous debates, we said that the only thing to do was to turn off the tap of the money supply that finances this madness. The same is true now. As long as we keep voting to give the Common Market more money, this obscene rake's progress will continue.

In the past four years, EEC intervention stocks have increased 500 per cent. At great expense, they are being added to faster than they are being emptied. The 1·4 per cent. VAT ceiling will soon be breached. We should remember that the EEC budget mechanism is fixed only while the current 1·4 per cent. VAT ceiling is operational. It could be withdrawn as Fontainebleau collapses.

The Commission now looks upon co-responsibility levies as additional taxes to fund agricultural surpluses rather than alleviating them. They are likely to be passed on to the consumer in even higher prices. At the moment the concept of value for money is wholly alien to the Common Market.

I always thought that the Conservatives regarded the function of prices as being to bring supply and demand into balance. The common agricultural policy needs a several-year programme of reducing prices, announced in advance and consistently maintained. Hardship among farmers should be alleviated by direct income support. That would enable us to have freer trade in food and to open our ports once more to the produce of the world, providing cheaper food for our people. To achieve such a sensible policy we shall need to repatriate agricultural policy once more to the jurisdiction of this House rather than leaving it with the EEC bureaucracy.

This dangerous Bill does the opposite. It takes further powers away from this House and gives them to Continental institutions not elected by us or anybody else, and not removable by us. That is a further unacceptable loss of democratic self-government, yet self-government is our most precious possession.

What would be the good of discussing policies with people at general elections if, when we got back to the House, the powers to implement those policies had been surrendered and given away? When voters complain to us about this we shall have to tell them that we have no powers over these matters and that it is no good coming to us but that they should go to Brussels where such issues are decided.

This wretched Bill lists a whole range of matters that are now to be dealt with by majority voting. Let me give the House a good example of what that will mean. The hon. Member for Aldridge-Brownhills (Mr. Shepherd) asked the Prime Minister about the EEC budget. In her written reply on 26 March this year she said:

> "The proposed increase in non-obligatory expenditure represented a threat to budget discipline".

That is a bad thing. We cannot have a threat to budget discipline. She goes on to say:

> "The United Kingdom accordingly opposed the revised draft Budget, which was adopted by qualified majority."—[*Official Report*, 26 March 1986; Vol. 94, c.*493*.]

So it does not matter what we say, however dangerous it is, if we have qualified majorities.

As the Scrutiny Committee has said, the Bill provides for the treaties to be amended so that a whole list of matters may be dealt with in a similar way, a whole list of matters over which this House will surrender control, not only derogating from and damaging this House, but damaging the electorate and damaging democracy. It breaks all the pledges made to the electorate at the time of the referendum. It abrogates the basis of that referendum and of our membership.

I have here the document that was issued by the Government at the time of the referendum. It was printed in red, white and blue. It says at the top of the page:

> "Will Parliament lose its power?"

and goes on:

> "Fact No. 2. No important new policy can be decided in Brussels or anywhere else without the consent of a British Minister answerable to a British Government and British Parliament."

It could not be clearer or more specific, but this Bill flies in the face of that clear pledge to the people. Every issue on which this Bill specifies majority voting is an affront to that pledge and that commitment so solemnly given in the referendum. Such a proposition of majority voting has never been put to the British people, and there is absolutely no popular consent to this unprincipled Bill which double-crosses the electorate.

To pledge in the referendum that a British Minister answerable to this House will always have a veto and then to come along with this Bill to provide for majority voting is a cheat and a swindle and it deceives the voters. This continuous undermining of Parliament, of our democratic self-government and of the rights of the electorate is something to which I shall never be reconciled and will work to rectify.

Symbolic of this whole issue is the proposed change in the name of the European Assembly. "Assembly" is a good name for this unloved institution. It assembles. Apart from doing that and talking, it does little else. It is a talking shop, not a proper Parliament that legislates. However, those who want to turn the Common Market into some sort of monster unitary state want, as a symbolic gesture, to call it a Parliament and to give it extra powers. The key question is, if the EEC Assembly is to get extra powers, where will they come from? Any extra powers for the Assembly will inevitably mean fewer powers for this House and the people who elect us, and we should resist that.

My final point is on employment. When we entered the EEC simple souls suggested that the so-called bigger market would be better for our industries, exports, balance of payments and employment, what they lyrically called jobs for the boys. The harsh truth is that, from whatever angle we look at it, EEC membership has cost us over a million jobs. Two out of every three jobs lost in recent years have been in manufacturing. The figures which are given in the table on page 58 of Cmnd. 9761, the White Paper before us, tells us that in our trade in manufactures with EEC countries in 1970 the export-import ratio was 137 per cent. In other words, for every £100 they exported to us, we exported £137 to them, a very healthy state of affairs for us. What has happened since? Did we benefit from market membership, as we were told we would? The very opposite has happened. The export-import ratio has declined continuously until last year it was only 71 per cent. For every £100 that they sent us we sent them only £71. From a trade balance of about £1 billion in our favour, we now have a horrendous deficit of some £10 billion. This enormous turnaround is one of the main causes of unemployment in this country.

At the last election the CBI, which now increasingly represents importers and firms that have transferred substantial parts of their manufacturing capacity abroad, said that 2,500,000 jobs depended on our exports to the EEC——

Mr. Cash *rose*——

Mr. Leighton: I will not give way.

From the same arithmetic it would follow that 3,750,000 jobs have been destroyed by the imports we take from the EEC, which are now 50 per cent. higher than our exports to it.

If we consume the products of Continental factories rather than British factories, it must mean unemployment here. Thus British jobs have been lost not because of the microchip but because other people are supplying our market. There is no solution to our unemployment without turning back the tide of imports which has closed down British factories and destroyed the jobs in them. The imports that are doing the damage are primarily from the EEC, in cars, textiles, chemicals, furniture and engineering. EEC imports have displaced British production. The treaty of Rome commits us to accepting levels of imports however high, whatever the cost and however fast they rise.

Ironically, we have handed over responsibility for our trade to the Brussels Commission, the equivalent of rewarding the burglar with the only set of keys. Any future British Government which is serious about strengthening British industry will come up against Common Market rules. If we want an effective industrial or regional policy, if we want to plan and regulate trade, if we want to say that British firms should have national objectives, if we want to deal with multinationals, if we want selective public sector purchasing or a form of exchange control, we shall come up against the restrictions of the treaty of Rome.

So we have to make up our minds. Are we committed primarily to the treaty of Rome, whatever the cost, or shall we give priority to the conquest of unemployment and the revival of manufacturing industry in this country? In the choice between jobs and the treaty of Rome, I have no difficulty or hesitation in choosing jobs.

8.49 pm

Mr. William Cash (Stafford): I have for many years been a supporter of the European Community in the broadest possible terms, but I have some reservations about how we might move to majority voting.

We have to live in the real world and to be practical about the Bill. I am a member of the Select Committee on European Legislation and endorse everything that its report says. It says that British industrial and commercial interests must get in on the act early.

I listened with interest to the hon. Member for Newham, North-East (Mr. Leighton). He voices the anxieties of many people, but many of those anxieties need not arise if we can be brought into the process earlier. There should be a change in our standing orders and our terms of reference so that the Select Committee can evaluate what is going on early enough. Community jargon has the phrase "avant projet".

Having practised as a lawyer in commercial law concerning the Community, I am aware that many directives reach maturity and get through the Select Committee without sufficient consideration en route. European agricultural organisations tend to get in on the act early, but the same is not true for many others.

My right hon. and learned Friend the Foreign Secretary emphasised the wider implications for Britain, which I endorse, and said that the Confederation of British Industry, the Institute of Directors, the British Institute of Management and the Association of British Chambers of Commerce all want completion of the internal market. I envisage many advantages in that, but it would help the Select Committee if organisations made their representations to us earlier when they found matters of concern to them.

Many members of the Committee have examined the European Parliament's powers and we made it clear in our report that we consider the Luxembourg compromise still to be valid. We tend to exaggerate the dangers of majority voting. We live in a global economy but have to keep our interests ahead of other people's. We must have regard to our own interests while working in the EC. I was interested to read what my hon. Friend the Minister for Trade said on 13 February in regard to the multi-fibre arrangement. He said:

> "I suggest that the House approaches the matter from this angle: first — I mention it first and rate it first — are the interests of the people of the United Kingdom". — [*Official Report*, 13 February 1986; Vol. 91 c. 1109.]

That is an extremely fair way in which to approach such matters. We must respond to a range of issues such as the big bang, which is coming in October.

I have recently served on the Financial Services Bill Standing Committee and have learnt the extent to which

[Mr. William Cash]

we shall be exposed to international pressures in investments, capital movements, competition, biotechnology, intellectual property—in respect of which we have a new White Paper—banking, financial services and telecommunications. In such matters, our commercial and industrial prosperity for the next 20 years is intimately bound up with the EC and I have no intention of turning the clock back. It is essential, however, to keep an eye on what that clock is doing and what its mechanism is achieving to ensure that scrutiny in Parliament is retrieved.

I listened with interest to my colleague on the Select Committee, the hon. Member for Cynon Valley (Mrs. Clwyd), and had much sympathy for what she said. I have received an interesting letter from my hon. Friend the Minister of State, Foreign and Commonwealth Office in which she was good enough to reply to my letter concerning scrutiny. She said that the Government were looking into the Scrutiny Committee's proposals. I hope that she will have some interesting things to say later. I do not think that she will mind my quoting that part of her letter in which she said:

"I accept that this"—

majority voting—

"will not be risk-free for us."

It is by no means risk-free, but if we get into the negotiations seriously enough and early enough we shall be able to retrieve a great deal of the initiative which has been allowed to go through apathy and inertia.

We must learn to live in the modern world of Japan, of the United States, of protectionist pressures and of the need to maintain market share, to compete effectively and to maintain a high profile of high quality goods which win markets against international competition. If we do not remain alert to the dangers inherent in the Community's mechanisms, we shall reap the whirlwind. If, however, we use the mechanisms effectively, we shall be able to use the opportunities that the EC offers.

It is over to us. We must bear in mind the consequences of giving legal effect to the proposals in the Single Act. The European Court of Justice will be involved. We must be sure that we know what we are doing. Who will control it all? The Government? Parliament? The Commission? Will we have sufficient input from our trading companies and the professions? Will we ensure that we maintain our people's livelihoods? That is what the Community is ultimately about, but we will not achieve that end unless we monitor closely the legislation that could have the most far-reaching effect on our economy during the next 20 years.

8.58 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I wish to raise two issues with the Minister of State, the hon. Member for Wallasey (Mrs. Chalker). They arise from the White Paper and the legislation. First, paragraph 7.7 of the White Paper says that the Transport Council was

"unable to reach any agreement on the package of draft shipping legislation put forward in the Commission's memorandum on sea transport."

I believe I am right in saying that cabotage is to be discussed next month at a meeting of the Transport Council. I hope that, as soon as possible after that meeting, the Minister will make a statement about cabotage and about the way in which our EEC partners ignore legitimate British interests relating to coastal transport.

Secondly, will the legislation that we are debating tonight enable the Commission both to protect and to promote the interests of the African, Caribbean and Pacific cane sugar producing countries that export part of their produce to EEC member states? An EEC policy is urgently needed to help to deal with the current imbalances in the world sugar market. Such a policy must aim at solving these problems in the interests, and for the benefit, of the developing countries. The ACP countries have little or no choice but to continue to grow cane sugar, regardless of the price that it fetches on the international market.

I am concerned not only about the producers of cane sugar in the Third world but also about those who are employed in the cane sugar refining industry in Great Britain where there are only two cane sugar refineries. One of them is in the constituency of my hon. Friend the Member for Newham, South (Mr. Spearing). The other is in Greenock.

On 2 December 1985, the Minister of State, Ministry of Agriculture, Fisheries and Food moved a House of Commons motion on this issue. It said:

"That this House takes note of European Community Documents Nos. 8687/85, 9178/85 and 8781/85 relating to the sugar sector and 11172/84 and 8688/85, relating to the reform of the starch regime, and supports the Government's objectives to secure satisfactory agreements on them which take account of the interests of both producers and users of the products concerned."

On that occasion I was fortunate enough to move an amendment that was accepted by the House. It said:

"That this House takes note of Commission Document No. R/1900/73, but declines to approve Commission Document R/1957/74 as it makes no provision either for continuing imports, at fair and stable prices, of at least 1·4 million tons of cane sugar from Commonwealth countries, or for the continued existence of and employment in the port sugar refining industry in the United Kingdom, or for securing longer term supplies of domestically refined cane sugar at a fair price to consumer and producer."
—[*Official Report*, 2 December, 1985; Vol. 88, cc. 107 and 114.]

If I may be so immodest, I think that this is an example of principled pragmatism.

I am deeply concerned about the crop that is produced by the ACP countries. At the same time, I have a direct consitituency interest in EEC decisions about imports of raw cane sugar and the refining of that sugar in London and Greenock. The Tate and Lyle cane sugar refinery is the only refinery in Scotland. There were many more at one time, particularly on the lower Clyde. That refinery is an integral element of the Scottish food and drinks industry. Its future has to be assured in the interests of my constituents who work in the refinery. It must also be assured in the interests of all those who are employed in the Scottish food and drinks industry.

Paragraph 4.26 to 4.29 of the White Paper deal with the internal and external fisheries regime. Here again, we are dealing with a traditional industry, but in this case it is largely managed — I go further: it is very much controlled—by decisions made in Brussels.

One of the recommendations of the report on fisheries protection of the Select Committee on Scottish Affairs, of which I am happy to say that I am a member, was:

"All third-country boats fishing in Scottish waters should be required to report to DAFS in addition to, or instead of Brussels".

I would say that they should report to Edinburgh rather than to Brussels and that that reporting system should be as efficient and systematic as the one established years ago in Norway, where it works effectively.

Another recommendation was that the 10 per cent. by-catch limit in the pout fisheries should not be raised. I compliment the Ministers who were successful in resisting the stong pressure by the Danish Government when they sought to raise or maintain the derogation of an 18 per cent. by-catch limit. That is a disgracefully high level. It destroys many young fish which are prevented from breeding and Danish fishermen in particular need to be protected from themselves. I should like to see a permanent ruling on the by-catch limit which does not even go as high as 10 per cent.

On the issue of cane sugar and in the interests of the ACP countries and the port cane sugar refining industry employees, and in the interests of the indigenous fishing industry, much more needs to be done by the Government within the Brussels arena.

9.7 pm

Sir Anthony Meyer (Clwyd, North-West): There is a theatre in Paris called the Theatre de la Huchette. The play has a cast of eight and the theatre holds an audience of 12 and they have been giving the same play for 45 years. The name of the play is "The Bald Prima Donna". That is no reflection on the state of the hair of any hon. Member who has intervened recently, but it fairly well reflects the value of the debates that we have in the House on this subject.

First, the Bill and the quaintly named Single European Act to which it gives effect are the bare inadequate minimum needed to prevent the 12-nation Community from collapsing into inertia and chaos. Secondly, the Government's policies in the EC inadequate, grudging and laggardly though they are—I except from any strictures that I make my hon. Friend the Minister of State whose attachment to this cause has been exemplary throughout, like her predecessor my right hon. and learned Friend the Member for Edinburgh, Pentlands (Mr. Rifkind)—have at least been better in the sense of keeping the Community afloat—just—and keeping the British public opinion reconciled to the idea of Community membership—just—and better than those on offer from any of the other Opposition parties.

Thirdly, the EC, cruelly though it has disappointed even the most modest hopes placed in it, is none the less better than any alternative organisation which could conceivably be brought into existence to replace it, given the much diminished quality of European statesmanship today compared with 30 years ago, and incomparably better than a reversion to the kind of crude nationalist power horse trading, with no binding rules at all, which is what the enemies of the Community in the House and outside apparently want. The key phrase is "binding rules" and that is what the Bill is about.

Those who talk about the vital importance of maintaining our untrammelled right of veto on all decisions undoubtedly strike a responsive chord in the hearts of the British public, although they somewhat overlook the fact that other nations—usually Greece—can use their veto to block decisions which are absolutely vital to this country's interests.

I support the Bill, modest though it is. In the words of Audrey in "As You Like It", it is

"An ill-favoured thing, sir, but mine own;"

It is the best that we have and we will have to put up with it.

9.10 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): This long debate has been enlivened by the learned and lively, if short, contribution from the hon. Member for Clwyd, North-West (Sir A. Meyer). We know that the hon. Gentleman when referring to "The Bald Prima Donna" was not in any way referring to his right hon. Friend the Prime Minister for whom we know he has a deep and abiding affection.

Throughout this wide-ranging debate we have heard a variety of views expressed and I admit that a range of views has been expressed from both sides of the House. We have ranged from the hon. Member for Reigate (Mr. Gardiner), who gave us the long but no doubt extremely relevant saga of Henry and the tee-shirts through the somewhat detailed semantics of the nomenclature about the Assembly, which is now to be called a Parliament. I do not expect that our French partners believe that their legislative chamber is any the less important because it is called an assembly rather than a Parliament. We heard earlier about the drama of the European flag. Apparently it is not to be the stars and stripes—as we might have expected—but merely to be the stars. It is to have 12 yellow stars on, no doubt with some appropriateness a blue background.

Some very important and serious points have been raised during the debate. *[Interruption.]* I understand that more encouraging news has come from Wembley about the England versus Scotland football match. My hon. Friend the Member for Motherwell, North (Mr. Hamilton) is the bearer of that news. As usual in European debates, many Scottish Members are present, and we were not sure whether we were being deprived of our places at Wembley through our duty to the House. Earlier this evening we thought we were fortunate to be closeted in the Chamber as Scotland were losing, but it now appears as if things are improving as Scotland are back in contention.

My hon. Friend the Member for Cynon Valley (Mrs. Clwyd) raised a serious point in relation to scrutiny and the adequacy of scrutiny in this Parliament, and other hon. Members also raised that point. The Opposition have frequently said that we are only touching on the margin of proper scrutiny of the legislation coming from the European Community. The hon. Member for Southend, East (Mr. Taylor) also stressed that point.

Today, as has been evident, as well as discussing the Second Reading of the Bill, we are considering the sixth-monthly report of the Community. Some of my hon. Friends who have raised issues on that have found difficulty in making their points adequately.

On 5 March a number of suggestions were made to the Government and, somewhat surprisingly, the Government accepted the amendment moved by my hon. Friend the Member for Hamilton (Mr. Robertson) in the name of my right hon. and hon. Friends. That amendment called for a report and improvements in scrutiny arrangements. I asked the Minister a number of questions on that occasion but did not receive many answers in the correspondence that followed. Perhaps she will answer some of my points now.

When will we get the response to the suggestions that were made for improving scrutiny? When will we get a report? When will our proposals be considered, and when

[Mr. George Foulkes]

will we get a response to them? We are concerned that scrutiny should be improved within the House and Parliament as a whole.

We are dealing with a modest and, perhaps, reluctant Bill. The hon. Member for Tayside, North (Mr. Walker) will understand that I am not referring to him.

Mr. Bill Walker: The hon. Gentleman will be aware that I have been in my place from the moment that the debate began and that I have not been called to participate in it. He will be aware also that, being a unionist, union means something to me. But if talk about union within Europe is in the same context as union in Scotland, even the hon. Gentleman will understand that that is not quite what we in Scotland believe should happen.

Mr. Foulkes: I allowed the hon. Gentleman to intervene because I realised that he was anxious to speak and had been in his place throughout the debate. I listened carefully to his intervention but I am not sure exactly what he meant or why I gave way to him.

The modest Bill that we are discussing — this may have been forgotten by some of us, and perhaps conveniently by some Conservative Members — is the result of the Milan debacle. The Prime Minister had a tantrum, became intemperate and threatened not to attend the intergovernmental conference. At one stage she would have nothing to do with it. Yet less than a year later we are discussing changes which the Government thought at the time of Milan were unnecessary, unwanted and diversionary.

Let us consider some of these doubtful changes. The new formula of consultative arrangements for the European Parliament is described as new co-operation with the European Parliament. Some Conservative Members may have doubts about the Opposition's views on a number of European Community issues, but if the increased powers that are proposed are at the expense of the non-elected Commission within the Community, we shall consider them sympathetically. That will be our response if the balance of powers within the Community and the delegation of powers are to be changed. If the proposals are to be implemented at the expense of sovereign Governments and sovereign Parliaments, however, we shall examine them more sceptically and be more concerned about them.

The proposals before us do not involve too drastic changes, although we have some concerns. There is to be an extended procedure of Second Readings and the European Parliament will be able to re-examine as well as examine the proposals that come before it. The arrangements for scrutiny in this Parliament will be even more extended and even more difficult. The Foreign Secretary has claimed that the Community's decision-making procedure will be streamlined, but the proposals in the Bill will have the opposite effect and the procedure will become far more cumbersome.

We find it somewhat strange that unanimity will be required for the Council to amend a proposal that has been re-examined by the Commission after being sent back by the Parliament when unanimity is to be abandoned in areas that are of great concern to us.

That brings me to the extension of qualified majority voting in areas which reflect the capitalist views that are so prevalent on the Conservative Benches. Qualified majority voting will be required on issues relating to goods or action to maximise profits, for example, but not on workers' rights, on the interests generally of those in employment or on enlightened labour legislation, to which my hon. Friend the Member for Cynon Valley referred when talking about parental leave, for example.

Mr. Cash: If the hon. Gentleman reads the list of requirements, he will find that there is a minimum requirement covering the health and safety of workers. If I may say so, he is not quite correct.

Mr. Foulkes: I have read the requirements and there are many of them. On balance, I believe that I am correct. The unanimity requirement still exists for issues which the Secretary of State for Employment and others in his team hold so dear. There is this worshipping of the internal market above everything else. Everything, it seems, however important it may be, is being sacrificed to getting some development in the internal market.

Even here there are some contradictions between what is said on one side of the Channel and what is said on the other side. A sort of switch happens somehow in the air between the continent of Europe and the United Kingdom.

For example, in the 1986 Commission programme we are told that a

"large, frontier-free Europe can only succeed if it is accompanied by greater economic and social cohesion."

Yet the Prime Minister, when she came back from Milan, said:

"It is important that the internal market be completed, but I think it can be completed keeping the unanimity rule."

So even in that area there is a contradiction.

In the important area of technology co-operation we also see contradictions. On page 14 of the Single European Act we see that

"The community's aim shall be to strengthen the scientific and technological basis of European industry."

But we saw during the Westland saga and the debate over British Leyland that, although the importance of European co-operation was being underlined, it was being sacrificed and sabotaged by some Conservative right hon. and hon. Members because of their commitment to co-operation with the United States of America.

The Commission urges the Community to be united on questions of high technology transfers, intellectual property rights and other things, so why, in the 1986 budget, was the budget allocation for research and innovation cut by 16 per cent.? Why are we not supporting increased funds for EUREKA and the ESPRIT programme? Why are we not supporting this kind of technological co-operation at the European level, the importance of which was described so eloquently by the former Secretary of State for Defence, the right hon. Member for Henley (Mr. Heseltine), who resigned, we understand, on this issue? Why are the Government not supporting that instead of collaborating in the unwanted, unpopular and potentially very dangerous star wars programme with the United States? How can Europe strengthen its scientific and technological basis when its scientists and their work will flow across the Atlantic?

Another important issue which is included in the Single European Act but not in this Bill is the question of foreign policy co-operation, political co-operation, within the European Community. It is on the issue of foreign policy co-operation, as my hon. Friend the Member for Linlithgow (Mr. Dalyell) and other hon. Members have pointed out, that we see the double standards and the

duplicity of the Government in highest relief. The Single European Act, to which our Government are a signatory, calls on all Governments to

"endeavour jointly to formulate and implement a European foreign policy."

It says that Governments will undertake

"to inform and consult each other on any foreign policy matters of general interest".

It says also that Governments will

"avoid any action . . . which impairs their effectiveness as a cohesive force in international relations or within international organisations."

Where were these expressions of intent, these agreements to which the Government were a signatory, in the decision to withdraw from the United Nations Educational, Scientific and Cultural Organisation? Where were they when the Prime Minister gave consent for British bases to be used for the American bombing of Libya?

The Prime Minister herself said in a paper which she presented to the Fontainebleau summit, entitled "Europe: The Future"—because she was not anticipating then the demand that would be made on her by President Reagan—

"By common action of the Community and the Ten, Europe must impress on the United States that unilateral American action . . . will put the success of Alliance consultation and co-ordination at risk."

The Prime Minister said that? Where did we hear an expression of that when she agreed to the illegal bombing of Libya from United Kingdom bases? *[Interruption.]* As international lawyers who know about it have clearly said, it was illegal under international law. In the same document the Prime Minister said:

"Member states must take more seriously their solemn commitments to take account of partners' views and work for common positions."

How did the Government take account of partners' views and of common positions when they took the unilateral decision to co-operate with the United States of America in that illegal air strike? From UNESCO it is clear that we did not take the European position. Britain was a fig leaf for the Americans who did not want to be the only country withdrawing from UNESCO. It is clear that in the bombing of Libya the Government did not take the European position but were a political fig leaf for the United States. Let us hope that in a third and vital area of foreign policy, in relation to central America, about which President Reagan is currently putting forward a distorted and twisted view of the political reality, the Government will take the European view and not act as Reagan's poodle as they have done in other areas.

Some hon. Members on the Government side describe the Opposition view and the view of some European countries as anti-American. *[Interruption.]* We hear it again in barracking from a sedentary position. That is a simplistic and distorted view and I suggest that it is also a mischievous view. We are against some aspects of the foreign policy of President Reagan and the present US Administration, but that does not mean that we are anti-American, against the people of the United States of America.

It may come as a surprise to some hon. Members on the Government side when I say that I and my colleagues disagreed with some aspects of British foreign policy and British domestic policy, but that that does not mean that we are anti-British. The same logic applies to the United States. I endorse the argument of many of my hon. Friends that it is the Conservative party that is unpatriotic and not the Opposition. We saw that in the saga of British Leyland and Westland and we see it in the way in which Conservative Members encourage the investment of British capital overseas.

Mrs. Chalker: Nonsense.

Mr. Foulkes: The hon. Lady will have an opportunity to refute my arguments more eloquently than by saying nonsense from a sedentary position.

One of the other issues untouched by this Bill is the imbalance of the Community budget. My hon. Friend the Member for Newham, North-East (Mr. Leighton) spoke about that, the runaway expenditure on the common agricultural policy. As my hon. Friend said, the money is not going to the farmer; it is going to the owners of the cold stores and the grain silos. Those are the people who make money because a large amount is spent on storing and destroying the surpluses, and that is not always done in support of the farmer. The scandal we heard recently about butter and beef being exported to Libya at preferential prices caused great indignation.

The budget crisis in the Community is much worse than the Government will admit. It is much worse than most hon. Members realise. The structure of the funds of that budget are in deep trouble. Some regional and social expenditure is already frozen. I hope that the hon. Lady will tell us the effect of the freezing of regional and social funds for projects in the Community. We are told by placards and other means when money from these funds is being spent in the United Kingdom. I hope that the hon. Lady will tell us the effect of freezing those funds. We see from today's newspapers that the farm Commissioner admits that agricultural expenditure will push the expenditure of the Community through the 1·4 per cent. VAT ceiling. As Conservative Members will know, Spanish and Portuguese farmers are no fools. That rise is before taking account of the fact that they will get advisers over to tell them how to make the most out of the intervention support that they can get from the CAP and about all the extra help that can be obtained by increasing production. Even the current predictions for budget overspend will, in reality, prove modest.

But, of course, there will be the usual juggling, fiddling and holding over of expenditure in order to try to balance the budget. There will no doubt be requests for supplementary budgets, and requests following inter-governmental agreements. Despite our questions, we have never yet been told by any Minister what guarantee there is that there will be no further demands for additional spending during the current financial year. If a local authority in the United Kingdom asked for more money, it would be in difficulties. If, for example, that authority was Liverpool or Lambeth, it would be dragged through the courts. But that does not happen to the Community. It has an open-ended agreement to spend, and seems to have a blank cheque from the Government.

Given the growing commitments, the demands on the regional and social funds, and the fact that agriculture expenditure is out of control, it is not surprising that one area of expenditure is being pushed further and further down the list of priorities. I refer to the United Kingdom rebate. The Minister shakes her head, but perhaps she will confirm later that not one penny of the 1985 refund has been paid. When will it be paid? Can she confirm whether

[Mr. Foulkes]

the much-vaunted automaticity will apply? My information is that, given the way that the Community budget is going, it will not apply. But I am prepared to be corrected by the Minister and to accept her assurances if she can give any.

As the hon. Member for Clwyd, North-West pointed out, in such debates the same performers often make similar speeches. There are sometimes different stories, anecdotes or nuances. But those speeches reflect the fact that during the past two years the Government have wasted their opportunities in the Community. At the end of those two years we are no nearer to solving the fundamental problem to which hon. Members constantly seek a solution. We are no nearer to controlling agriculture expenditure. Despite repeated assurances that there will be strict budgetary control, we keep hearing that that expenditure is out of control. We have seen no real action to tackle unemployment, let alone to reverse the growing tide of unemployment which Jacques Delors described at the beginning of his period of office.

We ask the House to oppose the Bill. A year ago the Government themselves said that such a Bill was unnecessary, irrelevant and would divert us from the real problems facing the country and the Community. I hope that the House will oppose the Bill tonight.

9.33 pm

The Minister of State, Foreign and Commonwealth Office (Mrs. Lynda Chalker): As usual, and as might have been expected, we have had a lively and wide-ranging debate. The views of some hon. Members would be very depressing if we did not take account of economic facts, the common sense of industry and of speeches like those of my right hon. and learned Friend the Member for Hexham (Mr. Rippon), my hon. Friends the Members for Reigate (Mr. Gardiner) and for Bournemouth, West (Mr. Butterfill) and of many of my other hon. Friends. How right my right hon. and learned Friend the Member for Hexham was when he said that we should seek to deepen and broaden co-operation where it is to our mutual advantage. That is exactly what we are aiming for, and exactly what the Bill will assist us to do.

After all the efforts that we have made to achieve a stronger Europe, it is saddening to find how closed some minds still are to opportunities in the wider Common Market of Europe. I refer to the collaboration in research and technology and co-operation to get better use of regional development funds. We need to look forward to the needs of Europe in a changing world.

Many misconceptions have been voiced by opponents of the Bill tonight, but we should be reminded of what the Bill is about. It gives effect, in United Kingdom law, to the changes in the treaties establishing the European Community. These were agreed by the Prime Minister and other European Community Heads of Government in Luxembourg in December 1985. These are the first such changes since the Community institutions were first formed in 1957, and, as many would say, it is high time that we moved the European Community into line with the great changes that have occurred in this country. The Bill not only gives effect——

Mr. Budgen: Tell us what that means.

Mrs. Chalker: My hon. Friend, who has been absent for a large part of this debate, is well aware of the technological and many other changes that have taken place in nearly 30 years. If he has not, I wonder what he is doing in the House now, because he must have been deaf to what was going on.

The Single European Act, which will become a Community treaty, makes provision for a number of important areas. First, there is the limited extension of qualified majority voting to meet the important 1992 target for the completion of the internal market. I shall come back to this in a minute. Secondly, there is the updating of the treaty to take account of the policies on technology and environment to which a number of hon. Members and right hon. Members referred. Thirdly, there is the reference in the treaty to the European regional development fund and better co-ordination of the structural funds. Those are all matters which we believe to be important.

Fourthly, there is a procedure for co-operation between the Council of Ministers and the European Parliament, where the linkages have not been good enough in the past and must be improved. Fifthly, there is the establishment of a court of first instance to relieve the overload on the European Court of Justice, where over 50 per cent. of its cases concern internal staff matters. Sixthly, there is co-operation on foreign policy. Those are all issues which, from time to time, hon. Members have said are necessary. They are being combined together in a useful piece of legislation.

What the Single European Act will not do—and I think it is worth emphasising this—is that it will not lead to a federal union, which is so much feared by the hon. Member for Walthamstow (Mr. Deakins). The emphasis will be on political and practical co-operation. It will not enable the European Parliament to force its views on the Council, and it will not affect the Luxembourg compromise. It will not give the Commission a say in running foreign policy. All these fears have been expressed during the debate. What it will do is to enable members of the European Community to work more easily together for the mutual benefit of each of the 12 member nations in the years ahead.

The hon. Member for Hamilton (Mr. Robertson) made some play, as did the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), of the whole question of why the Bill was being introduced and asked why we had to amend the treaty, bearing in mind that my predecessor, my right hon. and learned Friend, the Member for Edinburgh, Pentlands (Mr. Rifkind) and others, said both before and at the time of the Milan compromise that there would be no need to amend the treaty.

Let me take hon. Members back to the situation at the time when my right hon. and learned Friend made his comment. We always believed that we should be able to make progress by political agreement, but at that time there were certain wide-ranging and ill-considered amendments. We did not believe that those would be to the advantage of the Community or this country. At that time we thought that they might not go away, but we were able to focus the discussion on the limited treaty changes in which we believed. We managed to focus the discussion on practical objectives. Those are the practical objectives with which the Bill deals — the completion of the

Common Market and improved efforts in research and development. Those are both in themselves very important for the creation of employment.

I am sorry to find that yet again certain Opposition Members have turned opportunity into failure. What we did at Milan and through the inter-governmental conference following Milan was to turn what had started as unfavourable to our advantage. That is a worthwhile result. If the hon. Member for Carrick, Cumnock and Doon Valley had any experience of this, which he has not so far had, he would know that it is worth while to change from an unfavourable position, with which we would not have joined, to one which will benefit this country.

Mr. George Robertson: We are all intrigued to hear the explanation of how humiliation was turned into triumph. May I remind the Minister of one more sentence of her predecessor, who is now Secretary of State for Scotland? In the debate last June he said:

"Those who wish to see an intergovernmental conference of the kind recommended by the majority in the Dooge committee, with a view to amending the treaty, are misguided about the best way of making progress in the Community." — [*Official Report*, 20 June 1985; Vol. 81, c. 473.]

Mrs. Chalker: The hon. Gentleman knows exactly why that was. It was because some of the Spinelli proposals and other ideas that were put forward in that committee were not in line with the way in which the Community needed to develop. They have since been dropped.

I must return to some questions that were posed by hon. Members. My right hon. Friend the Member for Taunton (Sir E. du Cann) asked about a special Committee to consider the Bill. The Bill will be fully considered by a Committee of the whole House. That reflects the importance of the measure. I believe that that is the answer that most right hon. and hon. Members want to hear. Therefore, it would not be appropriate at this stage to establish a special Committee procedure.

Several hon. Members were, not for the first time, excited because they believe that the Bill will remove the United Kingdom's power of veto, give greater powers to the European Parliament and reduce the role of other institutions. I am afraid that those opponents of the Bill are allowing themselves to be drawn into an unreal world.

I shall deal first with the Luxembourg compromise. What was it? It was a political agreement that, where majority voting applies, a member state should be able to ask for a vote to be postponed where it considered its important interests to be at stake: to delay and postpone, possibly indefinitely. It was never enshrined in the treaty. What is enshrined in the treaty are the rules on unanimous or majority voting according to the different topics which the treaty covers. No doubt we shall come to that in Committee.

We did not lightly agree to move from the veto inherent in unanimity to the lack of an absolute treaty-based veto inherent in qualified majority voting. That was why the treaty changes are limited to those areas where majority voting will serve our long-standing objective — the completion of the internal market. That is why we have retained essential safeguards for small and medium-sized businesses and in health matters. In these circumstances, the Luxembourg compromise is an additional, but not our principal, safeguard. It is not affected by the Bill.

We successfully and explicitly invoked the compromise on the fisheries question under the last Labour Government in July 1978. Others have done so more recently. Therefore, the compromise is not dead. It is still there, and will remain there. More usually, it is used implicitly. Discussion continues until a compromise is reached that is acceptable to all delegations. The Luxembourg compromise is a weapon of last resort, but we need it in the last resort, and I sincerely hope that none of this will come to the House at some time in the future.

Mr. Leighton: To give an example of when the Luxembourg compromise worked the Minister has had to go back to 1978, which is a long time ago. She knows that the Germans stopped us using the veto on agricultural prices. Who decides when the Luxembourg compromise can be used?

Mrs. Chalker: The hon. Gentleman poses a question dating back to 1982. As my right hon. and learned Friend the Foreign Secretary said at the beginning of the debate, the reason why our attempted use of the Luxembourg compromise did not succeed in 1982 was that the grounds were not relevant to the case that we were putting. However, since 1978 the Luxembourg compromise has been successfully used by the Danes on fish, the Irish on milk, and Italy on steel. If we need to use it in future, we will do so.

I can only say to the hon. Gentleman that when a member state's important interest is at stake it is right that discussion should continue until agreement is reached. We propose that this should be done through special procedures to ensure that the Luxembourg compromise is used only when it is really necessary and that, in general, discussion should continue to reach a reasonable answer.

My hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) said by way of intervention that an enhanced role for the European Parliament would mean a reduced role for other institutions. That is a dangerous fallacy. That is not the position; life is not a zero sum game. By enabling the European Parliament to play a more effective and constructive role in European affairs we can increase the potential of the institutions. The point of decision remains with the Council, but in future it will be able to take decisions with more knowledge of the views of the Parliament and more time to take account of them. That should improve the role for the European Parliament that we agreed, on our accession to the Community, should be part of the future development of this country.

Mr. Teddy Taylor *rose*——

Mrs. Chalker: I am coming to my hon. Friend now. He said that the Bill should be opposed because we should be using existing powers to solve existing problems. I see the point he seeks to make. Of course, we must ensure that the Community tackles the existing problems, such as the problems of agricultural surpluses, which must be reduced. We have been seeking to do that, but that is no reason why we should refrain from making changes aimed at solving other problems of equal importance, such as the continuing lack of a real internal market. There is no reason to pass up opportunities for the future just because we have to attend to problems that already exist.

Mr. Teddy Taylor: Can the Minister answer the simple question we have been asking through the whole debate: what has changed since July last year? The Minister has said that we need majority voting to complete

[Mr. Teddy Taylor]

the internal market. Does she recall that the Prime Minister said, to the acclaim of hon. Members on both sides of the House, when asked about completing the internal market:

"It is important that the internal market be completed, but I think it can be completed keeping the unanimity rule."—[*Official Report*, 2 July 1985; Vol. 82, c. 189.]

Most of us would wish to keep the unanimity rule on directives which could be quite vital to many of our industries. That was the Government policy in July, which was supported. What has changed?

Mrs. Chalker: When the intergovernmental conference sat down to discuss all the matters involved, it was not just other Ministers but the Prime Minister as well who accepted at the Luxembourg meeting that there was a better way of achieving a speedier and more thorough completion of the internal market. Thus we are not immovable; we are prepared to do what is right for the future of the Community and not to be blinkered, as my hon. Friend would have us blinkered.

I will write to the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) on his question about voting procedures, as time is short. Above all, we have sought only to work with majority voting where it could be in our interest. We have selected areas on that basis. Some have implied that there is majority voting against United Kingdom interests. There is no question of that. There is no reason why we should continue to insist on a consensus where no member state has an important interest at stake. We cannot criticise the Community for its inability to take decisions, while, on the other hand, we refuse to allow practical improvements that could well assist us in achieving what we stand for.

The hon. Member for Linlithgow (Mr. Dalyell) asked specifically about the European cancer initiative. That is an area in which we wish to see effective action. A group of distinguished experts, on which the United Kingdom is represented, is meeting to consider the details. I will write to the hon. Gentleman about the matter.

Hon. Members have commented on a wide variety of issues, including cabotage and sugar. My right hon. Friend the Minister for Overseas Development is en route to the EEC-ACP conference in Barbados, where we hope to secure a real answer to the problems that we discussed over a month ago. There has certainly been movement in that area.

The hon. Member for Hamilton made a number of comments about political co-operation. He said that there had been nothing more than statements. We have certainly had a great deal more than statements. There are plenty of examples. Some of them may never hit the press because they are successful and quiet. They occur because of positive action taken between Foreign Ministers meeting, not only in formal sessions on European co-operation, but in the margins of those meetings. It was with some difficulty that, in January, we eventually found a solution and made some moves on terrorism. They were not what we all wanted. We knew that we would have to do more. We therefore set up a working group to consider further ways of coming together to prevent terrorism.

We have worked together on the issue of South Africa. I recall the complete ban on Argentine exports to the EEC that was imposed within days of the invasion. We have also co-operated in less visible ways on practical matters such as consular help and evacuation plans. In the case of the evacuation of Aden, the EEC members played their part. There was also the case of the evacuees, leaving via Zaire, who had been captured by UNITA. Such consultations are all part of the business of political co-operation. People are wrong to reject statements by the Twelve as unimportant. When the Twelve speak together with one clear voice they can do far more than they can do individually. That was certainly the case in the meeting that I attended with my right hon. and learned Friend last Monday, when we made an important step forward that has not been mentioned today. The 12 countries agreed not only that they would expel unwanted people from their own countries but they would co-operate so as not to allow those people into any other part of the Community. That was the first time that such a degree of political co-operation had been attained.

Mr. Foulkes: Why is the hon. Lady looking at me?

Mrs. Chalker: If the cap fits, wear it.

I believe that it was the hon. Member for Walthamstow who said that political co-operation did nothing for the North-South question. He said that we should use the Commonwealth instead. In reality, our partners in Europe are well aware of the importance of the Commonwealth. Many of them wish that they too had the connections that we have maintained through the Commonwealth. They are also well aware that they have a role in assisting the developing countries—not only the Commonwealth ones — and that role is much discussed in a number of different ways.

The hon. Member for Linlithgow asked how the European political co-operation secretariat could be made accountable. The secretariat is there only to help the presidency. It works under the authority of the presidency on tasks which are delegated at the presidency's discretion. It does not carry on in its own sweet way, which is what the hon. Gentleman implied by his remarks. It is there to take on the administrative burden of political co-operation which is currently shouldered entirely by the presidency. There will be only six officials on secondment from their national Administrations. They will have a small support staff, and each presidency will retain full responsibility and control for all that goes on politically. I hope that that answers the hon. Gentleman's question.

From the many comments that have been made it is clear that not all hon. Members realise how important a Community policy against inflation and unemployment is. Tackling unemployment is a major priority of the Community. All the member Governments of the Community, be they Left or Right, agree that that can be done through a consistent economic policy framework to improve supply and demand. In 1984 the Council agreed that sustained growth could be achieved only in the context of moderation in the evolution of real wages and a pause in the growth of current public expenditure.

Mr. George Robertson: Spending on infrastructure?

Mrs. Chalker: Yes, and spending on infrastructure. I shall come to that shortly if the hon. Gentleman will allow me.

The Community also agreed that the key to the creation of jobs was to open up the internal market, not just for goods, but for services and professions. We have already heard how long it has taken to achieve success and agreement over the professions.

We shall also have the establishment of European standards for products and an improvement in the Community's performance in advanced technology. Those have all been long-standing goals of this country. I remind my hon. Friends that they are all also major aspects of the Single European Act. It is due to an initiative of this Government that the Community is now committed to lifting the burdens on business and enterprise by rigorously examining the regulatory burden of existing and new Community legislation. The Community has a very important role to play there and in promoting labour market flexibility. That is a key issue in the creation of employment opportunities.

It was President Kennedy who said that the rising tide lifts all ships. That is true. If we sustain a soundly based growth this will be the key to the very thing that hon. Members are asking about in tackling the problems of unemployment.

Growth in the United Kingdom was higher between 1983 and 1985 than in any other member state, despite the miners' strike. We shall continue, as we have done in the past year and longer, to create more jobs in this country. We need those greater markets and, as my hon. Friend the Member for Stafford (Mr. Cash) said, we need to use the mechanism effectively.

Opposition Members do not seem to realise the factual position. There is no proposal to freeze the social or regional funds. In fact, the 1986 budget shows an increase of 20 per cent. for the regional and social funds. The hon. Member for Carrick, Cumnock and Doon Valley obviously wants me to deal with budgetary matters. In the time available I must say that whereas there has been disagreement about how we proceed, we are determined to contain the spending of the agricultural budget. The European Parliament has also given its name to that in the past week.

I was asked about the scrutiny procedures. We hope to take up the idea for further information to be contained in explanatory memoranda—we are willing to accept that recommendation. We are also willing to accept the second idea, that Departments should be on the alert to pick up anything that occurs after a submission of an original explanatory memorandum. I will write to the hon. Member for Stafford about the third recommendation. It is not as easy to address.

We are in our 14th year of membership, the 29th year of the Community. We have to look forward far more actively and take up opportunities. We need to build for the future. We need better research and development, better technology and better industry. Vision and practicality are needed to get the best opportunities for Britain and Europe. To achieve that, we need to update the treaties in unison with 11 other member countries. The Bill helps us to do that, and I commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 319, Noes 160.

Division No. 154] **[10 pm**

AYES

Adley, Robert
Alexander, Richard
Alison, Rt Hon Michael
Alton, David
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Ashdown, Paddy
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Bennett, Rt Hon Sir Frederic
Benyon, William
Best, Keith
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Browne, John
Bruce, Malcolm
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Rt Hon Sir Adam
Butterfill, John
Carlile, Alexander *(Montg'y)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chalker, Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clegg, Sir Walter
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Corrie, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Douglas-Hamilton, Lord J.
Dunn, Robert
Durant, Tony
Dykes, Hugh
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(Norfolk, N)*
Howells, Geraint
Hubbard-Miles, Peter
Hunt, David *(Wirral W)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Kirkwood, Archy
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lilley, Peter
Livsey, Richard
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*

Lord, Michael
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, Rt Hon John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marshall, Michael *(Arundel)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Meadowcroft, Michael
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M. *(N'hampton S)*
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Onslow, Cranley
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Prior, Rt Hon James
Pym, Rt Hon Francis
Raffan, Keith
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Renton, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Ross, Stephen *(Isle of Wight)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Steel, Rt Hon David
Steen, Anthony
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stewart, Ian *(Hertf'dshire N)*
Stradling Thomas, Sir John
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Mrs M.
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wainwright, R.
Wakeham, Rt Hon John
Walden, George
Waller, Gary
Walters, Dennis
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wheeler, John
Whitfield, John
Whitney, Raymond
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Carol Mather and
Mr. Robert Boscawen.

NOES

Abse, Leo
Adams, Allen *(Paisley N)*
Aitken, Jonathan
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, M. *(Brigg & Cl'thpes)*
Brown, N. *(N'c'tle-u-Tyne E)*
Budgen, Nick
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell-Savours, Dale
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Conlan, Bernard
Conway, Derek
Cook, Frank *(Stockton North)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Dalyell, Tam
Davies, Rt Hon Denzil *(L'lli)*
Davies, Ronald *(Caerphilly)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Douglas, Dick
Dubs, Alfred
du Cann, Rt Hon Sir Edward
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eastham, Ken
Evans, John *(St. Helens N)*
Faulds, Andrew
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, Neil *(Tatton)*
Harman, Ms Harriet
Harrison, Rt Hon Walter
Haynes, Frank
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hoyle, Douglas
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
John, Brynmor
Leadbitter, Ted
Leighton, Ronald
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Moate, Roger
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Park, George
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Rt Hon J. E.
Powell, Raymond *(Ogmore)*
Proctor, K. Harvey
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Soley, Clive
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Straw, Jack
Taylor, Teddy *(S'end E)*
Thomas, Dafydd *(Merioneth)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Walker, Bill *(T'side N)*
Wardell, Gareth *(Gower)*
Wareing, Robert
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Chris Smith and
Mr. Allen McKay

Question accordingly agreed to.

Bill read a Second time.

Bill committed to a Committee of the whole House. —*[Mr. Maude.]*

Committee tomorrow.

British Pensioners (Canada)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Maude.]*

10.14 pm

Sir John Farr (Harborough): I want to raise the plight of British old-age pensioners who are living in Canada. At the moment there are about 41,000—*[Interruption.]*

Mr. Deputy Speaker (Sir Paul Dean): Order. Perhaps the hon. Gentleman will wait just for a moment. He will not lose time. Sir John Farr.

Sir John Farr: I wish to raise the plight of British old-age pensioners who are living in Canada. At the moment there are about 41,000 British old-age pensioners in Canada. The fact that they are there does not mean in any sense that they have turned their backs on Britain. Many of them are proud to retain their links with Britain. They went to Canada for family reasons, possibly because their last living relatives are there and they decided to join them.

Most of these people paid full national insurance contributions during their working lives in Britain. However, the moment they left our shores, the pensions for which they worked all their lives were frozen. Many of them spent a full working life in Britain and did not leave this country until late in life.

I submit that this is manifestly unfair and unjust and that no civilised country should tolerate it. I am glad to say that this Government and previous Governments have worked out with no fewer than 27 other countries throughout the world a social security agreement or convention, whereby British pensioners living in those countries are entitled to receive regular uprating increases in their pensions. But that list does not include Canada.

Why is this? Why has Canada been excluded from a reciprocal agreement with many other countries in the world? As I have already said, there are about 41,000 British pensioners in Canada. Due to the absence of a social security agreement, no fewer than 20,000 of them receive a pension of less than £10 a week. In Canadian terms, that is about $15. I know from correspondence with the pensioners or their representatives that the hardship involved is very real. One may say that for one reason or another they chose to live in Canada and that the Canadian Government should assist them in their time of need. However, the Canadian Government will not provide financial help for people unless they qualify for financial aid by having been resident in Canada for at least 10 years.

Both Westminster and Whitehall are not unaware of the paradox that faces British pensioners in Canada. As long ago as the 1970s our Government expressed interest in a social security agreement with Canada. In 1983, United Kingdom officials said that the Government might be prepared to allocate the necessary funds. Indeed, later that year the need for an urgent agreement was discussed by my right hon. Friend the Prime Minister and Mr. Trudeau at a meeting of Commonwealth Prime Ministers.

However, in November 1983 the Canadian Government were informed that the British Government could not proceed with the social security agreement, and there the situation remains. As my hon. Friend the Under-Secretary told me only last Friday in reply to questions that I tabled on this, officials from his Department and the Canadian Department of Health and Welfare have work in hand on the agreement but the finance "is not available".

[Sir John Farr]

What finance is needed? In another reply last Friday my hon. Friend was kind enough to say that annually to uprate would cost about £4·8 million in the first year. I can possibly add a little more information because of my understanding of the discussions that have been taking place. As I understand it—I am speaking with fairly good authority — the tentative agreement that was reached between Canadian and British officials but not implemented at the end of 1983 would have cost the British Government £4 million in uprating pensions for the first year and the Canadian Government $21·5 million.

I was a little disappointed that in his reply to me last Friday my hon. Friend mentioned a figure of £35 million as a possible cost to the United Kingdom Government. I was disappointed because, for a start, I did not ask him what the cost would be of bringing up the level of the pensions of all pensioners in Canada to that of pensions in Britain today. My question was what would be the cost of annual uprating, which is about £4 million or £4·8 million per annum. The cost of £35 million which my hon. Friend included in his reply is the cost of a full uprating. All I am asking for at this time is, as happens in every other country with which the British Government have a social security agreement, not the full uprating but simply the payment of increases as and when they become due in Britain.

Another point which my hon. Friend mentioned in his reply to one of my questions last Friday was that the cost of uprating in the first year would be £4·8 million, "rising progressively". But I question whether that figure is likely to rise markedly at all, simply because, if my hon. Friend looks at the available statistics for 1966 and 1967, which were important years for British emigration to Canada, no fewer than 74,000 Britons went to live in Canada. Such has been the change since then that in the past two years for which figures are available, 1983 and 1984, the figure of 74,000 has been reduced to only 7,000.

There has been a change in the pattern of emigration from Britain to Canada. I accept that if one did not take into account the fact that by natural attrition many of the existing British pensioners in Canada will have died, perhaps by the year 2000 the cost could be £35 million a year. But the statistics that I have relating to subsequent emigration from Britain show that the cost is unlikely ever to be one of which the British Government should not be able to shoulder with ease and great pleasure.

Finally, I would like to stress that there is no other country in the world in which Britons live in some numbers, apart from South Africa, where we do not have a social security agreement. In every country where, for one reason or another there are sizeable pockets of British people living—except South Africa for obvious reasons —there is a social security agreement that entitles those Britons to have the right to pension upratings.

I hope that we can provide for British pensioners in Canada in the same way as we have provided for them in EEC countries and in Australia, the United States of America and all other civilised countries where such pensioners live in some numbers. We should do for those pensioners in Canada what we do for others elsewhere.

I am very proud to be associated with some of the achievements of the Government. I only hope that my hon. Friend the Minister will be able to assure me that we can show a little generousity and so recognise what is an obvious case of manifest unfairness in relation to British pensioners in Canada.

10.27 pm

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Major): My hon. Friend the Member for Harborough (Sir J. Farr) presented his case, as ever, with force and clarity, and I will endeavour to reply to the important points that he made.

I would first like to congratulate my hon. Friend on his constancy and his commitment upon this issue which he has pursued, as the House will know, for many years. If I may say so, I think that British pensioners in Canada are fortunate to have my hon. Friend as their advocate in this House.

The present position for expatriate United Kingdom pensioners in Canada, as my hon. Friend is well aware, is that their pensions are paid at the rate in force when the pensioner left this country or, alternatively, when he first qualified for a pension if he was in Canada at the time he reached the appropriate age. At present, pensions are not subsequently uprated; that is the substantive cause of my hon. Friend's concern.

The background to that position is fairly clear. Until July 1955, British pensions were payable outside this country only within the Commonwealth or for short periods of absence. In July 1955 the National Insurance (Residence and Persons Abroad) Amendment Regulations 1955 came into force. Those regulations made provision, for the first time, for United Kingdom pensions to be paid anywhere in the world. There was no provision for the pensions which were to be paid abroad to be uprated.

The reason for that decision was that it was considered at the time that the social security system was primarily designed for people living in the United Kingdom. As my hon. Friend will know, the national insurance fund, then as now, is run on a "pay-as-you-go" basis rather than on a strict funding basis. That means that each year we estimate expenditure and set the rate of national insurance contributions so as to produce an income which will roughly match expenditure. The estimates of expenditure allow for the fact that pensions paid overseas are in general not uprated and would clearly have to be amended were that circumstance changed.

The purpose of the review and uprating of pensions was to ensure that they retained their value in relation to the cost of living in the United Kingdom. Also, as the cost of increasing benefits falls mainly on contributors and employers in the United Kingdom, it was at that time considered unreasonable to ask them to bear the cost of increases paid to people who have voluntarily left the country, in the absence of a social security convention. My hon. Friend mentioned the convention and I will return to that point later. Successive Governments have endorsed that general policy.

At this point I should explain, for it is entirely relevant, that the United Kingdom has agreements on social security with a number of other countries and these are properly called bilateral conventions on social security. At present there are 31 such agreements. They vary quite widely in scope but broadly their main aims are to ensure that a person working abroad does not have to pay contributions for two social security schemes at the same time and that the benefits that should accrue from any contributions paid are not lost.

Some agreements allow for pensions to be uprated but about 60 per cent. of United Kingdom pensioners living abroad do not receive pension increases on an annual uprating basis. There already exists an agreement on social security between the United Kingdom and Canada which has been in force since 1959, but that is limited in scope and does not cover pension uprating. Unfortunately, in 1972, when the United Kingdom Government proposed a comprehensive agreement with Canada which would have included pension upratings, the Canadian authorities were unable to enter into negotiations. Since 1972, a situation has developed where financial constraints have prevented the United Kingdom from concluding an appropriate agreement.

In Canada, the number of people receiving United Kingdom pensions at the end of 1985 was over 56,000, rather more than my hon. Friend mentioned. The number has matured and grown a little in recent years. To bring their pensions up to the level of pensions paid in the United Kingdom would cost about £35 million a year. I shall return to that sum in a moment because my hon. Friend referred to it specifically.

To pay the future cost-of-living increases alone, ignoring past increases, would cost £4·8 million in the first year, and that cost would rise progressively. I return to the sum of £35 million, for our calculations are that the figure would rise progressively to precisely that sum of £35 million over a period of years. My hon. Friend queried whether that cost was accurate, and in the light of what he has said and his long knowledge of these matters, I shall ask to have it re-examined and re-checked to determine whether it is.

My hon. Friend will be aware — he could scarcely fail to be so — that Government spending is subject to strict constraints and that the cost of entering into a comprehensive social security convention with Canada would need to be assessed alongside the Government's priorities for improvements to our domestic social security system. The resources are not available currently to make all the desirable improvements in social security that the House would wish.

Among the points raised by the British Pensioners Association of Canada — a formidable body — is the suggestion that, because pensioners living in Canada do not use the National Health Service or the United Kingdom social services, it should be possible to offset any savings against the cost of uprating their United Kingdom pensions. I fear that it is not possible to trade that off quite so simply, even if it were possible to quantify the savings. The NHS and social services are part of the social structure that is available to residents here and they are financed on that basis. To draw an analogy, we do not give a cash benefit to those who opt for making private arrangements; nor could we do so for those who decide to live overseas.

What is the position of a British resident in Canada in relation to the Canadian social security system? Persons emigrating from the United Kingdom to Canada can receive a Canadian residence-based pension when they have completed a minimum of 10 years' residence in that country, while 40 years' residence is needed for a full Canadian pension. Those who satisfy the 10-year residence requirement may also be eligible for the means-tested guaranteed income supplement.

I am aware of the concern of the British Pensioners Association of Canada about the effect that the exchange rate can have on United Kingdom pensioners living in Canada. The law allows for the payment of United Kingdom pensioners in sterling rates only, as it would not be fair, or practicable either, probably, to adjust the amounts of pension to take account of the innumerable fluctuations which occur in the exchange rates between sterling and other currencies. That has clearly been a circumstance over recent years and that problem will be well understood.

Pensions will continue to be paid in sterling, but I am pleased to mention to my hon. Friend that we have managed to arrange improvements in the way in which pensions and other social security benefits are paid to beneficiaries living overseas. My Department has awarded a contract to the Bank of Scotland to make these payments by credit transfer. The new system of payment, when it comes into operation — I hope that it will be later this year — will be much quicker and more efficient, in our judgment, than the present method. What is more, in addition to receiving their payments earlier, pensioners will get better exchange rates and a reduction in bank charges. The new arrangements will be available to pensioners in Canada and I hope that that will be thought to be a small but worthwhile initiative.

My hon. Friend touched particularly upon the fact that officials of the DHSS and their Canadian counterparts have been working on the preparatory technical matters for a comprehensive social security convention between the two countries. I should like to assure my hon. Friend that that work is proceeding. In the light of all that I have said, that is clearly the way forward on the problem that concerns my hon. Friend.

Unfortunately, I must reassert that, until the necessary finance is available, it will not be possible to make any substantial progress on this matter. However, we judge that it is possible to continue discussions so that we can proceed as quickly as possible once we are in a position to make the money available. Although my hon. Friend will, I know, appreciate that this evening I can give no positive undertaking to provide for the uprating of United Kingdom pensions payable in Canada in the near future, I assure him that we propose to continue work on these preparatory matters and shall certainly keep the matter firmly in front of us. I know that my hon. Friend would ensure that we did so were there to be any backsliding.

I will study with care my hon. Friend's remarks this evening and will draw them to the attention of my right hon. Friend. I am most grateful to my hon. Friend for bringing this important matter once again before the House.

Mr. Hugh Brown (Glasgow, Provan): The Minister has not made a very convincing case. Can he tell me how many of the pensioners in Canada are in receipt of means-tested benefits? Why is Canada the only country with which it seems to be difficult to negotiate an agreement?

Mr. Major: I do not know precisely how many pensioners in Canada receive what the hon. Gentleman refers to as means-tested benefits. I can tell him that there are 56,000 pensioners in Canada. That was the figure that was mentioned some time ago.

It is not a question of there being any unique difficulties in the negotiation of a convention with Canada. There are a number of countries with which we do not have conventions that permit the uprating of pensions. Speaking from memory, I believe that this also applies to Australia

[Mr. Major]

and New Zealand, in that pensions are payable there but there is no annual uprating following the conclusion of a convention. The problem exists with a number of countries.

Although we have what might be called comprehensive conventions with a large number of countries—I think that my hon. Friend the Member for Harborough mentioned the precise number — the system is not universal. In a number of countries — moreover, countries with which we have a long, historic and close relationship—that benign circumstance does not apply.

We take no pleasure from the fact that this problem exists. That is why we are keen to continue the technical preparatory discussions that are going on at the moment, so that, when we have the financial resources, we shall be able to proceed with the minimum of delay. But I fear that, unpalatable though the position clearly is to my hon. Friend, the financial constraints are genuine and have to be borne in mind. I am not in a position to go further this evening.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes to Eleven o'clock.

House of Commons

Thursday 24 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TEIGNMOUTH QUAY COMPANY BILL *(By Order)*
Order for Second Reading read.
To be read a Second time upon Thursday 1 May

COUNTY OF SOUTH GLAMORGAN (TAFF CROSSING) BILL *(By Order)*
Order for Second Reading read.
To be read a Second time upon Thursday 1 May at Seven o'clock.

SOUTH YORKSHIRE LIGHT RAIL TRANSIT BILL *(By Order)*

BEXLEY LONDON BOROUGH COUNCIL BILL *(By Order)*

SHOREHAM PORT AUTHORITY BILL *(By Order)*
Orders for Second Reading read.
To be read a Second time upon Thursday 1 May.

HARWICH PARKESTON QUAY BILL *(By Order)*
Order for Second Reading read.
To be read a Second time upon Monday 28 April at Seven o'clock.

MILFORD HAVEN PORT AUTHORITY BILL *(By Order)*
Order read for resuming adjourned debate on Question [18 February], That the Bill be now read a Second time.
Debate to be resumed upon Thursday 1 May.

BRITISH RAILWAYS (STANSTED) BILL *(By Order)*
Order read for resuming adjourned debate on Question [24 February], That the Bill be now read a Second time.
Debate to be resumed upon Thursday 1 May.

Oral Answers to Questions

HOME DEPARTMENT

Civil Defence

1. **Mr. Aspinwall** asked the Secretary of State for the Home Department if he will make it his policy to adopt the title civil protection for civil defence.

The Minister of State, Home Office (Mr. Giles Shaw): We are considering possible alternative titles, including civil protection, and will announce a decision in due course.

Mr. Aspinwall: Has my hon. Friend initiated any research into the public perception of the term civil defence and, if so, what were its findings?

Mr. Shaw: Yes. Last year we introduced some attitudinal research data on the awareness and understanding of civil defence. This has been most helpful in the preparation of the revised publicity material, which we hope to be able to issue in the course of this year.

Overseas Visitors

2. **Mr. Proctor** asked the Secretary of State for the Home Department when the last investigation took place where visitors to the United Kingdom were recorded as not having re-embarked; how many such visitors were investigated and what kind of evidence was accepted as proof that a particular visitor was no longer in the United Kingdom; and if he will make a statement.

The Minister of State, Home Office (Mr. David Waddington): Very recently, since the investigation of apparent overstaying by persons subject to immigration control, including visitors, is a continuous but selective process. Acceptable evidence of departure, in the absence of a computer record, would vary from case to case.

Mr. Proctor: In view of the concern that visitors coming into this country are not checked out, despite the modern computer aids available, will my hon. and learned Friend reinvestigate the matter, because the crime of overstaying is important and serious and needs attention?

Mr. Waddington: I must correct my hon. Friend. It is not true to say that those who are admitted as visitors are not checked out. Three hundred thousand passengers who were landed last year were landed on check-out conditions. Our records confirm embarkation in 95 per cent. of cases. It is a great mistake to imagine that all the others have not left. Experience shows that all too often when the case of someone who is not recorded on computer is followed up it is discovered that he has left.

Mr. Madden: Will the Minister confirm that overstaying among visitors is not a problem? Indeed, his figures show that only 187 of the 18,000 people refused permission to enter last year absconded. Will he also confirm that the Home Office has taken over part of the Post House hotel at Heathrow to accommodate those who are awaiting interview, often for days, and that that problem would be greatly improved if more than eight interpreters were employed at Heathrow to interview visitors?

Mr. Waddington: I cannot answer the second part of the hon. Gentleman's question. However, I shall write to him and give him what information I can. On the first part of the question, one must neither exaggerate the extent of the problem nor minimise it. I must point out that no fewer than 1,280 overstayers were investigated and indentified last year.

Mr. Watts: Does my hon. and learned Friend agree that without a complete check on re-embarkation it is impossible to know the size of the problem of overstaying? In view of his recent written answer to me, which showed that only 5 per cent. of visitors are so recorded, does he not think that it is time we took firmer measures to ensure the re-embarkation of those who enter as visitors?

Mr. Waddington: The number of people involved is the main problem. Six million people were admitted as visitors in 1984, and millions of people go through immigration control as they leave the country, and no matter how diligent the immigration officer is, he cannot always spot that someone who passes him was admitted to the country on check-out conditions. We have to be selective and follow up the cases where we have reason to believe that there has been a breach of the law and overstaying.

Mr. Meadowcroft: How many of those who were refused leave to enter but given temporary admission actually absconded?

Mr. Waddington: I do not have figures before me now, but they have been provided before when questions on that specific point were raised. I am prepared to write to the hon. Gentleman to give him the information that he requires.

Mr. Budgen: Will it ever be possible to deal with the problem of overstaying without introducing a system based upon identity cards?

Mr. Waddington: Many people in this country would be very reluctant to see the introduction of identity cards. The decision to abolish the use of identity cards was received with loud acclaim and we would have to be very careful before reintroducing them.

Prisoners (Medical Condition)

3. **Mr. Janner** asked the Secretary of State for the Home Department whether he has completed his consideration of advice to prison authorities and guidance to medical officers given by his Department, following his consideration of the case of Kevin Capenhurst.

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): We shall be issuing additional guidance in the near future to governors and medical officers of all Prison Department establishments. This will remind them of the need to give prompt consideration to the possibility of special remission of sentence under the royal prerogative of mercy for prisoners who are suffering from terminal illness or are bedridden or similarly incapacitated. I shall place a copy of that guidance in the Library when it is issued.

Mr. Janner: I thank the Minister for that helpful reply and I am glad that at last some step is to be taken in this matter. However, is the Minister aware that a reminder to medical officers is seldom sufficient to achieve the required result, and that what is needed is that the Minister himself should be informed when one of the very few prisoners who are terminally ill is refused permission to go home or elsewhere to die in dignity? When will he institute instructions that he should be informed about such cases?

Mr. Mellor: I should like to stress two points to the hon. and learned Gentleman, whose interest in these matters is well known to me. First, the guidance note which will be sent out will make some alterations which will be of assistance to ensure that these cases are dealt with even more effectively in future than they have been.

Secondly, on the hon. and learned Gentleman's point about Minister's being notified, I am anxious not to establish bureaucratic procedures which will slow down and not speed up the process of releasing people in genuine cases. Where there are cases of difficulty, these should be reported immediately to Ministers.

Hong Kong

4. **Mr. Ashley** asked the Secretary of State for the Home Department what representations he has received from the Legislative Council of Hong Kong on the proposed Hong Kong (British Nationality) Order.

Mr. Waddington: The Legislative Council made representations asking for an endorsement about visits in the British National (Overseas) passport and it asked that British citizenship should be granted to former service men in Hong Kong and to British dependent territories citizens who were not ethnically Chinese. My right hon. Friend announced the Government's response yesterday in reply to a question from my hon. Friend the Member for Lewisham, East (Mr. Moynihan).

Mr. Ashley: Is the Minister aware that China understandably refused to grant citizenship to non-Chinese residents in Hong Kong because they are a British responsibility? Does he accept that it is outrageous and unreasonable for the Government to refuse — as the Home Secretary has refused—British citizenship to that group of people? We simply cannot use people when it suits our purpose and then discard them when it does not. Is he aware that these 11,500 people will become stateless unless the Government change their mind? May we have some reconsideration of the Government's decision?

Mr. Waddington: The right hon. Gentleman has raised a number of points. First, the Chinese Government have confirmed that non-Chinese who meet the legal requirements under the Chinese nationality law may apply for Chinese nationality and that such cases will be dealt with by the appropriate authorities. Giving the non-ethnic Chinese British citizenship would not secure for them what they want—the right of abode in Hong Kong. They will not be left stateless. All British dependent territory citizens will be entitled to BNO status, and those who do not apply and have no other nationality will become BOCs, a status which will also be available to their children and grandchildren.

Mr. Stanbrook: Is my hon. and learned Friend aware that the category of British nationality known as British dependent territory citizenship is a fundamentally unsatisfactory method of dealing with the problem, and that after 1997 the numbers in that category will be so

small that it might well be desirable to abolish the category and appropriate them within the category of British citizenship?

Mr. Waddington: I cannot agree with my hon. Friend. I think that the decisions that are being taken are right. I repeat that no one will be left without a citizenship. Those who are now BDTCs will be able to apply for the new status of BNO. If they do not apply, again they will not be left without citizenship, because they will be entitled to BOC status.

Neighbourhood Watch Schemes

6. **Mr. Colvin** asked the Secretary of State for the Home Department if he will make a statement about the progress in setting up neighbourhood watch schemes in shire counties.

Mr. Giles Shaw: In December 1985 there were some 3,850 neighbourhood watch schemes operating in shire counties, which was more than double the number recorded in January 1985.

Mr. Colvin: That is indeed good news, but does my hon. Friend agree that chief constables are probably wise to proceed cautiously with neighbourhood watch schemes, perhaps on a pilot scheme basis, in order to ensure that they have the wholehearted support of the general public, without which the schemes will not only fail but could be an additional drain on police resources, which are scarce? Where the schemes are proven to be effective, will he consider increasing police establishments to enable more schemes to be set up, because neighbourhood watch schemes may help prevent crime and catch criminals, but they require additional policemen?

Mr. Shaw: I am very sensitive to my hon. Friend's point. Those neighbourhood watch schemes which are stimulated from within the community, arising perhaps from consultative councils such as that which is being established at Eastleigh in my hon. Friend's constituency, may well not be as manpower intensive for the police as those which are established under police intiation. However, I accept my hon. Friend's point that, like so many other police activities, all should be assessed in relation to police establishments.

Mr. Alex Carlile: Does the Minister accept that neighbourhood watch schemes may have considerable value in some areas, but that the public are provided with far better protection if people living in rural areas can see the occasional policeman walking through their village or small town? Will he take steps to ensure that chief constables are aware of their responsibility to have more policemen on foot in the shire counties?

Mr. Shaw: The hon. and learned Gentleman should be aware that my right hon. Friend the Secretary of State has invited chief police officers in all counties and, indeed, in the metropolitan areas, to make representations in relation to establishment, and he is currently considering many applications. Neighbourhood watch schemes and all the other activities that are mounted around those schemes have resulted in a welcome reduction in burglaries and I hope that that will be applicable in rural areas as well.

Mr. Rathbone: May I put the question of my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) in a slightly different way? Is my hon. Friend sure that insufficient numbers of policemen are not holding up the introduction of the schemes in many places?

Mr. Shaw: We are concerned at having sufficient police available, amongst other things, to enable us to stimulate crime prevention measures such as neighbourhood watch schemes. There is a role here for special constables, which we are currently examining.

Mr. Clelland: Is the Minister aware of the excellent neighbourhood watch scheme set up in the Northumbria police force area, which, along with the metro transport system, the new metro shopping development and the setting up of regional drug squads, has placed considerable pressure on manning levels in that police force? When will the Home Secretary reply to the request from the Northumbria police authority in letters dated 22 January and 15 April for an increase of 75 in the manning of the Northumbria police force?

Mr. Shaw: I am aware that Northumbria, amongst others, has made an application, and I know that each of those applications must be carefully considered. We shall respond to that application, as to the others, as soon as possible.

Mr. Conway: Is my hon. Friend aware of the progress which has been made in Shrewsbury with the neighbourhood watch scheme? Is his Department encouraging chief police officers to expand the special constabulary and to link them in with the neighbourhood watch schemes? That would increase the number of foot patrols in shire areas.

Mr. Shaw: We are requiring all chief constables to take a view of all their resources. My hon. Friend will be aware that the numbers in the special constabulary are entirely a matter for the individual chief constable. There is little doubt that they would be a useful adjunct to crime prevention activities.

Mr. Skinner: Will the Minister take into account the fact that there ought to be neighbourhood watch schemes in the counties of Oxfordshire, Cambridgeshire, Suffolk, Berkshire and all those areas where the Americans have bases? We need people to keep an eye on the criminal activities of President Reagan and those who allowed him to bomb Libya and other countries——

Mr. Speaker: Order. That is very wide of the question.

Mr. Skinner: If the Government will not keep an eye on him, somebody has to do it.

Mr. Shaw: I suspect that that is a little outwith the neighbourhood over on which I was answering questions.

Sexual Offences

7. **Mr. Michael McNair-Wilson** asked the Secretary of State for the Home Department when he now intends to introduce legislation to reform the Sexual Offences (Amendment) Act 1976 as it relates to the anonymity of those accused of rape.

Mr. Mellor: We have this matter under consideration. There is a strong case for removing the accused person's right to anonymity, but a final decision has not yet been reached.

Mr. McNair-Wilson: Although I welcome my hon. Friend's answer, does he agree that as the Act now stands

suspected rapists, alone of any criminals, enjoy anonymity? It is inequitable that anonymity, which should rightly be given to the victim, should also be given to a suspected person, especially when there is a danger of that suspected person committing other rapes, since he has not been arrested.

Mr. Mellor: I entirely agree with my hon. Friend.

Mr. Ashley: The Minister may be aware that I brought in the original Bill to help rape victims, and I sympathise with the Government's view. I wonder whether the best way to approach this matter is to preserve anonymity for men accused of rape, because it is such an appalling crime, but to identify men accused of it when they have committed another crime. Would that not be the best solution?

Mr. Mellor: It is a halfway house. It is true that rape is a grave crime, but so, too, are murder, attempted murder, buggery, and assaults on young children, all of which lead to the identification of the defendant. The right hon. Gentleman will have read what the Criminal Law Revision Committee said about the provisions for the anonymity of defendants and its detailed criticisms. We must bear in mind the committee's findings as well as the right hon. Gentleman's comments when considering this matter.

Sir Peter Hordern: When will my hon. Friend announce his decision? Will he give us an assurance that it will be made in a much shorter time than the decision about dog licences?

Mr. Mellor: I have responsibility for a number of interesting matters but, happily, dog licences are not among them. I know what my hon. Friend means and I can assure him that a decision will be made in such a fashion that, if it is favourable to remove anonymity, that could be included in the Criminal Justice Bill next Session.

Mr. Corbett: Given that there is no centrally held evidence that the anonymity provisions of this Act—which started life as my private Member's Bill—have in any way inhibited police inquiries, will the Minister at least undertake to consult widely on any plans to remove the anonymity provision for the accused man? Is the Minister prepared to advance the time at which the complainant woman gets the protection of anonymity to when that complaint is made?

Mr. Mellor: I know that the hon. Gentleman has previous convictions on this subject—*[Laughter.]*—and I shall want to have a word with him about that in due course. I take his point about the anonymity of the victim. Recent events in Ealing have revealed to us how unsatisfactory it is that anonymity for the victim comes into play only at the point when an arrest is made, although we saw in that case that the damage can be done before then. I shall want to look into that matter and to have a word with the hon. Gentleman about it.

Police (Training)

8. **Mrs. Clwyd** asked the Secretary of State for the Home Department what increased provision has been made for police training in respect of additional discretionary powers to be conferred on the police under public order legislation.

Mr. Giles Shaw: The Department is in close touch with chief officers of police about the training implications of the Public Order Bill, but clearly this will depend on the final form of the Bill when it completes its parliamentary passage.

Mrs. Clwyd: But why force these powers on the police in the first place? They do not want them. They bring the police into party politics. The Chief Constable of the Royal Ulster Constabulary has asked for similar powers to be taken from him. If the Government are so insistent, why not do this through the democratically elected local authorities, as in Scotland?

Mr. Shaw: The hon. Lady will bear in mind that the Bill emanated from a review by a commission, the publication of a White Paper and from substantial discussion of the need to modernise the Public Order Act 1936. The Bill also has the approval of the House and is making progress. I look forward to the Bill continuing to make progress in the House.

Mr. Kaufman: Bearing in mind that at times 7 per cent. of the Metropolitan police force are on duty at stalag Wapping to facilitate the distribution of what Mr. Rupert Murdoch laughingly describes as his newspapers, and bearing in mind also the 17 per cent. crime clear-up rate in London, what additional resources are the Government providing for the Metropolitan police to assist them in carrying out their proper duty of coping with the record crime wave in London?

Mr. Shaw: I assure the right hon. Gentleman that the requirements placed upon the Metropolitan police to deal with public order matters are very broad and wide. They are not confined to what is happening at Wapping. The right hon. Gentleman knows full well that there is a substantial requirement for public order policing, whether it be at international soccer matches at Wembley or protecting persons from difficulties while processions and marches pass through the City. I assure him also that the request of the Commissioner of Police of the Metropolis for increased manpower is currently receiving very substantial consideration.

Mr. Greenway: Are not the Government putting twice as much, in real terms, into police resources to enable them to do their job as the last Labour Government provided for the police? The Opposition Front Bench spokesman does nothing but attack the police in vicious and unpleasant ways. In doing so, he is in line with the former Labour-controlled Greater London council and the Labour police committees that are to be found throughout the metropolis.

Mr. Shaw: My hon. Friend is quite right. By the increase from £1·1 billion to £2·8 billion this Government have demonstrated their determination to improve police resources. The thoughts of the right hon. Gentleman made the front page of *The Times* the other day. When he talks about police firmness and effectiveness, he might at least start by advising those members of his party who are in control of London boroughs that they should take a more effective view of the police than they do now.

Police (Compensation)

9. **Dr. Marek** asked the Secretary of State for the Home Department whether he will introduce a scheme to compensate police officers or their families injured or killed in the course of their duties.

Mr. Giles Shaw: Special provision is already made in the police pensions scheme for police officers who retire as the result of injury on duty and for the dependants of those who die from such injuries.

Dr. Marek: How can the Minister sit on the Treasury Bench with equanimity when the Government of which he is a member pursue policies which in recent times have led to an unparalleled increase in crime and violence in our society? How can he sit on that Bench and expect our policemen and policewomen to carry out his laws when they have to rely, if they are injured, on completely unsatisfactory pension schemes and completely unsatisfactory compensation from the Criminal Injuries Compensation Board? The Minister knows that it is high time that something was done about it.

Mr. Shaw: The hon. Gentleman must recognise that the pension scheme provisions that are made for the police are substantial. The widow of a police officer who dies as a result of injuries on duty is entitled to a pension of 45 per cent. of her husband's average pensionable pay. If he died in special circumstances, such as attempting to save life, his widow's pension would be 50 per cent. of her husband's pensionable pay. The hon. Gentleman is aware that many other substantial benefits are available to deal with the situation. However, may I take him firmly to task for believing that we should be any the less committed to ensuring that there is proper policing of public disorders, purely because there is the real difficulty of dealing with officers who, on many occasions, face substantial injury as a result of looking after the public peace on behalf of many right hon. and hon. Members and the people outside Parliament.

Mr. Bill Walker: Will my hon. Friend, when looking into the matter of police compensation, consider the dramatic changes that are occurring, with the growth of terrorism, in the tasks of our police and others working in the public service?

Mr. Shaw: I share my hon. Friend's concern, and I know that compensation for injuries, which do not necessarily lead to retirement, is a matter for current discussion between the Police Federation and my Department.

Mr. Loyden: Will the Minister examine the long delays in settling criminal injuries compensation cases? For instance, a policeman injured in the Toxteth riot had not received settlement after three years. Is that situation satisfactory?

Mr. Shaw: I assure the hon. Gentleman that every case that comes before the Criminal Injuries Compensation Board will be most carefully and speedily dealt with, because we all recognise the importance of ensuring that proper payment is made.

Sir John Farr: Will my hon. Friend assure me that the malicious damage that has occurred to the homes of police officers in certain parts of the country will be properly considered? Will compensation be given to officers who lose not only their homes but their belongings as well?

Mr. Shaw: I would like from my hon. Friend details of that occurrence. It may be that it occurred in a part of the United Kingdom with which I am not very familiar.

Mr. Campbell-Savours: What about compensation for families of police officers in Northern Ireland who have died at the hands of paramilitary groups? Why do the Government not interfere with the sourcing of money to fund those groups? What can the Minister say about what happened in The Hague yesterday, when the Home Secretary was approached by Mr. Alan Dukes, the Irish Justice Minister, who asked the British Government to act to ban kidnap insurance as it affects Ulster? What will the Government do about these matters — sit on their backside as usual?

Mr. Shaw: The first thing that the hon. Gentleman might do is to vote in favour of the prevention of terrorism legislation. He has the effrontery to attack the Government for doing what they have done, when, consistently, the Labour party has voted against that. On the question of my right hon. Friend's motives in consulting other security Ministers on the matter, the hon. Gentleman has made remarks that are scarcely worth even ignoring.

Mr. Peter Bruinvels: Will my hon. Friend consider the plight of police drivers who, in answering 999 calls or hoax calls, are involved in car accidents? As a result, many of them are off work for many weeks, and some, unfortunately, die. Will the Minister guarantee that payment for the relatives of those police officers, who were doing their best to protect our country, will be speeded up, because many of them are still waiting for such payment?

Mr. Shaw: I assure my hon. Friend that an officer who retires as a result of an injury on duty — and that includes response to calls as described by my hon. Friend —is entitled to an ill-health pension, an injury pension, and an injury gratuity. If totally disabled, he is also entitled to a lump sum payment of five times his pensionable pay.

Mr. Soley: Does the Minister accept that his miserable and evasive replies on this question demonstrate that the Government have no concern for the police other than in words? Is it not a fact that the Criminal Injuries Compensation Board and the private insurance pension schemes available for the police are grossly inadequate for many of the injuries and deaths that occur? Does he not agree that the Criminal Injuries Compensation Board takes far too long and delivers far too little?

Mr. Shaw: I understand that when the hon. Member for Hammersmith (Mr. Soley) seeks to try to reassert his new-found interest in protecting the police he is looking for ways and means of doing so. I assure him that this Government have done a lot to improve police pay and conditions. I accept that there may be a case for further improvement, but he will recognise that, in relation to public service provision, that which is now available to the police service represents the top that can be paid.

Mr. Hume: Is the Minister aware, following the question of the hon. Member for Workington (Mr. Campbell-Savours), that previously in the House the Prime Minister has agreed with me that the ransom insurance that exists in this country encourages kidnap and ransom? In the light of the Prime Minister's answer, can the Minister say why nothing has been done to——

Mr. Speaker: Order. That is very wide of the subject, but the Minister may answer the question.

Mr. Shaw: I take note of the hon. Gentleman's proposal. I should like to invite my right hon. Friend to write to the hon. Gentleman about that provision.

Drugs (Customs Investigators)

13. **Mr. McCrindle** asked the Secretary of State for the Home Department what steps he proposes to take to encourage the public to use the new telephone lines to Customs drugs investigators.

Mr. Mellor: Customs and Excise has already taken steps to encourage the public to use the new Freefone facilities. There was a press launch on 7 April, posters and leaflets have been distributed; and all Customs regional offices have instructions to publicise the facilities. In the first 11 days of operation 353 calls were received, and some very good leads have been established.

Mr. McCrindle: I thank my hon. Friend for that encouraging reply. Are there any plans to publicise the scheme by using posters in post offices? Many members of the public go into post offices, and the use of such posters might contribute even more to the success of the scheme.

Mr. Mellor: There have been negotiations between Customs and the Post Office. At first they appeared unpromising, because the Post Office initially seemed to want to impose a fee to display the posters. This morning I discussed the matter with the chairman of the Post Office. I hope that more positive counsel will be given to those conducting the negotiations.

Mr. Haynes: It is all right for the Under-Secretary of State to talk about involving the general public with a special telephone line, but when will the Government reinstate the Customs officers they have sacked since 1979 and really do something about that problem?

Mr. Mellor: The hon. Gentleman will have to find another basis for his outrage, because some 500 extra preventive staff — [*Interruption.*] That was not an invitation to show further outrage. A further 500 preventive staff are to be recruited in the period April 1985 to April 1987.

Mr. Rathbone: Although I welcome the scheme, does my hon. Friend agree that it will come to nothing if Customs officers are not placed where they can track down the places from which drugs are smuggled, especially in Bombay? Will my hon. Friend report on the Government's efforts to get Customs inspectors there?

Mr. Mellor: It is troubling that so much of the heroin arriving in this country has been dispatched from India. The proportion last year was 49·1 per cent. of all heroin seized. The trends in the first three months of this year show that perhaps as much as two thirds of the heroin seized by Customs has been dispatched from India. I understand that my right hon. and learned Friend the Foreign and Commonwealth Secretary discussed those matters with the Prime Minister and Foreign Minister of India during his recent visit. I hope that the good level of co-operation that has been established between the law and order services in Britain and those in India will be furthered by the placement of drug liaison officers, who have done so much to cut the trade in heroin between Pakistan and the United Kingdom.

Mr. Frank Cook: What controls of that kind have applied at United States military bases in Britain?

Mr. Mellor: United States military bases are under the control of internal United States security services, which take action against personnel on bases who are found dealing with drugs.

Mr. Spencer: Does my hon. Friend agree that there is a foreign element in an increasing number of cases coming before the courts, which shows the importance of the Government liaising with foreign Governments to stamp out the supply of drugs at its source?

Mr. Mellor: That is absolutely right. That is why we take so seriously the bilateral relations that we have with a wide range of countries which produce drugs which are exported to the United Kingdom. That is also why we take seriously Britain's role as chairman of the Pompidou group of Ministers in Europe, which is concerned with drugs. International co-operation on drugs is not an option, but a necessity.

Overseas Representatives (Fascist Parties)

17. **Mr. Winnick** asked the Secretary of State for the Home Department what is his policy on the admission to the United Kingdom of elected representatives from other countries who belong to Fascist parties.

Mr. Waddington: Cases are considered individually in accordance with the immigration rules.

Mr. Winnick: If it was right for the Home Secretary to prevent an American from coming to Britain recently —and I believe that the Home Secretary was absolutely right — why should elected representatives of Fascist parties, for example, those elected in France and one Nazi elected in Israel, be allowed to come to Britain to spread their racial mischief and poison?

Mr. Waddington: Every member of the Government abhors racism, but to prevent anyone coming here just because he belongs to a party to which racist views are attributed does not seem to be justifiable. Clearly it would be another matter if he were coming here to propound racist views. Any question of excluding M. Le Pen would have to be considered in the light of the circumstance prevailing at the time and would have to take account of the fact that he enjoys certain immunities and privileges by virtue of being a Member of the European Parliament. MEPs are not liable to detention in a member state while the Assembly is in session; nor can MEPs be hindered when travelling to or from the Assembly.

Mr. Adley: While I would not wish to be associated with the point that the hon. Member for Walsall, North (Mr. Winnick) has made, will my hon. and learned Friend nevertheless consider the fact that it was an election by proportional representation, which seems to encourage the election of people with extremist views to Parliament?

Mr. Waddington: I am sure that my hon. Friend is right to bring that to the attention of all of us and point out one of the follies that would result from the introduction of proportional representation in this country.

Mr. Mallon: Is the Minister aware of the underlying Fascist influence on events taking place in Northern Ireland, and that already members of a Fascist organisation have appeared in court in Northern Ireland on charges related to violence? Will he assess the relationship between that Fascist party and parties that are represented in this House?

Mr. Waddington: This question is directed to the admission of people to the United Kingdom. The matter raised by the hon. Gentleman does not bear on that problem.

Terrorism (Toxic Chemicals)

19. **Mr. Bill Walker** asked the Secretary of State for the Home Department what detection equipment will be available to police and fire services and local authorities to monitor the presence of toxic chemicals in the event of terrorist use of chemical weapons or materials.

Mr. Giles Shaw: It would not be in the interests of security to disclose details of the equipment which might be deployed to combat terrorist activity.

Mr. Walker: While I thank my hon. Friend for that reply, may I ask whether he agrees that, in the light of state-sponsored terrorism and the fact that weapons of this kind are becoming much more sophisticated, the action taken in the last week or two has been valuable in dealing with the matter? Does he further agree that it is important to see that we are equipped to deal with such action properly and effectively should it ever happen?

Mr. Shaw: I think my hon. Friend is right to say that in the present climate of Government-backed terrorism every possible contingency should be covered, and I wish to give my hon. Friend the assurance that contingency plans exist for dealing with a whole variety of possible terrorist activities.

Prison Services (Privatisation)

20. **Mr. Thurnham** asked the Secretary of State for the Home Department if he will estimate the likely savings during 1986-87 from contracting out of services by the prison authorities.

Mr. Mellor: The cost of services contracted out by the prison department in 1984-85—the latest financial year for which figures are available — was £55 million. Because most of the work has been contracted out for a number of years, we cannot provide a sensible estimate of the savings involved.

Mr. Thurnham: Does my hon. Friend agree that the use of more contracted-out services should not only lead to more savings but reduce the likelihood of industrial disputes?

Mr. Mellor: As a general principle, I am sure that there is a great deal in what my hon. Friend says. He will know of the special difficulties in the prison service, part of which is that a number of prison services are provided for the benefit of the regime by the prisoners themselves.

Mr. Hoyle: Can the Minister say what savings have been made by allowing 49 prison officers' houses in Culcheth, Warrington to stand empty for the last five years?

Mr. Mellor: Not without notice, Sir.

Burglaries

21. **Mr. Boyes** asked the Secretary of State for the Home Department, for England and Wales, what was the number of burglaries in 1985 which were notified to the police but which were not cleared up.

Mr. Mellor: The estimated number of offences of burglary in England and Wales recorded by the police in 1985 but not cleared up is 616,000. Because an offence may be recorded and cleared up in different years, it is not possible to give an exact figure.

Mr. Boyes: Is that figure not absolutely incredible, disgraceful and disgusting? Has the Minister seen the video produced by the Labour party, which shows that in our campaign we put people first? We will put more police on the beat to protect the people on the streets and in their homes.

Mr. Mellor: I think that there is a career in the music hall for the hon. Gentleman if he thinks that such stuff will be taken seriously. If he is interested in videos and in the credibility of the Labour party, he should look at the GLC-funded video which ended with the words,

"Communities must rebel."

The Labour party will not be taken seriously on the issue until it gets behind it the Labour council leaders who are leading anti-police campaigns. It must do that before it tries to persuade the rest of us.

Mr. McCrindle: On a more sober note, does my hon. Friend recall the Prime Minister's suggestion to insurance companies some months ago that they should be prepared to offer discounts on premiums in return for the installation of burglar alarms and other protection? Has he any indication from insurance companies that they have attended to the matter, and is he keeping in contact with them with a view to achieving what my right hon. Friend suggested?

Mr. Mellor: Yes. On an equally sober note, two insurance companies are already doing so, which is very good news.

PRIME MINISTER

Engagements

Q1. **Mr. Eadie** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I shall attend a state banquet given by Their Majesties the King and Queen of Spain.

Mr. Eadie: Has the Prime Minister had time to reconsider the statement that she made in the House last Tuesday to the effect that the Americans would choose the type of weapons that they would use on aircraft taking off from British bases? If she has had time to reconsider that, does she adhere to the statement that she made on Tuesday?

The Prime Minister: I made it perfectly clear on Tuesday that we had set down very strict criteria for the use of F111s from British bases in this country. Those

strict criteria were in the statement that I made, and added to those strict criteria was the duty to minimise civilian casualties. Therefore, it is clear that we were considering only conventional weapons. Nuclear weapons would require totally different procedures. It is absurd to say that they were ever asked for. Within the strict criteria that we laid down, the precise choice of weapons in the conventional sphere was for the United States.

Sir Peter Hordern: Since both the Italian and French Governments are liberalising their exchange controls, and since all the criticisms made by Professor Alan Walters in *The Times* have either been met or are unfounded, is it not time that we joined the European monetary system?

The Prime Minister: I did not read Professor Alan Walters' book in quite that way. As my hon. Friend knows, it is our policy that we shall one day join the European monetary exchange mechanism, but we do not believe that the time is yet right.

Mr. Kinnock: President Reagan made two speeches yesterday in which he emphasised that he is prepared, as he put it, to act again against Libya. Will the Prime Minister tell us frankly whether she would be prepared to endorse or assist in a further similar raid?

The Prime Minister: I have already answered that question several times. Should there be a further request, it would have to be considered. We would reach our conclusions in the light of circumstances and matters which would have to be considered at that time.

Mr. Kinnock: Has the Prime Minister read the interview given by the Secretary of State for Defence to Mr. Terry Coleman, which appeared in *The Guardian* this morning, in which the Secretary of State said:

"It wasn't our decision to do it, . . . If *that* question had been put to us, I don't know quite what response we'd have given."

If the President of the United States should again present the Prime Minister with such a fait accompli and say that he will go ahead whatever her opinion, what will be her response?

The Prime Minister: I have already answered the right hon. Gentleman's question, if only he would listen.

Mr. Kinnock: The Prime Minister has not answered that question. She is trying to claim that she has somehow mitigated the nature and effects of the American raid. Is it not the case that she has now moved into the worst of all worlds, demonstrating both complicity and impotence?

The Prime Minister: What the right hon. Gentleman is seeking to do is to help the terrorists by letting them know exactly what answer we shall give to a request. I have already told him that if a request were received we would have to consider it in the light of the circumstances at the time.

Mrs. Currie: Has my right hon. Friend had time to read the statements by the Advocate General of the European Court of Justice in the case of invalid care allowances? Will she accept that married women who care voluntarily for disabled relatives at home have much sympathy on both sides of the House? Could not the Government, who do care for the carers, consider making this payment available?

The Prime Minister: As my hon. Friend is aware, the judgment in that case will not be given until about June. When it arrives we shall, of course, consider it carefully and the reasons for it.

Q2. **Mr. Maclennan** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Maclennan: Further to the answer that the Prime Minister gave to her hon. Friend the Member for Horsham (Sir P. Hordern), does she agree that the exchange rate is now within the central band and that the European monetary system can be adjusted to include us without a major realignment? In view of the strong arguments advanced by Sir James Cleminson, the president of the CBI, concerning the advantage to British industry of entering the mechanism now, should she not listen to the senior members of her Cabinet, who favour entry now; and stop playing this one-man band record on the subject?

The Prime Minister: No. I outlined the general policy to my hon. Friend the Member for Horsham (Sir P. Hordern). The time is not ripe to join the EMS. Just because the exchange rate is in a certain band now does not mean that it will stay there. If it did not, one would either have to use scarce reserves artificially to keep it within that limit, or one might be driven to put up the interest rate. We would be much more circumscribed within the EMS mechanism than we wish to be at the moment.

Sir Peter Tapsell: While we are on the EMS issue, will my right hon. Friend bear in mind that some of us would prefer to have our affairs managed by the Bank of England rather than by the Bundesbank?

The Prime Minister: I note what my hon. Friend says. I have already said that to join it at the moment would limit our freedom of action, and that is not desirable at present.

Mr. Flannery: Has the Prime Minister noticed the statements that President Reagan has made about Iran and Syria—almost threatening them with the same thing that was done to Libya? Has she also noticed how few Americans are coming over here and that people are deeply worried by the fact that the President of the United States seems to have lost his mind about this business and is literally threatening all mankind with what he will do next if terrorism breaks out anywhere?

The Prime Minister: As the hon. Gentleman is aware, the objective is to fight terrorism. If one always rejects the use of force to fight terrorism, the terrorist wins and the consequences for more victims are horrific.

Q3. **Sir John Farr** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Sir John Farr: While the whole House goes along with the "Viva el Rey" speech by Mr. Speaker yesterday in another place, can my right hon. Friend assure the House that there will be no change in the sovereignty of Gibraltar, and certainly no change without the consent of the people in that colony?

The Prime Minister: I agree with my hon. Friend. The whole House and, I think, the whole country welcomes the

state visit of Their Majesties the King and Queen of Spain. It is a great success. We know full well Their Majesties' views on Gibraltar. As my hon. Friend is aware, the Government have given assurances to the people of Gibraltar that Gibraltar will remain part of Her Majesty's dominions unless and until an Act of Parliament otherwise provides, and furthermore that Her Majesty's Government will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes.

Mr. William Shelton: Is my right hon. Friend aware that when the 30 or more Labour councillors were disqualified at Lambeth they left a rump of three councillors to run Lambeth council? Is she aware that a meeting tomorrow night—*[Interruption.]*

Mr. Speaker: Order. The question must involve the Prime Minister's responsibility.

Mr. Shelton: Is my right hon. Friend aware that there is to be a meeting tomorrow night to reverse the position? Will she condemn the use of force, which I understand will be employed to break up that meeting, and, indeed, any use of force in public life?

The Prime Minister: I think that we would all unhesitatingly condemn any use of force to break up that council meeting. I hope that it takes place tomorrow night and that the Conservatives take over the authority of the council.

Mr. Tony Banks: In the discussions between representatives of the American Government and Her Majesty's Government about bombing targets in Libya, did the Americans at any time say that one of the objectives was the killing of Colonel Gaddafi?

The Prime Minister: No, of course not.

Q4. **Mr. Loyden** asked the Prime Minister if she will list her official engagements for Thursday 23 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Loyden: Will the Prime Minister comment on a report that the Tory candidate in the by-election at Ryedale made a statement at a press conference this morning to the effect that we are at war with Libya? Does the Prime Minister approve of that, and does it reflect the attitude of the Government?

The Prime Minister: No, that is not correct. Of course, terrorism itself—[HON. MEMBERS: "Answer."] If hon. Gentlemen had had the courtesy to listen, they would have heard what I said. They do not have the courtesy to listen, or courtesy of any other sort. Terrorism is a form of warfare against all other citizens in democratic societies.

Q5. **Mr. Thurnham** asked the Prime Minister if she will list her official engagements for Thursday 23 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Thurnham: Does my right hon. Friend agree that the voluntary licensing authority should be congratulated on its first year's work in monitoring IVF clinics and research laboratories, work in which this country leads the world in setting the very highest ethical standards?

The Prime Minister: I am aware of my hon. Friend's great interest in this matter. I noted that the first report had been published, and I hope that it will be widely studied, because the organisation's work is excellent.

Dr. Owen: Can the Prime Minister assure the House that the Government are taking every step possible to co-ordinate other countries' actions in refusing Libyan aircraft facilities to land at our airports, and that we are now prepared to adopt sanctions against Libyan air flights both in and out of this country?

The Prime Minister: I think the right hon. Gentleman is aware that if some of the deportees about whom my right hon. Friend the Home Secretary spoke to the House are to go, they will probably have to do so on Libyan aircraft. He is also aware that there are a number of our citizens in Libya, some of whom may want to get out on other aircraft.

Mr. Gregory: In view of the act of terrorism today and the others that we have experienced in Europe so recently, will my right hon. Friend encourage as many Americans as possible to follow their colleagues last year and come to this country to see that it is the safest in the EEC? Will she also give support to the British Tourist Authority in promoting Britain overseas?

The Prime Minister: Yes, I gladly support my hon. Friend and my right hon. Friend the Secretary of State for Employment, who is also responsible for tourism. He is doing everything that he can to promote in the United States our tourist industry. My hon. Friend may have heard what someone from the American embassy said this morning—that he hoped that more American tourists would come to this country, which is a safe and good country.

Q6. **Mr. Fisher** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Fisher: Does the Prime Minister agree with her Secretary of State for Defence, who is reported in the papers this morning as saying that the precise position and the precise targets were not agreed, and he was not informed about them? Will the Prime Minister tell the House whether she did have precise detailed information of the targets that were to be bombed, or is the special relationship that she has with President Reagan more one of master and servant?

The Prime Minister: I have answered that question in previous statements and speeches. I made it perfectly clear that the Government agreed to the use of United States aircraft based in the United Kingdom if that was necessary in the action of self-defence against specific targets, demonstrably involved in the conduct and support of terrorist activities. We laid down strict criteria. I notice that the hon. Member, like so many of his colleagues, does everything to try to undermine the fundamental relationship between Europe and the United States.

Mr. Kinnock: On a point of order arising directly from questions, and because it is a complete calumny, I want to ask through you, Mr. Speaker, if the Prime Minister will unreservedly withdraw her statement, made in the heat of

Question Time, that I am seeking to help terrorists? That is utterly unjustified, and a vile insult, that is not even acceptable in the bitterest of exchanges in this place.

Mr. Speaker: Order. If the Prime Minister did say that, and I must confess that from where I was sitting I did not hear it, I am sure that she would wish to correct it.

The Prime Minister: May I make it perfectly clear what precisely, I believe, I did say. I said that if one tells the terrorists precisely what one is, or is not going to do, that is the way to help him. I did not seek to impute anything personal to the right hon. Gentleman, and if that was the effect of what I said, I gladly withdraw it.

Sir Eldon Griffiths: Further to that point of order, Mr. Speaker. There are rights in this House that belong to hon. Members other than the Leader of the Opposition and the Prime Minister, and we are entitled to look to you, to safeguard the rights of all Members of this House. It is within the knowledge of all Members that recently statements have been made in the course of questions and answers, and hon. Members have risen to object. It has been the convention, in my experience in this House, that Mr. Speaker will not allow time to be used for hon. Members to object to comments. I ask a simple question — why have you allowed, on a point of order, a statement from the Leader of the Opposition that you would not have allowed from any other hon. Member?

Mr. Speaker: Order. If the Prime Minister or any other hon. Member, casts an aspersion on the honour of any other hon. Member, I will always apply the rules. I am the guardian of Back Benchers as much as of Front Benchers, and the same rules apply to everyone.

Business of the House

Mr. Neil Kinnock (Islwyn): May I ask the Leader of the House to state the business for next week?

3.32 pm

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): Yes, Sir. The business for next week will be as follows:

MONDAY 28 APRIL—Until Seven o'clock, Second Reading of the British Shipbuilders (Borrowing Powers) Bill.

Motion on the Industrial Training Levy (Engineering Board) Order.

The Chairman of Ways and Means has named opposed Private Business at Seven o'clock.

TUESDAY 29 APRIL—Second Reading of the Finance Bill.

Motion on the statement on the New Workers Scheme.

WEDNESDAY 30 APRIL—Remaining stages of the Public Order Bill.

THURSDAY 1 MAY—Opposition Day (13th Allotted Day) there will be a debate on an Opposition motion entitled "Family and Community Care—Putting People First".

Motion on the Agricultural and Horticultural Co-operation Grants (Extension of Period) Order.

The Chairman of Ways and Means has named opposed Private Business at Seven o'clock.

FRIDAY 2 MAY—Private Members Bills.

Mr. Kinnock: I am grateful to the Leader of the House. Next Monday the House will debate the Second Reading of the British Shipbuilders (Borrowing Powers) Bill. Because of the widespread interest and concern about the future of the shipbuilding industry, will the right hon. Gentleman ensure that the Bill is committed to a Committee of the whole House?

Next Thursday, my party will use an Opposition Day to debate the problems of people involved in family and community care. Unfortunately, that debate must, by definition, be a short one. In the light of today's ruling by the European Court of Justice that the Government's refusal to pay invalid care allowance is a breach of EEC law and an example of sex discrimination, will the right hon. Gentleman arrange for a debate in Government time on this matter, which affects 5 million people caring for sick or disabled relatives at home?

Differences have become evident between the Prime Minister and the Secretary of State for Defence about the information given to the Government at the time of the bombing raid on Libya. Will the right hon. Gentleman therefore arrange for the Secretary of State for Defence to make a full statement to the House next week about what he knew, when he was told, and whether he understood what he was told?

Finally, in view of the decision by American businesses and individuals to cancel visits to Britain and other European countries in the latter part of this year as a result of the bombing of Libya, would the right hon. Gentleman arrange for the Secretary of State for Trade and Industry to make a statement in the House next week publicising the fact that, even with the terrorist menace, European cities and countries are safer than American cities? Could he not, for instance, draw attention to the fact that the murder rate in San Francisco is five times higher than it is in London, in New York 10 times, in Dallas and Washington 14 times and in Detroit, 22 times higher? London and the rest of Europe are much safer places than the Americans appear to believe.

Mr. Biffen: I am grateful for the points made by the Leader of the Opposition. *[Interruption.]*

Such language. I feel that we are moving back to a more conventional state of incivilities.

I thank the right hon. Gentleman very much for his most eloquent, pertinent and convincing point about the greater safety of the cities of western Europe when compared with those of the United States, which should give every encouragement to the traditional pattern of tourist and commercial trade to flow from north America to western Europe.

I will draw to the attention of my right hon. Friend the Secretary of State for Defence the fact that his appearance in *The Guardian* today has excited widespread interest throughout the House. However, I would have thought that the comments that have been made, not least by my right hon. Friend the Prime Minister, have put the matter in context.

The right hon. Gentleman quite properly points out that Thursday's debate is one of great significance. I will of course consider through the usual channels his suggestion of a more general debate at some subsequent date. However, I am entitled to remind the right hon. Gentleman that no judgment has been made by the Court. The Advocate General has given an opinion, but we will have to wait some months for the court's opinion.

I can conclude on a cheerful note. I am delighted to accede to the right hon. Gentleman's request that the Committee stage of the British Shipbuilders (Borrowing Powers) Bill should take place on the Floor of the House.

Mr. Michael McNair-Wilson (Newbury): It is now nearly six months since the Anglo-Irish agreement was signed. Does my right hon. Friend feel that the House should now have the chance to debate its usefulness and the progress that has been made, in view of the unhappy state of the Province?

Mr. Biffen: I will convey that expression of view to my right hon. Friend the Secretary of State for Northern Ireland.

Mr. David Alton (Liverpool, Mossley Hill): In view of the statements made yesterday during Environment Question Time, will the Leader of the House today reiterate his commitment that no decisions will be taken over the NIREX orders until there has been a full debate on the report of the Environment Select Committee on the disposal of nuclear waste? Will the right hon. Gentleman tell us when that debate will take place?

Will the right hon. Gentleman also tell us when there will be a debate on the Channel Tunnel Bill?

Mr. Biffen: The Channel Tunnel Bill should be before the House reasonably soon. The special development order will be laid as soon as the matters raised during the consultation period have been considered. I will be giving thought as to how best we might meet the wishes of the House in debating the order, as well as taking into consideration the relevant aspects of the Select Committee's report.

Several Hon. Members *rose*——

Mr. Speaker: Order. The House knows that there are three statements to be made after Business Questions. I must have regard for the other business on the Order Paper, so I will allow business questions to continue only for a further 15 minutes. I hope to be able to call every hon. Member if questions are brief.

Mr. Peter Bruinvels (Leicester, East): Has my right hon. Friend seen the article in the *Daily Mail* for Monday 21 April, entitled, "Scandal of the Dole Queue Door Knockers"? It reveals that more than 600 people in the east midlands and other parts of the country are signing on for the dole and then moonlighting for the rest of the day, earning at least £40 a day. Will my right hon. Friend arrange for an early debate so that we can learn about those abuses and check on the arrangements for signing on, so that people cannot do that? Such a debate might reveal that the unemployment figures are not as serious as they appear to be.

Mr. Biffen: I have been so busy following my hon. Friend's fortunes in *The Sun* that I am afraid that I have neglected to read the *Daily Mail*. However, he has raised an important point that is widely seen as such. My hon. Friend may wish to consider raising it on Second Reading of the Finance Bill, as that would seem to be the best immediate prospect.

Mr. Greville Janner (Leicester, West): Leaving on one side the abuses in *The Sun* and elsewhere, is not the greatest abuse to which the Leader of the House should turn his attention the enormous and persistent unemployment and the Government's fiddling of the figures for the east midlands and elsewhere? When will we next have a debate on unemployment in the east midlands?

Mr. Biffen: I think that I can safely say that the hon. and learned Gentleman will never make *The Sun*. I take note of the proposition that we have unreliable unemployment figures. There are lively schools of argument about the level of unemployment and the argument is made both ways. But just as I said to my hon. Friend the Member for Leicester, East (Mr. Bruinvels), the hon. and learned Gentleman may find that Second Reading of the Finance Bill is his best and earliest opportunity to raise that point.

Sir Fergus Montgomery (Altrincham and Sale): As my right hon. Friend said last week that there was little hope of reviving the Shops Bill, will he consider introducing legislation to bring Scotland into line with the rest of the United Kingdom? That would give Scottish Labour Members the opportunity to explain why their shopkeepers have a freedom that they deny to shopkeepers in my constituency?

Mr. Biffen: Bowing to your exhortation for brevity, Mr. Speaker, the answer must be no.

Mr. Jack Ashley (Stoke-on-Trent, South): I did not follow the response of the Leader of the House to the request of my right hon. Friend the Leader of the Opposition about the European judgment on disabled people and married women receiving an attendance allowance. May we have a statement on that as soon as possible?

Mr. Biffen: When the right hon. Gentleman looks at tomorrow's *Hansard*, he will see that before I came to the Dispatch Box the point had already been made. At present, we still have the Advocate General's opinion, and we do not have the court ruling. The latter is not expected for some months.

Mr. Roger Sims (Chislehurst): Has my right hon. Friend noticed early-day motion 748 on the subject of family courts, which has attracted 78 signatures within a few days?

[That this House welcomes the establishment of the Family Courts Campaign to promote the early implementation of family courts, following the support for family courts recently expressed by the Law Society, the Association of County Councils, the Association of Directors of Social Services and many other bodies; welcomes the recommendations of the report of the Matrimonial Causes Procedure Committee, particularly those relating to the establishment of conciliation in matrimonial proceedings; notes with concern that the report by the Law Commission on Family Law, Illegitimacy, has yet to be implemented; further notes that the joint study set up in July 1984 by the Lord Chancellor and the Secretary of State for the Home Department to re-examine the idea of a unified family court, and study the resources implications in terms of finance, manpower and accommodation is due to be published shortly; regrets that this study has been so long delayed; and urges the Lord Chancellor and the Secretary of State for the Home Department to come forward with proposals for legislation at the earliest opportunity, following the publication of their report and their subsequent consultation on the most appropriate model for implementation.]

Is my right hon. Friend aware of the mounting impatience among hon. Members and many organisations at the very protracted delay in the publication of the Government's study on family courts? May we expect a statement next week?

Mr. Biffen: I know that my right hon. Friend the Home Secretary and my right hon. and learned Friend the Solicitor-General will be anxious to consider responses to that idea before coming forward with any proposals. I shall most certainly draw my right hon. Friends' attention to the point made by my hon. Friend.

Mr. Roy Hughes (Newport, East): Will the Leader of the House arrange for an early debate on the report by the Select Committee on Transport on toll crossings, which was published some two months ago? Would that not give right hon. and hon. Members the opportunity to remind the Secretary of State for Transport that Britain now has some 4 million people unemployed and that many of the worst affected areas have toll crossings which are a restraint on trade?

Mr. Biffen: The hon. Gentleman will appreciate that it is usual for a Government response to have been made to a report of a Select Committee before there is consideration of a debate. However, I shall certainly look into the matter.

Mr. Jonathan Sayeed (Bristol, East): Can we have an early debate on the extra cost of the Labour party's election bribes so that we can find out whether it will cost the taxpayer another £24 billion, £39 billion or £46 billion? *[Interruption.]*

Mr. Biffen: Opposition Members must not get so excited. I was overwhelmed by the modesty of my hon. Friend's observations. I feel that they can all be put to a helpful test on Second Reading of the Finance Bill.

Mr. Ron Brown (Edinburgh, Leith): Many members of the Tory party are anxious to see that compensation is paid to victims of the bombing outrage during their conference—rightly so in my view. Will the Leader of the House ensure that there is a debate which looks at the position of compensation for the innocent victims of the recent bombing outrage by President Reagan? Will the right hon. Gentleman ensure that that is considered, because it is an important international issue?

Mr. Biffen: I do not think that I can helpfully add to what was said in the recent Adjournment debate on the Brighton bombing. As to the wider issues mentioned by the hon. Gentleman, the answer must be no.

Sir Kenneth Lewis (Stamford and Spalding): Now that the Leader of the Opposition has announced that the Labour party is half in mourning, by adopting grey in place of red as the party colour, will my right hon. Friend confirm that we are still true blue and very much alive?

Mr. Biffen: Yes. I think that there will be much entertainment during the next few weeks and months as the right hon. Gentleman the Leader of the Opposition leads his party towards the ground he wishes to share with social democracy. *[Laughter.]*

Mr. Frank Cook (Stockton, North): Does the Leader of the House realise that his reply to the hon. Member for Liverpool, Mossley Hill (Mr. Alton), could be understood as meaning that the debate on the Select Committee report on radioactive waste could coincide with the laying before the House of the special development orders? Does he realise that there is such widespread nationwide anxiety about this issue that if he wants to mobilise opposition further that is the best way to do it? Will he give the House an assurance this afternoon that that is not the intention of the Government? It is not good enough.

Mr. Biffen: I gave a carefully considered answer. If I were to go beyond it, I would create ambiguity.

Mr. Barry Henderson (Fife, North-East): A number of hon. Members from the Conservative party also applaud the Select Committee on Transport's proposals to abolish tolls on estuarial crossings. It would be helpful to have a debate on that subject before the Government reply to the Select Committee report, so that the argument may be advanced that the main costs on providing those estuarial crossings was to continue the exceptional benefits to shipping on the estuaries rather than to provide exceptional benefit to local car users?

Mr. Biffen: I am grateful to my hon. Friend for making that point and emphasising that this is in no sense a party political issue. I hope that he will reflect that there are advantages in a Government reply being available on a Select Committee report before it is discussed.

Mr. Laurie Pavitt (Brent, South): Has the Leader of the House seen my early-day motion 773 about the very unfair procedures which are being adopted against the objectors who want to see Marylebone station remain open? It is on a line which affects more Conservative Members than Opposition Members.

[That this House, noting that objectors to the closure of Marylebone station and the withdrawal of services thereto and therefrom have been unable to obtain information necessary to the full production of their cases against the closure, urges British Rail to make available to objectors details of the financial case for closure.]

If we cannot have a statement about that, will he draw it to the attention of the Secretary of State for Transport and persuade him that to receive a deputation from the mostly Conservative-controlled councils in order to discuss the rules and regulations governing the procedures for objectors who wish to keep the line open—as against British Rail, which wants to close it?

Mr. Biffen: As I understand it, that decision is essentially a matter for the board of British Rail, and it is still taking evidence and making judgments on that. However, the hon. Gentleman raises a point which I know he would wish me to convey to my right hon. Friend the Secretary of State for Transport; I will certainly do that.

Mr. Michael Fallon (Darlington): Would my right hon. Friend arrange for an early Government statement on the alleged disappearance of the red flag? Has that item officially been reported as missing?

Mr. Biffen: There is a limit to the breathless ditching of symbols that can be undertaken even by a party that is thirsty and in a hurry for office. However, as far as the conventions of the House are concerned, my hon. Friend had better consider that the ambit of the Second Reading of the Finance Bill is, as always, mercifully wide, and he can slip his point into that debate.

Mr. Robert N. Wareing (Liverpool, West Derby): In view of the Government's continued support for American state terrorism, not only in the central Mediterranean but in Nicaragua and Angola, is it not time that we had a general debate on foreign affairs so that we can specifically examine the so-called special relationship between the Prime Minister and President Reagan?

Mr. Biffen: I always enjoy the hon. Gentleman's contributions because they remind us that he at least is on the slow passage back to social democracy. I will certainly draw the hon. Gentleman's request for a debate to the attention of my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Will my right hon. Friend the Leader of the House make time available to discuss the persistent and regular undermining of Her Majesty's Government position in terms of fighting for democracy and freedom against terrorism, which has continued since the Falklands crisis and which continues today? We should have the opportunity to expose those Labour Members who have so consistently tried to undermine the strict and decent stands that Her Majesty's Government are taking.

Mr. Biffen: My hon. Friend has made his point with such effectiveness that no added debate is necessary.

Mr. Andrew Faulds (Warley, East): In view of the very significant numbers quoted by my right hon. Friend the Leader of the Opposition in terms of homicides in American cities, could the Leader of the House find some way of publicising those figures, as all hon. Members want the health of the British tourist industry strongly maintained? In terms of American visitors, there is a

[Mr. Andrew Faulds]

strong incidental advantage in that, away from the malign influences of the American media, some American visitors begin to learn some of the political facts of life in the world today by visiting this country?

Mr. Biffen: I cannot comment on the hon. Gentleman's second point. In connection with his first point, I hope that he will join me in a sense of charity towards his right hon. Friend the Leader of the Opposition and a belief that when his right hon. Friend makes a good point that has sufficient validity to make its own publicity.

Mr. Michael Forsyth (Stirling): In view of the concern about security, would my right hon. Friend arrange for an early debate, so that we can discuss the special relationships that seem to exist between some trade union leaders and Opposition Members, such as the hon. Member for Edinburgh, Leith (Mr. Brown), and the Libyan Government?

Mr. Biffen: I understand that the House would be interested in a general debate about security. However, in all charity to my hon. Friend, the debate should be brought into a more significant context than the activities of the hon. Member for Edinburgh, Leith (Mr. Brown).

Mr. Dennis Skinner (Bolsover): Will the Leader of the House consider allowing a debate, as I have suggested on several occasions during the past few weeks, on the position at Wapping? The Tory Members who support Murdoch and his newspapers would have the chance to explain why they support a man who has sacked 5,000 people and rid himself of the task of paying their redundancy pay. If the right hon. Gentleman will not allow such a narrow debate on Wapping, will he allow a more general debate on industrial relations, so that we can show the difference between the support for Murdoch and the treatment of the representative of the Transport and General Workers Union in this House who is not allowed two hours off during his working day to look after his trade union business?

Mr. Biffen: A number of people would enjoy a debate on Wapping, not least those who think that the behaviour on the trade union picket line is a clear sign that the unacceptable face of trade unionism has not yet been erased, and, what is more, who would like to reflect upon the motley crew who assemble as auxiliaries and subsidiaries, particularly at the weekend. They are a sign that rent-a-mob has not disappeared from ultra-Left politics. That is my contribution to the debate. All I can say is that its more expanded version, alas, cannot take place in the next week or two.

Mr. Terence Higgins (Worthing): I apologise to my right hon. Friend for having had to leave the Chamber to take an urgent message immediately after his initial statement, but is he aware that the Select Committee on the Treasury and Civil Service will be producing a report on the Budget and the Finance Bill in time for the debate which is due to take place next week? However, it is inconvenient if it is announced that the Second Reading of the Finance Bill will take place on Monday, only to have that changed very much at the last moment. I hope that my right hon. Friend will not let that happen again.

Mr. Biffen: I express my gratitude for the first point that my right hon. Friend makes. It will be for the general enhancement of the debate that we have the observations of his Select Committee. As to his second point, I am sorry, but if that business has to move by a day, to have an extra day is less inconvenient than to be short of a day.

Mr. Paddy Ashdown (Yeovil): Has the Leader of the House seen the answer in today's *Hansard* which shows that the Government intend to abandon their moral responsibility towards the 11,500 ethnic minority in Hong Kong in terms of nationality, leaving them in a position where they will be citizens of one country with right of abode in another? When do the Government intend to bring the order providing for that disgraceful position before the House for debate?

Mr. Biffen: I have not seen that answer, but I shall consider the appropriate timing for such a debate through the usual channels; perhaps we shall then learn exactly how liberal is the immigration policy of the hon. Gentleman's party.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall call the four hon. Members who have been rising, provided that they make their questions brief.

Mr. Jonathan Aitken (Thanet, South): Bearing in mind the fact that President Reagan yesterday made some important foreign policy statements as a prelude to the Tokyo summit, will my right hon. Friend try to find time for a foreign affairs debate before the summit, with special emphasis on the need to strengthen the Atlantic Alliance?

Mr. Biffen: I am grateful to my hon. Friend for that point. I am conscious that we have not had a wide-ranging foreign affairs debate outside the confines of the middle east, and I shall bear in mind through the usual channels the timing of such a debate.

Mr. Michael Brown (Brigg and Cleethorpes): Further to my right hon. Friend's answers to the hon. Members for Liverpool, Mossley Hill (Mr. Alton) and for Stockton, North (Mr. Cook) on NIREX, will he be a little more specific? Is he saying that the special development order relating to NIREX could be put before the House of Commons but not debated and that during the period before a debate on the special development order there might be a debate on the Select Committee's report? Is that the right interpretation of his answer to the hon. Member for Mossley Hill?

Mr. Biffen: I cannot add to what I said in response to the hon. Member for Liverpool, Mossley Hill (Mr. Alton), but I shall bear in mind my hon. Friend's comments.

Mr. Harry Greenway (Ealing, North): May we have an early debate on law and order and freedom of speech in Britain to examine the latest position of the Labour party's leadership, that Britain now has good law and order under the Government, and so that we can question its suggestion that we need to ask people to spend £25 billion on the Labour party's proposed programme? At the same time, could we look at the——

Mr. Speaker: Order. One question.

Mr. Greenway: —ILEA's efforts to force headmasters of London schools to have some papers but not others?

Mr. Biffen: I appreciate that in many parts of the House there is an interest in a fairly early debate on law

and order. I cannot be that forthcoming, in view of the considerable pressure of Government business at this stage in the Session, but I take note of what my hon. Friend says.

Mr. John Browne (Winchester): Will my right hon. Friend accept that the battle against terrorism raises matters of fundamental ethical importance which should be debated, such as the use of special forces in counter-terror operations? Will he also accept that it is time that the Government grasped the nettle on the subject of the death penalty rather than leaving it to a free vote?

Mr. Biffen: I imagine that my hon. Friend would wish those considerations to be dealt with in the ambit of a law and order debate if one could be arranged.

Auxiliary Oiler Replenishment Vessels

3.59 pm

The Secretary of State for Defence (Mr. George Younger): With permission, Mr. Speaker, I should like to make a statement.

The Ministry of Defence has now reached conclusions on the competition for the first two Auxiliary Oiler Replenishment vessels of the Fort class.

This is a new concept for a "one-stop" replenishment vessel capable of supporting front-line warships and defending itself. Under its policy of transferring more responsibility to industry the MOD invited firms to put in their own designs to meet the Navy's requirement and to procure the whole ship, including self-defence weapons and associated electronics.

Although a wide range of shipbuilders and other defence firms were invited to tender, designs were submitted by only two consortia, Harland and Wolff (in association with Yarrow shipbuilders and yard) and Swan Hunter (in association with British Aerospace-Marconi).

The tender submitted by Harland and Wolff was technically preferred by both the Ministry of Defence and external consultants, as well as offering earlier delivery and a keener price.

The Government have accordingly decided to award the contract for the design and build of the first ship of the class to Harland and Wolff.

The ship will be named the Royal Fleet Auxiliary Fort Victoria. Once the detailed design has been completed next year construction will begin at Belfast and the ship will enter service at about the end of the decade.

Throughout the tendering process the Government have insisted that the competition should be scrupulously fair, particularly as it involved a private sector and a public sector company. The Government appointed independent consultants, who have examined the Harland and Wolff consortium's bid and have advised that it is unsubsidised and comprehensively costed. The Secretary of State for Northern Ireland has today announced an additional financial discipline on Harland and Wolff plc in respect of AOR aimed at ensuring that any cost overrun will have a similar effect on Harland and Wolff as it would have on a private sector company.

To ensure commonality in naval service, future ships of the class will be built to the Harland and Wolff design, but the Ministry of Defence will allow other shipyards to compete to build follow-on ships.

The Government have decided that Swan Hunter should be given a preferential opportunity to bid for the second ship of the class. Later in the summer, the MOD will be offering Swan Hunter Shipbuilders the opportunity to confirm that it is ready to accept a contract for the second AOR, with construction to begin as soon as possible after negotiations are completed, probably in 1988. This will be on the basis that it will be to the same design as the first, and that the terms and conditions, cost and programme will be no less favourable to the MOD than those already available from the lead shipyard for a follow-on ship.

Mr. Denzil Davies (Llanelli): The right hon. Gentleman's statement will have extremely damaging consequences for Swan Hunter and for Tyneside. I am sure that he is aware of that. The decision will almost certainly cause the loss of 2,000 jobs, including the whole of the

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design team of the Swan Hunter company. Some people might say that this decision will put the company's future in jeopardy. Others might say that the decision is a breach, certainly of the understanding, if not the undertaking, that was given at the time when the Government privatised Swan Hunter. Frankly, the possibility of building the second vessel to the design of Harland and Wolff is no solution to the problem.

Is the Secretary of State satisfied that Harland and Wolff will be able to meet its full contractual obligations, especially on cost and delivery? What on earth is meant by the statement that there will be

"an additional financial discipline on Harland and Wolff"

to ensure that any cost overrun

"will have a similar effect on Harland and Wolff"—

a company owned by the Government—

"as it would have on a private sector company."?

What on earth does that mean? At the end of the day, are the Government prepared to allow Harland and Wolff to go into liquidation?

The second vessel is no solution. What is meant by the statement:

"Swan Hunter should be given a preferential opportunity to bid for the second ship"?

Is that a preference over other bidders? Is it a preference over Harland and Wolff? How on earth can Swan Hunter build a ship to the design of Harland and Wolff, with all the repercussions and practical problems, and yet be given a preferential opportunity in that situation?

Can the Secretary of State at least guarantee—the statement is ominously silent on this—that Swan Hunter will get the order for the second type 23 frigate? That is the least that the Government can do after the shabby way in which they have treated the company which they privatised.

Mr. Younger: That is a most surprising response, and certainly not one that I expected. I wonder whether the right hon. Gentleman heard the statement that I made a moment ago.

I made it clear that the contract was won on price, delivery and the quality of the product offered by Harland and Wolff. Nevertheless, I have intervened to state that preference will be given to Swan Hunter shipbuilders for the building of the second of these ships provided that it can meet the price. The right hon. Gentleman asked what this preference means. It means just that. The second ship will be offered to Swan Hunter provided that it can build it at the price. It is unbelievable that the right hon. Gentleman should consider that that is bad news for Tyneside. It is extremely good news for the area. This is not a breach of any understanding. It is a positive step to help Swan Hunter at the same time as helping the defence budget.

The right hon. Gentleman asked whether Harland and Wolff would meet the conditions. We expect it to do precisely that, and the contract will make it clear it must do so. My right hon. Friend the Secretary of State for Northern Ireland is today publishing the arrangements that he is making for the close monitoring of production at Harland and Wolff to ensure that that is so.

It is well known that the type 23 frigate, O2, is being evaluated by the Ministry of Defence. A bid has been put in by Swan Hunter, and although the final decision has not been taken, it is clear that Swan Hunter is in the running for it.

Sir Antony Buck (Colchester, North): Is my right hon. Friend aware that many of us on the Conservative Benches and, I suspect, many Opposition Members, admire the decision that he has made? It is a bold and difficult decision, made in a "cannot win" situation. Will my right hon. Friend tell the House that because of his decision the armed forces will be equipped with the best ships for the job, and that, hopefully, they will be delivered on time and relatively within cost?

Mr. Younger: I am grateful to my hon. and learned Friend. He is right in saying that any firm which was given the opportunity to build a large new vessel like this would find that its work force was extremely pleased. We will get two AORs of a very high standard and at a slightly earlier date than was originally hoped and that must be good news for the defence budget.

Mr. J. Enoch Powell (South Down): Will the right hon. Gentleman accept that the decision which he has just announced is a recognition of the competitive efficiency of the Belfast firm and the value of the firm's work force? Will he emphasise the fact that employment in many other parts of the United Kingdom will flow from placing this contract with Harland and Wolff?

Mr. Younger: I agree with the right hon. Gentleman on all the points that he has made. It was clear that in competition for the design of this vessel Harland and Wolff put in a very satisfactory design, and that is why it won the competition.

There is nothing unusual for one firm to be the lead yard for a particular type of vessel and for other firms to make the follow-on ships. In this case Harland and Wolff is the lead firm, and Swan Hunter, if it is successful in getting the second vessel—as we naturally hope it will be—will build the follow-on ship. There is nothing new about that, and I am surprised that the right hon. Member for Llanelli (Mr. Davies) did not know that.

Mr. Neville Trotter (Tynemouth): Does my right hon. Friend understand that there will continue to be concern on Tyneside until Swan Hunter is awarded the second contract?

Will my right hon. Friend confirm that the competition was between two exceedingly good designs, and the fact that on this occasion the Navy has preferred the Harland and Wolff design is no reflection on the design capabilities and skill of the team of the privatised Swan Hunter yard?

Mr. Younger: Yes, I entirely accept what my right hon. Friend says. I also accept that there will be concern on Tyneside until Swan Hunter has assured for itself the order for the second AOR. Negotiations for the second AOR will be put in train very quickly so that a conclusion can be reached. Both the designs were good, but, as the customer, I must make it clear that the Harland and Wolff design was, for various reasons, undoubtedly better. It certainly provided an earlier delivery date and a keener price.

Mr. A. J. Beith (Berwick-upon-Tweed): The decision is a catastrophe for Tyneside, where unemployment is higher than in Northern Ireland. Is the Secretary of State aware that it is difficult to see how the position of a nationalised yard can be compared with that of a private

yard when, in the case of a private yard, the shareholders, including the executives of the yard, stand to lose everything and to pay the costs if they overrun? Its position is no way comparable to that of a nationalised yard.

Mr. Younger: I am surprised to find such a reasonable person as the hon. Gentleman using inappropriate language. If every shipyard that is given an order for £100 million worth of shipbuilding regards it as a catastrophe, there are plenty of other people who are looking for a catastrophe.

Mr. Piers Merchant (Newcastle upon Tyne, Central): I thank my right hon. Friend for his guarantees over future preferences, but is he aware of exactly how disappointing his decision will be to those of us on Tyneside who supported the Swan Hunter bid? Is he also aware that one cannot count among that number those militant shop stewards who, during the last three weeks, irresponsibly led industrial action during the campaign to attract this order, and who have been responsible for leading a series of industrial disputes during the last few years, which has hardly helped Swan Hunter's reputation?

Mr. Younger: I very much appreciate my hon. Friend's question. I understand how disappointing it must be for everyone in Swan Hunter that the yard did not get the first of these two ships. However, I have explained, in what I hope is a reasonable way, why this was so. My hon. Friend made a telling point about the activities of some people who caused disruption at the yard. I hope the House will give the Government and my Department credit for the fact that we have bent over backwards to pay no attention to that by making it clear that we are prepared to give Swan Hunter the chance to build the second AOR.

Mr. Don Dixon (Jarrow): The right hon. Gentleman's statement means that this is a black day for the shipbuilding communities in the Tyne area. If he wanted to be fair, why did he not award one contract to Harland and Wolff and one to Swan Hunter? In the short term it means many redundancies in the Tyne area. In the long term it will put in jeopardy shipbuilding in the Tyne area because of the impact that this decision will have on the design team at Swan Hunter. Even at this late stage will the right hon. Gentleman agree to place one contract with Harland and Wolff and the other with Swan Hunter? Will he also agree to hurry up the type 23 order, negotiations for which have been continuing for many months? If an order is not received in the very near future, hundreds, if not thousands, of additional unemployed men will be walking the streets in the Tyne area.

Mr. Younger: I am not sure whether the hon. Gentleman was in the Chamber when I made my statement. He asked whether it would have been better to award the first contract to Harland and Wolff and the second to Swan Hunter. Subject to Swan Hunter being able to meet the conditions that I have outlined, that is precisely what I have done, and I am wondering why the hon. Gentleman is not pleased about it.

Mr. Ian Gow (Eastbourne): Is it not clear from the questions of the right hon. Member for Llanelli (Mr. Davies) and the hon. Member for Berwick-upon-Tweed (Mr. Beith) that neither of the two Opposition parties believes in fair competition? Is it not also clear from my right hon. Friend's statement that, quite properly, the Government have taken the greatest possible care in awarding this contract on the basis of design, price and delivery date?

Mr. Younger: I am grateful to my hon. Friend. It leads me to put what I said the other way round. If I had chosen to deny this contract to Harland and Wolff, with its better design and delivery date, and with every bit as good a price, I cannot imagine what the Opposition would have said about the competition principle.

Mr. Nicholas Brown (Newcastle upon Tyne, East): I listened carefully to the Secretary of State's statement. It defies reason. Is he aware that he has almost certainly announced the closure of Swan Hunter and that his statement about the second AOR order will be seen to be as cynical as the promise that was made two years ago about the type 23 frigate, which has still not turned up? Swan Hunter must have fabrication work now. The Secretary of State has made no announcement about fabrication work for the yard. His statement will be seen as a betrayal of privatisation on Tyneside and as appeasement of terrorism in Ulster.

Mr. Younger: Again I am extremely surprised by the hon. Gentleman's question. I know that he is concerned about the future of the Swan Hunter shipyard. As this is an offer to the yard to submit a detailed consideration for a further vessel involving many man hours of work, I am surprised that the hon. Gentleman does not welcome it. I hope that his constituents will manage to persuade him that he is not acting in their interests.

Mr. Michael Fallon (Darlington): Does my right hon. Friend agree that the lesson for industry in the north-east is that work for which it tenders must be competitively priced? If Harland and Wolff's bid is as genuinely competitive as my right hon. Friend's advisers think it is, why are there no plans to privatise the yard?

Mr. Younger: I am grateful to my hon. Friend. The privatisation of Harland and Wolff is a matter for my right hon. Friend the Secretary of State for Northern Ireland. No doubt my hon. Friend will take the matter up with my right hon. Friend. I agree about the necessity for competitive pricing. In this case, the company which submitted the most competitive bid in all the circumstances won the competition. I should have thought that any other conclusion would not be acceptable to the House.

Mr. Dick Douglas (Dunfermline, West): Does the Secretary of State accept that his statement shows how parlous is the state of the shipbuilding industry as a whole? That is why hon. Members are concerned about employment, and why they are competing across the Floor of the House for the available orders. I, as a Scottish Member of Parliament, do not exclude myself from that concern. The design order for the Yarrow yard is welcome to the Clyde, but will the Secretary of State say a little about the O3 and O4 of the type 23 frigate that have been promised? I understand that completion of tendering may be in June 1986. Is the Secretary of State able to give us an assurance about this, because it is important to the yards on the Clyde?

Mr. Younger: I appreciate the hon. Gentleman's question. He is right when he says that the state of shipbuilding is very difficult because of the very few orders that are available. However, it surprises me that, if its representatives are anything to go by, a yard that has

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been offered the chance of a major order does not think that that is good news. Many people in Scotland will find that very hard to understand. No decision has yet been taken about a further order for frigates, but I am well aware of the importance of that order.

Mr. Barry Henderson (Fife, North-East): Is my right hon. Friend aware that many people will want to congratulate him on a well-judged statement? Is he able to state the significance in scope and value to the Clyde of the Harland and Wolff order?

Mr. Younger: I am grateful to my hon. Friend. There will be a considerable amount of work for the Clyde. My hon. Friend will have to ask Harland and Wolff for the breakdown of the work on the first of these two ships between other parts of the United Kingdom and Northern Ireland.

Dr. Norman A. Godman (Greenock and Port Glasgow): The right hon. Gentleman emphasised the upper Clyde in his last answer. Is he able to say anything about the lower Clyde vis-à-vis Ministry of Defence orders? May I remind him that Scott Lithgow, Kincaids and Ferguson-Ailsa are in a parlous condition over orders? Does he have any vestige of hope to offer to shipyard workers in my constituency?

Mr. Younger: The hon. Gentleman knows that I am very well aware of the difficulties in his constituency and of his very great concern about those yards. My right hon. Friend the Secretary of State for Trade and Industry, who has the main responsibility for the shipbuilding industry, is actively studying that problem. The hon. Gentleman will appreciate that, no doubt for good reasons, Scott Lithgow was invited to tender for this order but decided not to do so. Therefore, I cannot be of help on this occasion.

Mr. Richard Page (Hertfordshire, South-West): Leaving on one side the question of the hon. Member for Newcastle upon Tyne, East (Mr. Brown) about whether Northern Ireland and Harland and Wolff deserve this order in view of the Loyalist activities in the last few weeks, will my right hon. Friend please publish the consultants' report, so that justice and fair play can be seen to have been done?

Mr. Younger: I appreciate my hon. Friend's concern that justice should be seen to have been done. As I said in my statement, my right hon. Friend the Secretary of State for Northern Ireland is today publishing his plans for a close monitoring of this contract. My hon. Friend's request that the report should be published will have to be addressed to my right hon. Friend the Secretary of State for Northern Ireland.

Mr. Stephen Ross (Isle of Wight): There was bitter disappointment when Vosper Thornycroft did not get any orders on the previous occasion. Nevertheless, I congratulate John Parker and Harland and Wolff on winning this contract. Obviously it has been won on merit. This is in contradistinction to the decision of the Secretary of State's predecessor, who awarded the Tucano to Short Brothers, and not the PC9. May we be assured that the work force will support the Government's confidence in it. We look to that to happen. Nevertheless, I hope that Swan Hunter will accept the terms laid down by the Secretary of State today, which seem, on the evidence of previous contracts, to be in accord with recent Ministry of Defence practice.

Mr. Younger: I am grateful to the hon. Gentleman for his welcome for this decision, although I appreciate his disappointment about Vosper Thornycroft. However, as he will know, that firm did not tender for this order. The hon. Gentleman should speak to his hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), because the Liberal party seems to have two totally different views on this contract.

Sir John Biggs-Davison (Epping Forest): In welcoming the fullest information that has now been promised, may I ask whether it is not clear that this decision has been based on price and design and the needs of the Royal Navy? Has the attitude of the Labour party not revealed a bigoted hostility to Northern Ireland, which will be noted by the workers of Belfast?

Mr. Younger: I am grateful to my hon. Friend for what he has said, and I realise that hon. Members will have many other factors in mind in considering the statement. He is right in pointing out that unless those who win a competition in a perfectly fair and normal way are given the contract, the whole policy of competition will fall down. In this case there was a clear winner, but, from the point of view of the needs of the Royal Navy, we have thought it best to put the second vessel to the other yard so that the best results can be obtained for the Royal Navy from these contracts.

Mr. Frank Field (Birkenhead): Does the Secretary of State accept that if one yard with a back-up subsidy of £37 million competes with other yards with no such back-up subsidy, that is not only unfair, but, if continued, will result in the closure of English and Scottish yards? If that happens, will that not defeat the whole of the Government's thrust for greater competition and their procurement policy? In addition, before the end of the day, will the Minister ask a favour from the Irish? As many companies in Great Britain have to watch foreign companies grow fat on hidden subsidies, will he ask Harland and Wolff how it has managed to hoodwink his officials, because surely the lesson could be more widely spread?

Mr. Younger: I appreciate the hon. Gentleman's concern, but I should make it clear that my right hon. Friend the Secretary of State for Northern Ireland has taken the greatest care about this matter. He will not merely watch progress. He is today publishing the ways in which he will ensure that the progress of this contract with Harland and Wolff is absolutely as per the contract. When it comes to the difficulties of comparing nationalised industries with others, the hon. Gentleman will appreciate that that is one of the consequences of having nationalised industries, which cause great difficulty in many ways which we would be better to avoid.

Mr. Jonathan Sayeed (Bristol, East): My right hon. Friend would rightly have been properly condemned had he not chosen the design that is technically better and the bid that promised earlier delivery at a lower price. Will he ensure that if Harland and Wolff goes over budget, it will mean that the income of the management of Harland and Wolff is commensurately reduced, as it would be if the Swan Hunter bid went over?

Mr. Younger: My hon. Friend is right about that. This is a matter that the House and the Government will want to watch carefully. If Harland and Wolff were to overrun in the cost, that would reduce its ability to compete for further orders elsewhere. That fact will be a powerful incentive to the company, in addition to the measures that my right hon. Friend the Secretary of State for Northern Ireland will be announcing today. My hon. Friend is perfectly correct in saying that to have given the contract to a company which did not win the competition would have been grossly unfair on all those who took part in the competition.

Mr. Stuart Randall (Kingston upon Hull, West): While welcoming any contract announcement of this kind, may I ask the Secretary of State whether he is aware of the hundreds of subcontractors involved in these contracts who will be very disappointed that Swan Hunter did not get the design part for the second vessel? In my own constituency of Hull, one of the subcontractors is Humber Electrical Ltd., which makes marine switch gear and which will be particularly disappointed to learn that it is unlikely to get work on the first ship. This is particularly disappointing in Hull, where there is an enormous increase in unemployment and a lot of deprivation. When it comes to the allocation of further subcontracts by Harland and Wolff, will the Secretary of State consider Humber Electrical Ltd.?

Mr. Younger: I appreciate the hon. Gentleman's point, but a lot of work is coming outwith Northern Ireland, even with the first of these ships, because subcontractors has taken place already. I understand that about a third of the work is sub-contracted elsewhere in Britain. I am sure that the hon. Gentleman's constituents will be able to take part in the second AOR. If they want to put in bids now to the main contractor for the first AOR, they will be considered, if there is still space. However, the point is that if subcontractors and contractors enter a competition, they must expect those who win the competition to get the work.

Mr. James Couchman (Gillingham): Is my right hon. Friend aware that those of us who had applauded the management buy-out of Swan Hunter had very much hoped that it would be able, in fair competition to win the order for the first AOR, which carries the design facility with it? Can he be more specific about how soon Swan Hunter can expect the decision on the second AOR and, also on 02, 03 and 04 of the type 23 frigate?

Mr. Younger: It was disappointing that Swan Hunter did not win the competition. The second of these ships was one of two for which both competitors tendered. Provided that Swan Hunter can satisfy the Ministry of Defence that it will be able to produce the second ship at the price offered by the winner of the competition, it will be given the preferential chance of getting the second order. I hope that this will be seen to be fair to Swan Hunter, but it will require it to take some hard decisions in order to get its bid down to the right price.

Sir Kenneth Lewis (Stamford and Spalding): Is my right hon. Friend aware that many people will say that if this Government and the Ministry of Defence had been as unco-operative as some of the leaders in Northern Ireland, Harland and Wolff would not have got the order? I am glad that it did get the order, and I hope that the leaders in Northern Ireland appreciate that fact.

Mr. Younger: My hon. Friend makes an extremely good point. Perhaps I can assure him, and everyone in Northern Ireland, that in considering the bid I had in mind only the excellence of the design and the proposed workmanship, price and delivery offered by Harland and Wolff. No political consideration of the Northern Ireland situation came into the matter.

Land Rover-Leyland

Mr. Speaker: I call the Secretary of State for Trade and Industry.

Mr. Dave Nellist (Coventry, South East): On a point of order, Mr. Speaker.

Mr. Speaker: I shall take the point of order later.

Mr. Nellist: It is on this matter.

Mr. Speaker: The hon. Gentleman has not been rising to ask a question, but I shall take his point of order.

Mr. Nellist: On a point of order, Mr. Speaker. Is it in order for the Secretary of State for Trade and Industry to seek this afternoon to make a statement on British Leyland which, I understand, is to make no mention of the fact that on Monday this week part of the British Leyland truck and bus operations, Self-Changing Gears in Coventry, was sold to Cummins Engine in America, and four days after that sale there is still no report to the House of Commons on that part of a British nationalised industry that has been privatised.

Mr. Speaker: Order. I am not certain that we can know what the Secretary of State will say.

4.27 pm

The Secretary of State for Trade and Industry and President of the Board of Trade (Mr. Paul Channon): With your permission, Mr. Speaker, I should like to make a statement.

When I made my statement to the House on 25 March following the ending of the talks between BL and GM on the privatisation of the main Land Rover-Leyland businesses, I made it clear that BL would continue to study alterntive ways forward for all the businesses concerned. In the particular case of Land Rover and Freight Rover, BL asked for proposals to be made by 15 April. As the House is aware, four proposals were received. These were from Aveling Barford in respect of Land Rover and Range Rover; J. C. Bamford in respect of Land Rover, Range Rover and possibly Freight Rover; Lonrho in respect of Land Rover and Range Rover; Schroders, acting for a management and institutional consortium, for Land Rover, Range Rover and Freight Rover.

The BL board has carefully considered these proposals and has weighed them against the option of retaining Land Rover and Freight Rover within BL for a possible flotation or trade sale at a later date. The board has concluded, on both commercial and industrial grounds, that retention of the businesses within BL pending a later sale presents a more attractive option for BL than any of the bids which have been received. The board has therefore recommended to the Government that none of the bids be pursued and that the companies be retained within BL while preparations for future privatisation are made. The Government have accepted the board's recommendation.

Mr. John Smith (Monklands, East): Does the Secretary of State realise that this latest Government climbdown represents a humiliating and total reversal of their misguided policy to sell off the Austin Rover Group, Leyland Truck and Land Rover? Does he appreciate that, were it not for the exposure of the Government's furtive negotiations with General Motors and Ford and the forceful expressions of parliamentary—*[Interruption.]*

Mr. Speaker: Order.

Mr. Smith: Conservative Members may not like this, but they have to listen to it.

Does the right hon. Gentleman appreciate that, were it not for the forceful expressions of parliamentary and public opinion which forced the Government, especially the Chancellor of the Duchy of Lancaster, who is the leader of the Conservative party organisation, to get cold feet, the crucial remaining parts of the British motor vehicle industry would this day be under foreign ownership and control?

Should not the Secretary of State now apologise to the British Leyland Group for the damaging uncertainty, calculated in thousands of orders and tens of millions of pounds, which the Government have caused by their foolish actions? Is it not clear that the question of other bidders being considered for various parts of British Leyland was a blind in that, when General Motors and Ford ceased to be involved, the whole project collapsed?

Should not the Government end the remaining uncertainty which will be caused by references to a trade sale and a possible flotation, which puts the matter not so much on ice as on melting ice, and announce that between now and the next general election there will be no question of disposing of these British Leyland businesses? I ask the Secretary of State specifically whether the Government have any intention of resuming negotiations with General Motors and Ford before the next election. Will the right hon. Gentleman give a specific answer?

Does not this whole sorry episode, which goes back as far as August 1984 and which has today come to a partial —I hope a final — conclusion, demonstrate the total unfitness and incompetence of a series of Secretaries of State and of the Government as a whole to take on the serious responsibilities for British industry which were put upon them and which they have pitifully failed to discharge?

Mr. Channon: As usual, the right hon. and learned Gentleman grossly exaggerates the case he puts to the House. I strongly refute his allegations. I explained to the House on 25 March the exact procedures that the Government would follow after my statement and what would happen. We received four bids which British Leyland carefully considered. They were serious bids and were seriously considered. The Government seriously considered the recommendations by the BL board. I and the BL board believe that, commercially and industrially, the best future for this company will result from a flotation or trade sale in a year or two years' time when the company's financial situation is better than it is. That must be commercially, industrially and financially right, and I hope that the whole House welcomes it. I made GM's position clear in my statement of 25 March. Nothing has changed.

Mr. Kenneth Warren (Hastings and Rye): I am sure that my right hon. Friend is very much aware of the substantial investment requirements of the BL group. Will he therefore give an assurance that those investment plans will be supported by the Government without reservation until we can step forward with privatisation?

Mr. Channon: The investment plans of the BL board will be considered in the context of the corporate plan in the normal way. I take note of my hon. Friend's views.

Mr. Terry Davis (Birmingham, Hodge Hill): Surely the right hon. Gentleman is aware of the damage caused

to BL, especially Freight Rover and Land Rover, by the uncertainty in the past three months—uncertainty which will continue indefinitely because of the right hon. Gentleman's statement that these parts of BL will be sold at some time in the future? What will the right hon. Gentleman do to compensate BL for that damage? Why will not the Government simply drop their pig-headed insistence on selling off the most profitable parts of BL and let the people who work at Freight Rover and Land Rover get on with the job of making and selling vehicles at a profit without constantly looking over their shoulders at what the Government are doing behind their backs?

Mr. Channon: The hon. Gentleman is trying to say that uncertainty remains. The proposal to privatise these parts of British Leyland has been known for years. That is not new. There is no new uncertainty. There will now be a period of stability. I am certain that I am acting in the interests of the companies as a whole.

Mr. John Mark Taylor (Solihull): Is my right hon. Friend aware of the hopes and fears aroused in my constituency since the end of January? Whereas the prospect of Land Rover's privatisation will be welcome, the failure to take up the management buy-out will be seen as a missed opportunity, uniquely consistent as it was with the Conservative party's manifesto and backed up by trade union investment.

Mr. Channon: Of course I understand my hon. Friend's views. Naturally, the management proposals were considered extremely carefully, but the BL board concluded that the management proposals, and the other bids, did not represent the best course in the company's commercial, industrial or financial interests. In view of that recommendation, which was strongly supported by the board, the Government felt it right to pursue this course.

Mr. Paddy Ashdown (Yeovil): Is not the scandal of this sorry affair the fact that foreign companies were able to see the advantage of investing in Britain which our Government were not able to see because of their short-term perspective? Will the right hon. Gentleman undertake to look at the possibility of European collaboration in this matter, as recommended by his colleague, the right hon. Member for Old Bexley and Sidcup (Mr. Heath) on 6 April in his article in *The Observer*?

Mr. Channon: I am not sure whether the hon. Gentleman is complaining about foreign investment or welcoming it—I expect that it depends on the company about which we are talking. I am trying—I hope that the Opposition will not try to change the position—to remove the uncertainty. Therefore, I have nothing to add to my original statement—*[Interruption.]*

Mr. Speaker: Order. This is a serious matter. It is not a laughing matter.

Mr. Steve Norris (Oxford, East): Will my right hon. Friend comment on the assertion by the right hon. and learned Member for Monklands, East (Mr. Smith) that the GM-BL talks were somehow furtive? Does my right hon. Friend agree that that demonstrates to those of us whose industry interest is long-standing rather than just developed and manufactured from nothing, that people knew perfectly well that these talks were taking place, including all the GM employees, because the company circulated information to them telling them exactly what was going on?

Mr. Channon: My hon. Friend is entirely right. The hypocrisy, double-dealing and hopelessness of the general Opposition stance have been evident. Their behaviour throughout the talks has been absolutely disgraceful.

Mr. George Park (Coventry, North-East): Is it not clear from the previous Government statement that a nationalised company could be more efficient than a privatised one? Why cannot the same logic be applied to British Leyland? The logic of the right hon. Gentleman's statement is that the faster efficiency increases, the faster the companies will be privatised—thus continuing the damaging uncertainty.

Mr. Channon: The hon. Member talks as if privatisation in the motor industry was a bad thing. When he looks at the example of Jaguar, I should have thought that would have given him cause for reflection, in view of the excellent results of Jaguar and the beneficial results of privatisation.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend accept that many of us feel quite bewildered today, although obviously we should not, because on this issue more than once victory has been lost that could have been won? Is it not a farce and charade in that, if the House had let General Motors buy, the Government would have been willing to sell? The management and workers put forward a perfectly viable and sensible proposition which in my view would have achieved what we keep advocating—a wider share-owning democracy. Why is it that the workers and management are not fit to buy it? Are not the Government hoist upon their own petard in that, if they are not willing to sell BL, they must back it and they must back it to the full? Are the Government willing to put money into the new design and a new future, because if they do not put in a new design and a new future we shall be stuck with failure? Do we want success and are we going to back it?

Mr. Channon: I have no doubt that the future of Land Rover in the way that I have outlined will be a successful one. The forecasts for it, I think, are good. I think that the prospects for it in the next couple of years will be very good. I have already explained why I think that privatisation is a good thing in the long term. The Government had to decide what was the best commercial, industrial and financial prospects for the company. If I had thought that the management buy-out was, I would certainly have accepted it.

Mr. D. N. Campbell-Savours (Workington): Is the Secretary of State aware that the only part of British Leyland group that now has an immediate threat over its head is Leyland Bus? What is he going to do about it? Is he aware that morale throughout all the Leyland Bus plants has been totally undermined in the last months? Will he reverse his proposals to privatise?

Mr. Channon: No, but I share the hon. Member's concern about the future of Leyland Bus. I shall have to consider this matter with the board in the fairly near future because it is a serious situation and there are difficult choices to be made in the bus industry. I know very well the hon. Member's concern about this, and I shall certainly bear it in mind.

Mr. Roger King (Birmingham, Northfield): Will my right hon. Friend accept that some of us do not necessarily have a great deal of confidence in the present BL board? We feel that, had it looked closely at the management buy-out, it would have been abundantly obvious that it has the resources and the backing of the trade unions and the merchant banks that would ensure that Land Rover and Freight Rover could continue successfully. Can I have an assurance from him that, in the event of a future sale of Land Rover and Freight Rover, it will be privatised and not sold to another company or organisation?

Mr. Channon: I understand my hon. Friend's view about the management buy-out. Of course, if that had proved to be the one that was the most likely to lead to the industrial and commercial success of the company, that would have been a respectable solution, and one that the Government would have been very happy to take. It would have been a very good solution for the company if it had been the best commercial one, but it was the view of the BL board that this was not the best solution. I think that it was quite right for the Government to take the course that they have. I have said that we hope to prepare the company for privatisation in future. I think that it would be wrong for me at this stage to close any of the options, but I note my hon. Friend's strong views that the better way would be to have a flotation.

Mr. Gregor MacKenzie (Glasgow, Rutherglen): Are we to understand from the Secretary of State's answer to his hon. Friend the Member for Hastings and Rye (Mr. Warren), that what he now proposes to do is to invest further sums of the taxpayers' money in the organisation and that, once improvements have been effected by this investment, he proposes to sell it off to the private sector at a very considerable cost to the ratepayer? That is what it sounded like to us.

Mr. Channon: No, I am glad to tell the right hon. Gentleman that that is not the case. There are no proposals from the BL board for further injection of equity into the Land Rover business.

Mr. Michael Grylls (Surrey, North-West): Is my right hon. Friend aware that many people who very enthusiastically support the return of as much as possible of British Leyland to the private sector as quickly as possible will be disappointed by his decision today? In many ways it is an incomprehensible decision when there were a number of good offers on the table. Is it because it has come from a lame duck board anyway? Will not this proposal leave uncertainty over the head of British Leyland, with nobody knowing who is going to own it for two or three years, however long it takes? That will be very bad for its commercial future.

Mr. Channon: With respect, I cannot agree with my hon. Friend about that. What I am sure he agrees with me about is the need to provide the best future for the company. The BL board has made a very firm recommendation that retention of the businesses for the time being within BL represents the better commercial solution for that company in the long run and for the employment prospects for those in it. In those circumstances, I think that it was right for me to recommend to the House that that should be accepted.

Mr. Doug Hoyle (Warrington, North): Having created the instability the Minister now talks of stability for the company, yet he is still leaving the company in limbo. Given that the management has hanging over it the real threat that in two years' time the company could be privatised, does he not agree that what is needed is the withdrawal of that threat, to allow the company to get on with it and to make the investment available to it so that it can begin a strong marketing policy and sales can begin to boom again?

Mr. Channon: I cannot agree with the hon. Gentleman. It has been known for a long time that these companies were to be privatised. There is nothing new in that. There is no new uncertainty about that. I believe that my decision today will remove the uncertainty. I think that it will lead to a period of stability.

Mr. Robert Atkins (South Ribble): Is my right hon. Friend aware that my overriding interest and that of my constituents who work at Leyland Truck and Leyland Bus is that Leyland Truck is now first in the league of heavy truck manufacturers in the country and doing well, and Leyland Bus is considering offers for the purchase of that company? Will he confirm that the offers for Leyland Bus will still be considered on their merits, and take advice from those who understand the industry within and without as to at least one of those contenders? Will he also confirm that in the long term priority will be given to what I understand is a Conservative commitment to share ownership, directed particularly at the small shareholder and those working in the company?

Mr. Channon: I agree with a great deal of what my hon. Friend says. I confirm to him the position as he outlines it, of Leyland Bus. I am also glad to say, despite the great difficulties in the truck market, that Leyland Truck sales in the first quarter of this year are up by some 18 per cent. I think that is encouraging.

Mr. Andrew Faulds (Warley, East): Have the Prime Minister and her Cabinet learnt any lesson from their somewhat unfortunate handling of these matters?

Mr. Channon: I think that what we have done is to arrive at a right conclusion, which I hope the House will support.

Mr. Richard Page (Hertfordshire, South-West): While I welcome my right hon. Friend's statement, in view of the huge overcapacity in trucks, vehicles and cars throughout the world, will he now produce an overall plan for the future of British Leyland, as piecemeal disposal will lead to more problems than it would solve?

Mr. Channon: As my hon. Friend knows, the new chairman of British Leyland will take over next week and, of course, he will want to consider all the options now available for the future of the company.

Mr. David Winnick (Walsall, North): Is the Secretary of State aware that people, certainly in the west midlands, will not forget the undercover and deceitful way in which negotiations went on without any public knowledge and, certainly, without any statement having been made to the House? Does not the Secretary of State recognise that what he has announced today is particularly a defeat for the Prime Minister—perhaps that is why she is not present — and those members of the Cabinet who took the decision purely because of party dogma and prejudice?

Mr. Channon: The hon. Gentleman is talking absolute nonsense. My hon. Friend the Member for Oxford, East

(Mr. Norris) pointed out a little while ago that the idea that this was some undercover or deceitful negotiation is absolute nonsense. It has been known in all the newspapers for months. The idea that some secret things were going on has, I think, been fully exploded. If anything has been deceitful, it is the conduct of some Opposition Members.

Mr. David Madel (Bedfordshire, South-West): Does my right hon. Friend agree that arguing endlessly about ownership of the commercial vehicle industry does not alter the fact that people who work in the industry are concerned about investment and job security? Therefore, will the Government do all they can to make sure that General Motors stays here with a strong, viable presence? Will my right hon. Friend join me in refuting the argument of the right hon. and learned Member for Monklands, East (Mr. Smith) that somehow the negotiations were furtive? Trade unionists in Bedfordshire told the right hon. and learned Gentleman about the negotiations months ago but he does not appear to have listened to what they said.

Mr. Channon: When it suits the Labour party to pretend that things are deceitful, it will do so. The House knows what value to put upon those words. As to the question of the commercial vehicle industry itself, my hon. Friend is right to draw attention to the very serious problems that exist in the industry. I certainly share his views about the importance of GM continuing in Bedfordshire. It is well recognised in Bedfordshire and throughout the country that that has been an extremely valuable investment both in jobs and in opportunities for the country.

Mr. Jack Straw (Blackburn): Is the Secretary of State aware that Ministers' wilful misconduct of the affairs of British Leyland has cost that company and the taxpayer millions of pounds for which, if those Ministers were local councillors, they would be surcharged? Is the Secretary of State not aware also that any suggestion that there can be a period of certainty is wholly undermined as long as he continues with the idea of a possible sale to General Motors? If he is concerned about the future of British Leyland, why does he not rule out completely a sale to General Motors?

Mr. Channon: I have already said to the House that nothing has changed with the position as regards General Motors since my statement of 25 March. Perhaps the hon. Gentleman would be so good as to read what I said on 25 March, which was crystal clear and which the House accepted at the time. As to the question of uncertainty, I have a feeling that it suits some Opposition Members to try to create the uncertainty that they complain about.

Mr. Nicholas Budgen (Wolverhampton, South-West): Does my right hon. Friend agree that it is difficult for the House to evaluate properly what he has said because he has not told us what price the bidders have offered or what funds the bidders have to support the company in future? The interest of the taxpayer and of the employees of BL is that the business should be sold for a good price to purchasers who are able to fund investment in it in future.

Mr. Channon: I agree with the latter half of my hon. Friend's question. As to the first part, I am not in a position to reveal all the commercial details that were given in confidence to the BL board. It would be wrong for me to do so. I assure my hon. Friend that the decision of the Government, based on the recommendation of the BL board, was taken only after exhaustive examination of the commercial, financial and industrial implications.

Mr. Robin Corbett (Birmingham, Erdington): Cannot the Secretary of State understand that this afternoon he has added to the uncertainty? Earlier he spoke of privatisation within a year or two. A little later he talked about privatisation in the near future. Will he not give a guarantee from the Dispatch Box now that there will be no attempt at privatisation until after the next election?

Mr. Channon: I am not prepared to give such a guarantee. I shall ask the new chairman of British Leyland to consider all the options available. *[Interruption.]* No. Hon. Gentlemen are deliberately trying to create the uncertainty of which they are accusing me. The new chairman of British Leyland will consider the future privatisation of Land Rover by flotation or by trade sale at an appropriate date, but that will be after a period of stability.

Mr. Tim Yeo (Suffolk, South): Does my right hon. Friend agree that, because of all the millions that the taxpayers have put into British Leyland, it is wholly right that individual taxpayers should in due course have an opportunity to invest directly in a successful part of it? Does he agree further that the precedent of Jaguar demonstrates, contrary to what Opposition Members say, that far from creating uncertainty, the prospect of flotation may act as an additional incentive to both management and workers?

Mr. Channon: I agree entirely with my hon. Friend. It is extraordinary that Opposition Members, faced with the Jaguar precedent, repeat the old-fashioned, out-of-date arguments against privatisation when it is clear that the privatised Jaguar company has been an outstanding success. What I think irks the Opposition is that it has been a success.

Mr. Norman Atkinson (Tottenham): Does the Secretary of State realise that he has added considerably to the uncertainty by refusing to answer the questions put to him by my right hon. and learned Friend the Member for Monklands, East (Mr. Smith)? He asked about the future of the Austin Rover division and about future discussions with American companies about the manufacture of motor cars in this country. Is the Secretary of State aware that in the period to which he has just referred, there have been continuing collaborative agreements with Honda of Japan which is now manufacturing to its specification? Does that not mean that creeping privatisation is taking place? Honda is making a creeping takeover. Unless the Secretary of State intervenes, before very long the Austin Rover division will be privatised by the Japanese and will not remain in British hands.

Mr. Channon: The statement was not about Austin Rover. The position of Austin Rover has not changed over the past few months; therefore, there was no need for me to make a statement to the House. The hon. Gentleman is inaccurate in what he has been saying. It had nothing to do with my statement this afternoon.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Is not my right hon. Friend astonished at the attitude of the Opposition who for years have been trying to create the myth that our Prime Minister was bossy and would not listen? Today we have proof that the Prime

[Mr. Geoffrey Dickens]

Minister has listened to what Back Benchers have said. BL stays British, and we take things more slowly, which is sensible. Range Rover and Land Rover remain British. That is what the nation and most hon. Members want.

Mr. Channon: I am extremely grateful to my hon. Friend for his robust support.

Mr. Stuart Randall (Kingston upon Hull, West): Will the Secretary of State confirm that the Government are totally committed to supporting the company's short and medium-term investment programme, which is so crucial to its future?

Mr. Channon: I have already answered that point. The Land Rover section of British Leyland does not need further equity. No application has been made to me by British Leyland and I see no reason why there should be one.

Mr. Tony Marlow (Northampton, North): Will my right hon. Friend reassure the hon. Member for Warrington, North (Mr. Hoyle) that privatisation is not a threat but an opportunity? If my right hon. Friend were a betting man, would he expect that opportunity to be put into effect before the next election or after it?

Mr. Channon: I have not been told the date of the next general election, so I think it would be unwise to take up my hon. Friend's offer of a bet. I agree entirely with him on the first part of his question. Privatisation, when it takes place, will be good for the companies, for the employees and for all the people concerned, and should be done at the moment when it makes best industrial and commercial sense. That is what we intend.

Mr. Ian Wrigglesworth (Stockton, South): Does the Secretary of State accept that he has a responsibility to the House and to the company to come forward to the House at an early stage to explain what preparation for privatisation means? Will he consult the new chairman of the board of British Leyland as speedily as possible and come forward with clear proposals and clear strategy for the company so that we may avoid a confusion such as has arisen in recent times? As we all know, BL cannot survive in the volume car business without a partnership with another major company from another part of the world or from somewhere else in this country. Will he make clear what will happen and also why he has turned down the application for the purchase of the company by the staff and the work force of Land Rover?

Mr. Channon: On the last part of the question, I have tried to explain why the BL board does not think that the proposal put forward by Schroder on behalf of the management represented the best commercial opportunity for the company. That is why the proposal was not accepted. As to the first part of his question, I do not think that there is any need for me to make an immediate statement. There will be a period of stability, and the matters need careful study.

Mr. Nicholas Soames (Crawley): In view of the unfortunate behaviour of Her Majesty's Government towards General Motors, and in view of the enormous investments which that company has made for many years in this country, will my right hon. Friend assure the House that no lasting damage has been done to relationships between the Government and General Motors?

Mr. Channon: I am sure that no lasting damage has been done. I entirely agree with my hon. Friend about the welcome that the overwhelming majority of hon. Members give to American investment in Britain and to investment by General Motors. If any hon. Member disagrees with that, perhaps he will say so.

Mr. John Smith: In the course of his answers the Secretary of State said that privatisation might be in a year or two, in the near future or after a period of stability. Can he tell the House how long the period of stability will last before the new instability commences? Can he not state clearly and confidently to the House that there will be a period of stability until the next general election, and that that stability will be achieved by the Government saying that there will be no change in the ownership of British Leyland? That will remove all speculation and uncertainty and allow the businesses to run.

Mr. Channon: As the House knows perfectly well, this statement deals only with Land Rover and not with the whole of British Leyland. The right hon. and learned Gentleman is trying to widen the discussion to take in matters that we are not discussing. I am not prepared to give the undertaking that the right hon. and learned Gentleman seeks. I said in my statement:

"retention of the businesses within BL pending a later sale presents a more attractive option".

That is the option we will pursue and we will pursue it after we have carefully considered the situation with a new chairman. There is no hurry on this because we want to do it at the appropirate time. It is clear from the proposals of the BL board that it believes that in a period of time such a course of action will be more advantageous for the company than it is at present.

Oxford Street Bomb

5.1 pm

The Minister of State, Home Office (Mr. Giles Shaw): I will, with permission, make a statement about the explosion in Oxford street earlier today. At about 4.45 am this morning a small device exploded outside the side entrance of the British Airways office on the corner of Oxford street and Lumley street. The remains of the device are being examined by forensic experts.

The explosion damaged the office of British Airways, which is shared by some other travel companies, and it started a fire. The flats above and opposite the offices were evacuated. They suffered blast damage, but were not damaged by the fire. There has been some damage to glass in the surrounding buildings. One woman from the flats was taken to hospital suffering from shock, but has since been released. There have been no other injuries. Oxford street was closed for a time, but was re-opened to traffic at 10 am.

I understand that the Press Association received calls claiming responsibility from the Scottish National Liberation Army and the Angry Brigade but it is not possible at this stage to attribute responsibility to any individual or to any group.

Although the police issue warnings whenever there is evidence of a specific threat, the public should, as ever, remain on their guard and report to the police anything suspicious which attracts their attention.

Mr. Gerald Kaufman (Manchester, Gorton): Is it not ironic that the Home Secretary is not present to make this statement because he is in The Hague attending a meeting about terrorism? May I offer our sympathy to those who have suffered loss as a result of this bomb attack, and especially to the woman who was injured? I congratulate the fire service on its swift and efficient action, especially in the light of the possibility of a second bomb. What additional resources are the Government making available to the police to shoulder extra burdens such as this, especially if there is to be any intensification of terrorist activity?

We in Her Majesty's Opposition condemn this new outrage and say quite plainly that the British people will not be intimidated by terrorist acts, as has been shown by the firm reaction to IRA activity. At the same time, the British people will not accept that they should gratuitously be exposed to terrorist activity. Will the hon. Gentleman now answer the question that the Home Secretary failed to answer when I put it to him on Tuesday: what advice did the Home Secretary give to the Prime Minister, in advance of the American bombing of Libya, about the internal security implications for Britain of those raids?

Mr. Shaw: I am grateful to the right hon. Gentleman for offering his sympathy to the lady who was injured in this attack. Happily, she has now been released from hospital. Quite rightly, I take note of his strong views that we shall not be intimidated by terrorism. He asked about additional resources for the police. He will know that the Metropolitan police and the various specialist departments within the police have our full support about resources. He will also know that resource applications have recently been made by the Metropolitan police. Those applications are being considered.

The right hon. Gentleman paid special attention to my right hon. Friend's visit to The Hague. I trust the right hon. Gentleman will say how good it is that my right hon. Friend should currently be discussing with our European partners the improvement of anti-terrorist operations. I hope that the outcome of that meeting will be a strengthening of the attitude towards terrorism in general and Libyan terrorism in particular.

Mr. Ian Gow (Eastbourne): Is my hon. Friend aware that we on this side are well content that he should make this statement? We are equally content that our right hon. Friend should be at this important meeting in The Hague. In response to what the Shadow Home Secretary said, may I ask my hon. Friend whether it is the case that there is nothing whatever to link the explosion in the early hours of this morning with any Arab organisation of any kind?

Mr. Shaw: My hon. Friend is quite right. Contrary to reports appearing in the press, neither we nor the police have any information that would firmly link this incident with a Libyan or any other group.

Mr. Alex Carlile (Montgomery): I join in the condemnation of this outrage by the right hon. Member for Manchester, Gorton (Mr. Kaufman) and also the sympathy he expressed for the lady who was injured. Will the hon. Gentleman confirm that it is his view that by far the best measure against terrorists within our shores is good police intelligence and constant vigilance by the police and the public? Is he satisfied with the level of police intelligence about terrorist groups that are formed and are situated within the shores of Great Britain?

Mr. Shaw: It would never be wise to say that one is satisfied with the level of intelligence that is available at any given time. I give the hon. and learned Gentleman my assurance and that of my right hon. Friend that the police, and especially the specialised departments that deal with terrorism, have real knowledge of what is going on in the United Kingdom. Perhaps the hon. and learned Gentleman will remember the events of last summer, which resulted in the interception of a major bombing campaign planned for resorts in the United Kingdom.

Sir Eldon Griffiths (Bury St. Edmunds): Is it not highly irresponsible for people to try to relate this or any of the other terrorist incidents that we have experienced over the past 10 years or more to the incident that took place recently in Libya? Will my right hon. Friend welcome the statement by the Shadow Home Secretary that we shall not be intimidated and the statement by the Leader of the Opposition during business questions that tourists should come to our country because it is far safer than most other countries? In welcoming those things, will my hon. Friend bear in mind that throughout East Anglia members of the Labour party are saying that our air show should be cancelled because we are frightened of what is happening? How can the Opposition square those two approaches to the same problem?

Mr. Shaw: My hon. Friend is right. There is certainly no question that the incidents of recent weeks should cause us to suggest that Britain is less safe than it was. My hon. Friend is equally right that, throughout the country, people should go about their normal business in their normal way. I ask, as the police would wish me to ask, that everybody should remain vigilant at this time.

Mr. Chris Smith (Islington, South and Finsbury): In view of disturbing reports that in the immediate aftermath of the tragic incident this morning a considerable number

[Mr. Chris Smith]

of armed United States marines were seen in Providence court in the vicinity of the explosion, can the Minister tell the House whether the United States Government have permission to maintain what is effectively a private army on the streets of London?

Mr. Shaw: Frankly, I find the observations by the hon. Member for Islington, South and Finsbury (Mr. Smith) quite amazing. As far as I am aware, there is no connection between this incident — the relatively small size of which I have described to the House — and any of the hon. Gentleman's remarks about armed personnel or about the United States or anything else.

Mr. Michael Latham (Rutland and Melton): What credence do the police place on the claims made by these so-called organisations? What credence do they attach to the claim made by the so-called Scottish National Liberation Army? Is that the same body which allegedly sent a postal bomb to the Secretary of State for Scotland recently? What are we doing to try to arrest these persons and put them behind bars?

Mr. Shaw: My hon. Friend is quite right; the organisation that claims responsibility for this incident also claims responsibility for the device which was sent to my right hon. Friend the Secretary of State for Scotland. We will do everything possible to ensure that those guilty of offences of this kind are brought to the courts and, one hopes, convicted.

Mr. David Clelland (Tyne Bridge): Can the Minister help to clear up the matter of definition? While I accept what he has said about the possibility of the connection — or possibly there is no connection — between what happened today and what happened last week, we have had some arguments about definition on the Public Order Bill recently. Can he define a terrorist act? I agree that the precise placing of this device this morning in a shop doorway, obviously with the knowledge of the perpetrators as to what damage would be caused, is a terrorist act. If that is so, how much more of a terrorist act is it actually to drop such devices from an aeroplane, which, no matter how sophisticated, cannot be as precise as placing a device in a doorway?

Mr. Shaw: The hon. Member's question goes extremely wide of my statement. There is all the difference in the world between explosive devices, which try to trap individual citizens, and a Government who are seeking to impose terrorism as an act of policy. That is what the Libyan Government are seeking to do and it was in order to act against that that my right hon. Friend took the course she did.

Mr. Ivor Stanbrook (Orpington:) My hon. Friend said that, so far as he knows, the perpetrators of this latest outrage were not directed from Libya. Will he tell us what has happened to the 21 Libyans recently arrested?

Mr. Speaker: Order. That question is particularly wide.

Mr. Ron Brown (Edinburgh, Leith): While the House is pleased to hear that there is no Libyan or other link to this latest bombing outrage, will the Minister investigate the possibility that the CIA may be involved in terrorist activity in this country?

Mr. Shaw: No, Sir.

Mr. Andrew Faulds (Warley, East): Since only the White House or Israel could possibly welcome any renewed excuse for further attacks on Libya, will the right hon. Gentleman and his Department carefully consider the possibility of CIA involvement or Mossad involvement not only in this attack but in any other attacks that may occur?

Mr. Shaw: I do not think that the hon. Gentleman's observations are sufficiently serious to be given further credence.

Mr. David Sumberg (Bury, South): Will my hon. Friend ignore the ridiculous allegations of the hon. Member for Warley, East (Mr. Faulds)? Will he accept that terrorism is international and that it will be combated only by international action? That is why it is quite right that our right hon. Friend the Home Secretary is in Europe today and not in this House.

Mr. Shaw: I entirely endorse my hon. Friend's remarks.

Mr. Nicholas Soames (Crawley): While I appreciate that it is still early for my hon. Friend to assign blame for this scandal, will he take time to condemn the Labour party in my constituency, which since the Libyan outrage, since the bombing by the Americans of Libya, has said that Crawley is now a prime target for attack because of its proximity to Gatwick airport? Will he deplore such scaremongering?

Mr. Shaw: I do indeed. The United Kingdom is party to the policy of seeing that terrorist organisations are refused access to this country and that we bring people to justice, and suitably convict them of the offences with which they are charged. It is stupid for people to suggest that these activities make this country more or less at risk.

Mr. Frank Cook (Stockton, North): Can I press the Minister for a more specific response to the point raised by my hon. Friend the Member for Manchester, Gorton (Mr. Kaufman)—the amount of consideration given by the Prime Minister to any representations made by the Home Secretary on the need for tighter security, prior to the permission being given for the Libyan raid? Did such consultation take place, and what note was given to that consultation by the Prime Minister, prior to giving permission?

Mr. Shaw: The hon. Gentleman——

Mr. Speaker: Order. That has nothing to do with this question.

Mr. Peter Bruinvels (Leicester, East): In acknowledging that this act has been cowardly and despicable, has my hon. Friend looked at the situation for all airline offices throughout this country and the need for extra vigilance and more police at those particular offices, in view of the fact that in other countries, particularly in the middle east, there are bombing outrages on middle east airline offices?

Mr. Shaw: My hon. Friend will be aware that airlines, particularly those operating international routes, are fully conversant with the problems associated with terrorism, and are well aware of the various levels of tension, which cause them to make special arrangements.

BALLOT FOR NOTICES OF MOTIONS FOR MONDAY 12 MAY

Members successful in the ballot were:
Mr. Malcolm Thornton.
Mr. Michael Fallon.
Sir Gerard Vaughan.

Orders of the Day

Housing and Planning Bill

As amended (in the Standing Committee), considered. Ordered,

That the Bill be considered in the following order, namely, new Clauses, new Schedules, Clauses 1 to 4, Schedule 1, Clauses 5 to 10, Schedule 2, Clauses 11 and 12, Schedule 3, Clauses 13 to 24, Schedule 4, Clause 25, Schedule 5, Clause 26, Clause 34, Schedule 6, Clause 35, Clause 27, Schedule 7, Clauses 28 to 33, Clause 36, Schedule 8, Clauses 37 to 40, Schedule 9.—*[Mr. Kenneth Baker.]*

New clause 11

PROPOSALS FOR CO-OPERATIVE MANAGEMENT OR OWNERSHIP

". After section 27 of the Housing Act 1985 insert—

"Proposals for co-operative management or ownership

27A. — (1) If a qualifying tenants' association serves written notice on the local housing authority—

(a) proposing that the authority should enter into a management agreement with the association with respect to dwelling-houses and other land specified in the notice, or

(b) offering to buy dwelling-houses and other land specified in the notice at a specified price,

the authority shall take the proposal or offer into consideration.

(2) If the authority have not, at the end of the period of six months after service of the notice, entered into such an agreement or, as the case may be, accepted the offer, they shall give the association a written statement of the reasons why they have not done so.

(3) A tenants' association is a qualifying association for the purposes of this section if—

(a) it is a housing association of which at least half the members are tenants of dwelling-houses specified in the notice,

(b) it has at least 50 such members or is registered under the Industrial and Provident Societies Act 1965, and

(c) at least half the tenants of the specified dwelling-houses are members of the association.".'.—*[Mr. John Patten.]*

Brought up, and read the First time.

5.15 pm

The Minister for Housing, Urban Affairs and Construction (Mr. John Patten): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take the following: New clause 5—*Financial assistance for tenants' organisations*—

'In part IV Housing Act 1985 after section 107 there shall be inserted the following section—

"Duty to provide financial assistance for Tenants Organisations.

107A. — (1) A landlord authority shall from its Housing Revenue Account for the purposes of housing management provide financial assistance to tenants' organisations representing secure tenants in its area.

(2) The amount of grant payable to each tenants' organisation is an amount to be prescribed in Regulations calculated on a weekly basis by reference to the number of dwellings managed by the landlord authority in the area of that tenants' organisation.

(3) The Secretary of State shall by Regulations made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament:—

(a) prescribed the amount per dwelling to be provided in each grant,

(b) determine the criteria by which the landlord authority—

(i) shall distribute the grant loan and

[Mr. Deputy Speaker]

(ii) approve and register tenants' organisations in its area and

(c) specify the approved purposes for which such a grant may be spent.".'.

Government amendments Nos. 24 and 149.

Mr. Patten: On the 11 March, in our debate in Committee, I promised to bring forward an amendment to give tenants the right to request the setting up of a co-operative, and to place a duty in law on their landlord to consider that request, and give a reasoned response. This new clause fulfils that commitment.

The proposed clause will enable tenants to form themselves into tenant associations to meet the criteria provided for in the clause to put forward proposals either for the delegation of management of their housing association, or alternatively, its sale to the association.

I think I can reasonably claim that a consensus emerged during the Committee discussions.

Regardless of political party, we all wish to see tenants' co-operatives fostered. This is one of the ways in which to give tenants a real say in the management of their estates. By promoting management co-operatives, we provided for restrictions on the right to exchange in and out of such co-operatives.

Following concern expressed by the hon. Member for Woolwich (Mr. Cartwright), I have considered further the terms of clause 6. I have tabled amendment No. 24 to limit the landlord's discretion for withholding consent to those cases where the prospective tenant is not willing to become a member of a co-operative.

The Government strongly favour giving tenants more real opportunities to have an effective say in the running of their estates, and new clause 11 provides the basis and mechanisms for the all important first steps in encouraging the formation of such co-operatives.

Amendment No. 149 provides for the clause to take effect on an appointed day. New clause 11 thus allows tenants to initiate proposals, and, more importantly, gives them the right to a reasoned response.

I have considerable sympathy for what the hon. Gentleman is seeking to achieve in new clause 5 which is to place a duty on local authorities to provide financial assistance for tenants' organisations. We know that for such organisations reasonable funding can make all the difference. I agree that local authorities should promote, encourage and support representative tenants' associations.

Consultation and tenant involvement in management can only be effective when there are active tenants' associations. Whatever good intent is behind the reason for this clause, it raises serious matters of policy and principle which we cannot ignore. The issue both of principle and practice is that which asks the question, "What local organisation could not do without a bit of financial help?" Surely it would be wrong to place a duty on local authorities to pay grants for amounts, and to bodies, not of their choosing.

Local authorities do not have a bottomless purse, whoever may be in control of them or of the central Government. They have to decide their priorities. They already have general powers and discretion to make payments to local groups in order to benefit the area. Under their discretionary powers under sections 111 and 137 of the Local Government Act 1972, they can fix amounts and criteria themselves.

New clause 5 seeks to provide that any grants would be provided from the housing revenue account. That would mean that all tenants would pay for the grants, but only those belonging to the tenants' association would get any benefit. There may be good reasons why some tenants do not wish to belong to an organisation. Under the new clause, they would be paying for something that they would not receive.

We discussed in Committee the fact that tenants' organisations vary greatly and will continue to do so. We welcome the increasing variety of tenants' organisations, because none of us would claim to know the golden mean according to which they should be set up. We are still on a learning curve. In many places, the semi-experimental aeroplane still has to take off. Organisations evolve to suit the needs, conditions and resources of their members. New clause 11 provides for the Secretary of State to specify how tenants' organisations should be constituted and organised if they are to qualify for local authority support. The criteria will have to vary to suit local situations. It is therefore necessary that local authorities should have discretion. In the light of those comments I invite the hon. Gentleman to withdraw new clause 5 and I hope that there will be support for new clause 11 and amendments Nos. 24 and 149.

Mr. Jeff Rooker (Birmingham, Perry Barr): I should like to dispel any doubts that the Minister may have about new clause 11 by giving it a wholehearted welcome. It is a first-class new clause and does not need qualifying in any way. It would be niggardly to say that it does not go as far as we want, because it is in effect designed to meet the attempts of the Opposition in Standing Committee to give tenants the right to trigger off a management co-operative or, in other words, take from their public landlord the control of their own housing.

The Minister said in Committee that we were going much too far too fast, and that the Government would consider an ameliorating measure to give tenants some legal authority to demand the setting up of a tenants' management co-operative and require the local authority to respond to that demand. The new clause is a foundation upon which all of us, including the tenants and the National Federation of Housing Co-operatives, can build. We shall watch closely what happens. My hon. Friends and, no doubt, many Government Members will actively ensure that tenants know about their new legal rights, and will make sure that we understand the reasons that authorities may give for turning down legitimate demands by tenants to get control of the management of all or part of their estates.

We applaud the measure. The Opposition do not carry the vote, so the new clause does not go as far as we would have wished. However, we will give the measure 100 per cent. support and do all that we can to make the clause a reality.

I accept what the Minister says about new clause 5. Unfortunately we were not able to discuss the matter in Committee and therefore we have not had the necessary background debate in respect of financial assistance for tenants' organisations. The Minister is quiet right. If new clause 11 is to mean something and to get off the ground,

we need strong, well-motivated and well-resourced tenants' organisations. New clause 5 represents an attempt to raise that issue.

We shall not pursue the matter to a vote. We wanted the issue to be on the agenda so that the Government and their advisers and people outside could see that we consider that it is important. We shall return to the question on future housing legislation. I hope that the Minister will take on board the fact that we are serious about the matter. We were serious about our original proposals in Committee. We understand that our original suggestions about tenants' rights would not really work unless tenants were well resourced and well motivated, and that part of the resources would have to take the form of money.

Unfortunately, because of the financial implications, we had to raise the matter here rather than in the other place. However, we welcome new clause 11 wholeheartedly and we shall ensure that local authorities—whether under Tory, Labour, Liberal or Social Democratic control—are on the receiving end of demands from their tenants to activate their rights under the new clause. If local authorities turn down such demands, we shall want to know why.

Mr. Tony Marlow (Northampton, North): The new clause seems to be worth while and far-reaching. However, as it is an important matter, will my hon. Friend explain precisely what will be involved? As I look at the clause with a non-legal eye, it appears to me that in a group of local authority tenants on a housing estate, if 50 or more such tenants, being at least half of the total, wished to join a qualifying tenants' association, that association could set up its own management, hire and put together its own management organisation and ask the local authority whether it could continue to be managed by the new management rather than the local authority. Alternatively, the tenants could go the whole hog, approach a financial institution, get the cash, ask the institution to back them, and buy, own and manage their own houses and community. Is that what the new clause means?

Mr. John Cartwright (Woolwich): I welcome new clause 11. To be frank, I would have preferred legislation giving tenants clear rights to trigger the opportunity of establishing a co-operative. However, I understand the arguments deployed by the Minister in Committee and realise that that might be too dramatic a leap at the moment. I echo what was said by the hon. Member for Birmingham, Perry Barr (Mr. Rooker). I suspect that some local authorities of all political persuasions may be reluctant to encourage the development of housing co-operatives. It will then be up to those of us who believe passionately in the principle to bring our political muscle to bear on such authorities and try to make them see the importance of encouraging such development.

I also echo what has been said about the need to provide adequate resources. At lunchtime today, some of us had the opportunity to attend a reception in the other place on behalf of housing co-operatives. I talked to a number of rank and file activists who were involved in the development of housing co-operatives. I was struck by the degree of patience that is needed. One cannot simply declare a co-operative and expect everything to fall into place automatically. Some of the people to whom I spoke had spent two years or more in the formative process of developing a co-operative, understanding what is involved, and considering all the ramifications.

As was said in Committee, not just money but time, effort, and energy will have to be invested in encouraging co-operatives and enabling ordinary tenants to take on such responsibilities. The new clause does not go quite as far as I would have liked, but it is an important step along the road. I welcome it.

I also welcome what the Minister said about amendment No. 24. It involved a comparatively small point, but I am grateful to the Minister for accepting that, as drafted, the Bill appeared to run the risk of being unfair to some tenants. They might have been absorbed into some form of housing association and, as a result, have lost a reasonable right to transfer and exchange. I am grateful to the Minister for picking up that point and for dealing with it so fairly. I certainly support new clause 11 and amendment No. 24.

5.30 pm

Mr. John Powley (Norwich, South): Like other hon. Members, I welcome new clause 11. I was the chairman of the first improvement areas committee way back in the 1970s, when that concept was rightly put forward by the Government of the day. Improvement areas committees were set up within the designated areas. We gave them every encouragement and the exercise proved to be very worth while, as I hope and believe this one will be.

Those within an improvement area were enthusiastic. They elected their own chairman and secretary, and came up with ideas that the local authority thought about. I suspect that something similar will happen with tenants' associations. In the case of improvement areas, there was no financial support, or tag. We rightly depended on local effort and will and on local ideas. I believe that we got a very responsible organisation, just as I believe that this time there will be a responsible attitude from those who put in a lot of their own effort, give up their own time and incur perhaps some modest expenditure to be met out of their own pockets. The lack of a financial tag ensures that people use their own initiative instead of allowing the local authority to force something onto them using some financial inducement.

I hope that a tenants' association will not be used by either side as a political weapon, and that party politics will not come into it. I also hope that people will join an association because they believe in the area, in what needs doing in it and in what the local authority could help them to do. Any political interference would tend to undermine the authority and stature of a tenants' association.

I wonder whether my hon. Friend the Minister has given some thought to what would happen if there were owner-occupiers within the area. I think of the possibility of people who had bought their council houses becoming involved in whatever decisions or environment groups were suggested by the tenants' association. They would probably have more stake than anyone else in what was going on in the area. Both have considerable parts to play, but I believe that some thought should be given to the owner-occupiers.

With those few words, I give the new clause a warm welcome.

Mr. Simon Hughes (Southwark and Bermondsey): I have two brief comments to add to those of my hon. Friend

[Mr. Simon Hughes]

the Member for Woolwich (Mr. Cartwright). Hon. Members may remember that my hon. Friend the Member for Liverpool, Mossley Hill (Mr. Alton) introduced the Right to Co-operate Bill under the ten minutes rule. Although the new clause is welcome it goes only half way down that road.

I echo the remarks of those hon. Members who have said that we shall need a right to co-operate. The view is still prevalent that co-operatives are not the best form of management. Recently, I had a long local involvement with a block of properties in my constituency. The block is over the bridge, in Cooper close, just off the Waterloo road. It was under GLC ownership, but ownership recently passed to Southwark council. Despite the goodwill and massive effort of the occupants, some resistance has so far thwarted the attempts of all the block's occupiers to become a co-operative. That has happened despite the fact that the block is ideally suited to such an arrangement. Until we have the right, local authorities will be able to say no, and to reserve the matter entirely to local authority management.

The new clause puts the pressure on, but falls short of achieving the aims of many people. The problem can be solved only by going down the rest of the road quickly.

New clause 5 concerns financial assistance for tenants' organisations. My one caveat about it is that there is a danger in suggesting that there should be a national standard for the amount of money to be provided. That matter should be determined locally. All hon. Members will agree that as non-political, representative bodies, tenants' associations should be able to flourish and prosper. They should be well run and should serve the community well, while at the same time counteracting the power of the landlord. Indeed, that is very necessary, as the landlord normally has all the cards and all the knowledge.

If central Government prescribe the proper amount, a danger arises. Local authority funds for housing should admit of an allocation for tenants' organisations and associations. I hope that we do not allow central Government to decide what should be permitted locally. That is my concern. I fear that the Labour party has a tendency to centralise everything. That tendency is still manifest, and I hope that it will be resisted.

Mr. Chris Smith (Islington, South and Finsbury): As someone who worked for a considerable number of years in the housing co-operative movement before being elected to the House, I warmly welcome new clause 11. It represents a major step in the right direction.

However, I take issue with the hon. Member for Southwark and Bermondsey (Mr. Hughes) over his remarks about the Labour party. My local authority of Islington has many management and ownership co-operatives. They are sponsored by the local authority, frequently in the face of carping criticism from local Social Democrats.

I hope and trust that the Government, and those local authorities that seize the opportunity afforded by new clause 11, will not see it as a cost-cutting or saving exercise. Unless sufficient resources are made available to housing co-operatives to allow them to manage and maintain their properties properly, and unless resources are sufficient to enable them to run as co-operatives—which is certainly no easy task for lay people—co-operatives may not achieve their potential. Consequently, I hope that the Government will not see the provision as a means of cutting expenditure but, rather, as a means of emancipating tenants and giving people the chance to exercise more control over their environment and their housing.

Mr. John Patten: Emancipating tenants and putting people first is exactly what the new clause is all about in this new world of subfusc politics, in which we are all involved.

The debates in Committee on tenants' co-operatives and the short debate today have shown Parliament at its best. Both sides of the House wish to improve the lot of one section of society. The Government have been prepared to go further than they had previously envisaged, but the Opposition have also recognised that although they would like to go further, there may be some sense in not going quite so far this time.

Opposition Members have given due notice that they may wish to go a lot further at a later stage. Indeed, the Government and I also wish to go further. However, we live in a difficult and evolutionary world. Hon. Members on both sides of the House have spoken about the problems of setting up management co-operatives, about the practical difficulties and about the considerable personal commitment that is needed by those involved. We do not know where that evolutionary process will end. It could even end in the sort of thing that my hon. Friend the Member for Northampton, North (Mr. Marlow) mentioned in his brief speech.

I think that new clause 11 and the associated amendments are a step on the way, and I commend them to the House.

Mr. Marlow: If somebody wants to set up an organisation for co-operative management or ownership, and the local authority says that it does not want them to do so, even though it is manifestly the case that the majority of people who live in the community want it to go ahead, is there anything that they will be able to do under this arrangement? If not, is my hon. Friend considering bringing forward further amendments in the other place?

Mr. Patten: I recall that we had quite lengthy debates on that in Committee. I commend what I said during those debates. It will not be possible under this legislation to force a recalcitrant local authority to say yes. However, I am convinced that once the issue is on the political agenda it will be exceptionally difficult for a local authority to say no under any circumstances. I think that we have the balance right and I think that both sides of the House recognise that we have it right for 1986. That is not to say that in 1989, 1992 or whenever, some future Government might not think that we have to go much further in many directions, all of which have been referred to during this useful short debate. With those words, I commend the new clause and the associated amendments to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 14

TRANSITIONAL

'(1) Until the end of the transitional period—

(a) no offence is committed under section 58H of the Town and Country Planning Act 1971; and

(b) no hazardous substances contravention notice may be issued, in relation to a hazardous substance which is on, under or over any land.

if at any time within the establishment period the substance was present on, under or over the land in a quantity not less in aggregate than the controlled quantity.

(2) Where a hazardous substance was present on, under or over any land at any time within the establishement period, hazardous substances consent may be claimed in respect of its presence.

(3) A claim shall be made in the prescribed form before the end of the transitional period and shall contain the prescribed information as to the presence of the substance during the establishment period.

(4) Subject to subsections (5) to (7) below, the hazardous substances authority shall be deemed to have granted any hazardous substances consent which is claimed under subsection (2) above.

(5) If at the commencement date notification in respect of the substance was required by Notification Regulations, hazardous substances consent is only to be deemed to be granted under this section if notification in respect of the substance was given before that date in accordance with those regulations.

(6) If at the commencement date such notification was not so required, hazardous substances consent is only to be deemed to be granted under this section if an aggregate quantity of the substance not less than the controlled quantity was present at any one time within the establishement period.

(7) If it appears to the hazardous substances authority that a claim for hazardous substances consent does not comply with subsection (3) above, it shall be their duty, before the end of the period of two weeks from their receipt of the claim,—

(a) to notify the claimant that in their opinion the claim is invalid; and

(b) to give him their reasons for that opinion.

(8) Hazardous substances consent which is deemed to be granted under this section is subject to the conditions that—

(a) the maximum aggregate quantity of the substance that may be present—

(i) on, under or over the land to which the claim relates;

(ii) on, under of over other land which is within 500 metres of it and controlled by the same person; or

(iii) in or on a structure controlled by the same person any part of which is within 500 metres of it,

at any time shall not exceed the maximum establishment amount; and

(b) the substance shall be kept and used in the manner in which it was kept and used immediately before the commencement date.

(9) In this section—

"commencement date" means the date on which this Part of this Act comes into force;

"the establishment period" means the period of 6 months immediately preceding the commencement date;

"maximum established amount" means, in relation to any land—

(a) where before the commencement date there has been a notification in respect respect of a substance in accordance with Notification Regulations, the quantity notified or last notified before the commencement date;

(b) where such a notification was not so required, the maximum quantity which was present on, under or over the land at any one time within the establishment period;

"Notification Regulations" means the Notification of Installations Handling Hazardous Substances Regulations 1982 or any regulations amending or replacing them;

"the transitional period" means the period of 6 months beginning with the commencement date;

and other expressions have the same meanings as in the Town and Country Planning Act 1971.'.—*[Mr. Tracey.]*

Brought up, and read the First Time.

The Parliamentary Under-Secretary of State for the Environment (Mr. Richard Tracey): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government new clause 15 and Government amendments Nos. 73 and 82.

Mr. Tracey: New clause 14 would replace clause 20, which contains transitional provisions for the granting of hazardous substances consent in respect of land where hazardous substances are already being used. At the outset I should like to emphasise that the provisions of part IV are not intended to be confiscatory. Where a hazardous substance is lawfully being kept or used prior to the day on which these provisions come into force, it should, in principle, be allowed to continue to be kept or used in the same manner after that day. The Bill is intended to control new uses of such substances and increases in existing uses. Therefore, it is necessary to identify from the outset what is the entitlement of existing operators to keep or use any particular substance on their land. The function of clause 20 is to establish that initial entitlement.

My hon. Friend the Member for Norwich, South (Mr. Powley) suggested in Committee that the existing clause is inadequate in a number of respects, and similar points have been put to us by the Confederation of British Industry. We are grateful for the representations made by my hon. Friend and by the CBI. Clause 20 as it stands would require existing operators to apply for hazardous substances consent. If the application is refused, compensation would be payable.

This provision would impose a considerable burden on industry, which would have to make the case for retaining hazardous substances at each of the 2,000 or so sites where they are currently being kept or used. It would require hazardous substances authorities to consider whether to grant consent, which, in spite of the compensation provision, would inevitably open up questions about whether established uses of hazardous substances should be allowed to continue.

5.45 pm

I realise that there is an argument that authorities should be able to consider whether to discontinue the use of hazardous substances. The House will know, however, that local planning authorities already have power under section 51 of the Town and Country Planning Act 1971 to order the discontinuance of use subject to a liability to pay compensation. Hazardous substances authorities will have power under section 58(F) to revoke hazardous substances consent, similarly subject to a liability to pay compensation. Therefore, authorities already have general powers to reconsider any use of land involving the presence of a hazardous substance. They do not need the power to consider and refuse consent under clause 20 as it stands. To give them such a power would simply create uncertainty for industry.

It is because of those criticisms that we have introduced the new clause in place of clause 20. Under the new clause, existing operators will be able to claim entitlement to hazardous substances consent and, unless the claim is

[Mr. Tracey]

invalid, consent will be deemed to be granted when a claim is made. That will be a much simpler and more certain provision than the existing clause. I hope that it meets most of the points to which my hon. Friend the Member for Norwich, South drew attention in committee.

I shall not detain the House by describing the new clause in great detail. It provides for a six-month period of grace during which claims may be made. The form of claim will be prescribed in regulations. Although the details of the regulations will require careful consideration, our intention is to require only straightforward factual information about matters such as the area of land and the quantity of the substance to which the claim relates and the manner in which the substance is kept or used.

Where the substance is notifiable to the Health and Safety Executive under the Notification of Installations Handling Hazardous Substances Regulations 1982, consent will be deemed to be granted for the amount of substance last notified. In other cases, the consent will be deemed to be granted for the maximum amount that was present on the land in the six months preceding the commencement. In both cases the deemed consent will be subject to a condition that the substance shall be kept and used in the same manner as immediately before the commencement date. Those standard conditions, which are set out in subsection (8), are similar to those in the existing clause.

I said that I did not wish to detain the House. However, I want to pay tribute to my hon. Friend the Member for Norwich, South and say how grateful we are to him for having raised this matter in Committee and for drawing our attention to the problems that are caused by clause 20. It has led us to reconsider the clause and come up with a proposal which is both simpler and less burdensome for operators and authorities alike.

Mr. Powley: I express my grateful thanks to my hon. Friend the Minister for the care and trouble that he has taken to meet the points that were raised by the CBI and myself. I am grateful for the new clause and for the more flexible attitude that has been taken to the problems that we outlined to him.

I have one slight reservation about the six-month period, which I hope my hon. Friend will take into account. He will be aware of the number of companies and the number of applications that will need to be made. One must consider the existing burden on the planning departments of many local authorities because of the other planning applications with which they have to deal and the pressure which they are under from those who make the applications. I hope that companies will make their applications within the period, but if some delays occur for administrative reasons, I hope that those circumstances will be taken into account and that firms will not be penalised for something which is no fault of their own.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 15

Transitional

'(1) Until the end of the transitional period—

(a) no offence is committed under section 56K of the Town and Country Planning (Scotland) Act 1972; and

(b) no hazardous substances contravention notice may be issued, in relation to a hazardous substance which is on, under or over any land,

if at any time within the establishment period the substance was present on, under or over the land in a quantity not less in aggregate than the controlled quantity.

(2) Where a hazardous substance was present on, under or over any land at any time within the establishement period, hazardous substances consent may be claimed in respect of its presence.

(3) A claim shall be made in the prescribed form before the end of the transitional period and shall contain the prescribed information as to the presence of the substance during the establishment period.

(4) Subject to subsections (5) to (7) below, the planning authority shall be deemed to have granted any hazardous substances consent which is claimed under subsection (2) above.

(5) If at the commencement date notification in respect of the substance was required by Notification Regulations, hazardous substances consent is only to be deemed to be granted under this section if notification in respect of the substance was given before that date in accordance with those regulations.

(6) If at the commencement date such notification was not so required, hazardous substances consent is only to be deemed to be granted under this section if an aggregate quantity of the substance not less than the controlled quantity was present at any one time within the establishment period.

(7) If it appears to the planning authority that a claim for hazardous substances consent does not comply with subsection (3) above, it shall be their duty, before the end of the period of two weeks from their receipt of the claim,—

(a) to notify the claimant that in their opinion the claim is invalid; and

(b) to give him their reasons for that opinion.

(8) Hazardous substances consent which is deemed to be granted under this section is subject to the conditions that—

(a) the maximum aggregate quantity of the substance that may be present—

(i) on, under or over the land to which the claim relates;

(ii) on, under or over other land which is within 500 metres of it and controlled by the same person; or

(iii) in or on a structure controlled by the same person any part of which is within 500 metres of it,

at anyone time shall not exceed the maximum established amount and

(b) the substance shall be kept and used in the manner in which it was kept and used immediately before the commencement date.

(9) In this section—

"commencement date" means the date on which this Part of this Act comes into force;

"the establishment period" means the period of 6 months immediately preceding the commencement date;

"maximum established amount" means, in relation to any land—

(a) where before the commencement date there has been a notification in respect of a substance in accordance with Notification Regulations, the quantity notified or last notified before the commencement date;

(b) where such a notification was not so required, the maximum quantity which was present on, under or over the land at any one time within the establishment period;

"Notification Regulations" means the Notification of Installations Handling Hazardous Substances Regulations 1982 or any regulations amending or replacing them;

"the transitional period" means the period of 6 months beginning with the commencement date;

and other expressions have the same meaning as in the Town and Country Planning (Scotland) Act 1972.'.—*[Mr. Tracey.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

RIGHT TO RENT

'(1) Any person who has been registered on the housing waiting list of a local authority for more than one year shall have the right to occupy any vacant dwelling house owned by that authority which has been vacant and available for letting for a continuous period of at least six months.

(2) The first prospective occupier who gives notice in writing shall be regarded by the authority as the tenant of the dwelling house and shall be liable for such reasonable charges as the authority may determine.'.—*[Mr. Rooker.]*

Brought up, and read the First time.

Mr. Rooker: I beg to move, That the clause be read a Second time.

The clause gives to any person who is on a local authority housing waiting list for more than one year and who can find any vacant dwelling house owned by that authority which has been vacant and available for letting for a continuous period of at least six months the right to move in and make their home in that dwelling house. If necessary, those people will have to give notice in writing to the authority and pay such reasonable charges as the authority may determine for rent.

Throughout the proceedings on the Bill, the Opposition have not and will not move any amendment or new clause which we would not be prepared to move in government. That is a warning not to the Government but to those outside this House, the local authorities. We seriously intend to do something about the outrageous scandal of empty housing. That scandal transcends the local authorities. The new clause relates strictly to local authorities because of the necessary constraints of the Bill.

The last occasion when the matter was dealt with was in the necessary collection of information in April 1985. The information was supplied to me in a written answer on 19 December 1985. It revealed that, although local authorities at that time had 109,000 empty dwellings, there were still 500,000 empty houses in the private sector and there were 19,000 properties which were empty and were owned and controlled by the Government in the public sector.

The Audit Commission's latest report on the management of council housing contains a breakdown of the reasons why these properties are empty. The Opposition accept that there are many reasons for properties being empty — reasons of flexibility, movement, the need for demolition, and repair. However, in March 1984—the date used by the Audit Commission —there were a total of 113,000 empty dwellings. Of that figure 26,000 had been empty for more than a year. Of that 113,000, no fewer than 27,700 were actually available for letting on the local authorities' own admission. Of that 27,700, some 1,900 had been empty and available for letting for more than a year. That figure was not dreamt up by me, by a pressure group or by the Government. That figure appeared on the local authorities' returns for their housing investment allocation bids. That is the figure used by the Audit Commission.

The Audit Commission stresses that it is quite normal, when owner-occupied dwellings become empty, for someone to move out in the morning and someone else to move in that afternoon. That is a normal activity. As I said on Second Reading, it is scandalous that when local authority dwellings become empty someone must go into those dwellings to normalise them, which means that the previous tenants' improvements to the property are ripped out to make all the properties the same. The local authorities which practise that kind of management should know better and I hope that the Audit Commission will sort them out. Someone must sort them out, as the Government clearly are not doing that. I hope that the Audit Commission's proposals on that part of its report are taken seriously.

The Audit Commission modestly proposes that the re-let period should be no more than three weeks. We all know that the average period is a lot longer than that. There could be many improvements in management to help the process of re-letting and not all of those cost money. It is not simply a matter of finance, although I accept that in some areas and properties there is a problem about resources.

I cannot avoid the fact that there are so many properties available for letting. That is not my phrase, that is the phrase used by the local authorities. They say that 1,900 dwellings are available for letting and have been so for more than a year.

Mr. Marlow *rose*——

Mr. Rooker: The new clause makes it clear that tenants and applicants on the waiting list should have a right to property available for re-letting after six months. We could thereby end the period for which authorities keep empty property. I shall not name the authorities involved as we wish to make progress but I shall raise the matter. We all know which authorities are involved.

If the Government accept new clause 1, that would be a considerable step forward towards ending the scandal of empty properties. Having accepted new clause 1—as I hope the Government will—we could continue to deal with the empty properties owned by the Government and those in the private sector. The policy that keeps those properties empty prevents people from having homes. The Opposition want to make a start to correct that position and that is why I am moving new clause 1 in the hope that the House will approve it.

Mr. Marlow: I find the Opposition's new clause very attractive and it has been well argued. However, can the hon. Member for Birmingham, Perry Barr (Mr. Rooker) tell me what he means by "available for letting"? The hon. Gentleman gave various figures but it seems to me that there are many houses that could be available for letting which might not at present be defined as "available for letting". I would like to know what the hon. Gentleman's definition of "available for letting" is.

I would like to add a few more figures to those put forward by the hon. Gentleman. The Audit Commission's report is excellent and one of the best that I have seen on the subject. It states that the average period before a re-let in the shire districts is just under 10 weeks. That period in the metropolitan districts is about 13½ weeks and the period in inner London for some peculiar reason is more than four months.

Obviously, if the process of re-letting can be done relatively quickly in some parts of the country, for example in the metropolitan districts, why can it not be done more quickly in inner London? I am sure that the hon. Member for Perry Barr and the Government have addressed themselves to these questions.

Mr. Cartwright: I support the new clause. The way in which it was moved was a much-needed warning shot

[Mr. Cartwright]

across the bows of the local authorities concerned. However, there are some obvious problems about the drafting of the new clause which must be resolved before it reaches the statute book.

The hon. Member for Northampton, North (Mr. Marlow) identified one of the problems. "Available for letting" is a term of art in terms of housing management. The difficulty in my constituency about many of the properties which stand empty for week after week and month after month is that when I investigate these cases I find that the properties are not technically "available for letting". These properties are awaiting a certain amount of redecoration or repair and are not available for letting in the local authority sense. Many of my constituents on the waiting list would happily move into those properties and carry out the decorating and repair work themselves if it were not for the restrictions that stop them doing so.

There is also a problem about allowing the first prospective occupier who puts his name forward to take the property. Although I do not like the bureaucratic rationing that flows from some local authority allocation policies, we must have some regard to family size and need. Simply to allow a single person or childless couple to take the first three-bedroomed house that becomes available is wrong and poses practical problems. We must address the problem of local authority bureaucracy.

Many of us have found that one of the difficulties is that there are so many different local authority departments involved in housing. A property might fall empty and the estate management team must then examine the property to find out what work needs doing. In my local authority, that means that the property must be referred to the department of architectural and engineering services, which examines the property again. If there is work to be done, that department refers the property to the works department to carry out the work. By that time the property has been empty for months and someone climbs into the property and vandalises it. The process of repair is then suspended for a year as there has been major destruction, fires and vandalism in the property. The result is that the authority must go out to tender for a major reconstruction job.

I endorse what the hon. Member for Birmingham, Perry Barr (Mr. Rooker) said. If the private sector can move so much more quickly to turn around empty property because the meter is ticking and it is losing money, why should the same approach not be applied to local government?

I endorse the aims of the new clause but I have some doubts about its terminology and language.

6 pm

Mr. Powley: I can see some practical and administrative difficulties in the new clause, and no doubt my hon. Friend the Minister will have something to say about that when he replies. The number of empty properties in any local authority has always caused me great anxiety. When I was chairman of a housing committee, I always tried to ensure that the number of empty properties was kept to a minimum.

I was staggered to find that at the end of last year Norwich city council had 652 empty council houses on its books. I am quoting the latest figures that have been made available to me. The hon. Member for Birmingham, Perry Barr (Mr. Rooker) has put a period of six months in his new clause. Norwich city council's report of October 1984 shows that 156 properties had been empty for longer than six months. In March 1985 that had gone down a little to 120 properties, but by September 1985, the latest figure that I have, 170 properties had been empty in Norwich for longer than six months. That is a disgrace.

I can see that there will be some problems. As the hon. Member for Woolwich (Mr. Cartwright) rightly said—he has great experience, as I am sure do other hon. Members—it is exceedingly easy for any local authority to say that a property that has been empty for some considerable time is not ready for letting for some reason. The front door could easily be taken off, or the fuses taken out of the fuse box, so that the local authority could say that a property was uninhabitable, and it would be right. Unfortunately, some local authorities might seek by such means to prevent a dwelling from coming within the legislation.

I hope that the spirit of the new clause will engender the enthusiasm and the will to put empty properties back on to the market. I suspect that many hon. Members on both sides of the House will confirm from their experience in their surgeries that people who have been on the waiting list for a long time say that if only they could have a property they would do it up themselves at their own cost.

I shall listen to the arguments put forward by my hon. Friend the Minister, but that may be a way of getting that disgraceful number of 170 properties in Norwich back on to the market so that those who are in genuine housing need and have the will and ability to do the necessary work for themselves can be housed. That will ultimately benefit them and the rest of the local authority.

I give the new clause a warm welcome, but I am interested in the technical problems and I am sure that there are some that better minds than mine have thought of. With that proviso, I make those points in support of the new clause.

Mr. Simon Hughes: The hon. Member for Norwich, South (Mr. Powley) referred to 176 empty properties. Since I was elected, my borough has had at all times about 4,000 empty properties, and that is from a housing stock of between 60,000 and 65,000. Despite the massive public awareness of the problem, the massive public pressure on the local authority to do something about it, and the massive repetition of the point which all hon. Members have made that week after week people say that they will do any necessary work, there has been bureaucratic resistance to letting go of the bureaucracy which impedes letting and reletting.

The hon. Member for Birmingham, Perry Barr (Mr. Rooker), whose sincerity I do not question, put forward a solution. I share with my hon. Friend the Member for Woolwich (Mr. Cartwright) some scepticism. The hon. Member for Bootle (Mr. Roberts) and I, and possibly others, have introduced Bills to deal with the problem of empty property in the public and private sectors. There must be a mechanism whereby people can exercise the right, against the local authority that is compatible with their housing need and with their position on the housing list. This last requirement is necessary, because without it the position becomes anarchic.

The terrible problem at the moment — the hon. Member for Norwich referred to it in part—is that if there are a huge number of empty properties, for example, 4,000, with an annual loss of rent and rates of £6 million,

as there is in my borough of Southwark, that leads to squatting and then legal proceedings are needed which eventually get people out, after which the properties are left in a terrible state. They are then promptly squatted again.

If the system worked on the basis, not as the hon. Member for Perry Barr said, but whereby there was an estate agency principle for those properties that are clearly hard to let—for example, the top floors of tower blocks in my constituency—flats on these floors could be let to nurses, medical students or students, for example from Guy's hospital or the Polytechnic of the South Bank or to young single people. They could go the housing office and see what was available, put in a bid and provided that they were on the list and priority when dealt with in a fair way, they would be entitled to take up that tenancy. They could either do the work later themselves, or the local authority could do it, but clearly they would not have to wait to take over the property until the series of different local council departmental responsibilities had been either in theory or in practice carried out.

The hon. Member for Perry Barr would probably accept that there is a technical difficulty about the first prospective occupier giving notice in writing. Clearly, that produces a sudden flurry of paper, and the first paper to land on a desk would entitle that person to the tenancy.

What is salutary about the clause is that it makes it clear that there is rarely any excuse—and less in the public than in the private sector—for keeping empty a public asset, destined for housing those in need and those who ask to be housed. But as the problem is more widespread in the private sector, where there are over 500,000 empty properties, we must address that too.

We should be able, through Parliament and local government, to deal with the problem in the public sector. As the hon. Member for Perry Barr and others well know, those who manage their housing stock badly, with massive amounts of empty properties, are more and more paying the penalty for that in simple electoral terms. Without going over the top, I predict that several seats will be lost by the controlling Labour group in Southwark to my colleagues next month, not least because of Labour's failure in Southwark to let empty properties to those in need. People cannot understand how any authority of any colour, which has a reputation and tradition of empty housing, is carrying out its housing duties and responsibilities.

I hope that this message will be well heeded and that local authorities of all colours, particularly the most culpable Labour authorities in London, will respond quickly. Otherwise, they will continue to be in great dereliction of their duties.

Mr. Richard Shepherd (Aldridge, Brownhills): The hon. Member for Birmingham, Perry Barr (Mr. Rooker) put fairly what most hon. Members on both sides of the House feel about the appalling mismanagement in certain cases of the allocation of council houses.

The hon. Gentleman referred to the Audit Commission's report. That is a rather inspiring document, because there comes out of it some form of hope. The hon. Gentleman could have cited the fact that if the current national average relet period were to be reduced by two and a half weeks—the Audit Commission is of the opinion that that should be readily achievable by comparing the performance of the best 25 per cent. of authorities of all types with the rest—an additional 20,000 houses would immediately become available.

I know that it is easy enough wih every amendment that is tabled to say that there are insuperable difficulties or that the wording is not quite right and that the problem could be addressed in another way, but I urge my hon. Friend the Minister, who I know shares our anxiety about the large number of houses not immediately available for letting, to accept that there must be a way of tackling this. We look to the Minister in the hope that he is able to say that the Government will act to encourage councils, with much more force than they do at present, to make available houses for reletting more rapidly.

Mr. John Patten: This has been an interesting debate. I do not wish to harm the hon. Member for Birmingham, Perry Barr (Mr. Rooker) in any way, but I greatly admired what he said. He got the debate off to a cracking start.

We all agree that those responsible for public sector dwellings—local authorities or central Government—are doing a disservice to those who need homes by keeping such dwellings empty. I commend the hon. Member for Perry Barr, who gave a free-ranging, non-party political analysis of the situation.

We must approach the debate on two levels. The first is the scandal of empty public sector properties, which we all deplore. I shall not go on about it any more, as the problem has been illustrated all too clearly by the hon. Member for Perry Barr, by my hon. Friends and by the speeches of alliance Members. We must decide whether the new clause will help solve that particular problem.

If the hon. Member for Perry Barr and his hon. Friends, and the Members of the Liberal party and the SDP, are saying that we should isolate those councils which cannot manage their own stock and take some swift dirigiste measures to ensure that their stocks are managed better, I find that, personally and politically, extremely appealing. Somewhere down the line one must draw the line on inept and hopeless management. Exactly how one does that is the problem.

Because of my centralising tendencies, I should like to do something much more vigorous about waste that harms society. I should like to do something much more radical about the scandal of empty public sector dwellings than we have done so far. I do not wish to be bureaucratic and boringly ministerial and say that there are many practical difficulties about the way in which the clause is drafted.

Mr. Rooker: The hon. Gentleman is going to.

Mr. Patten: Seven years in this place have given me sharper hearing than I used to have and, as the hon. Member for Perry Barr has just said, sotto voce, yes, I am going to.

I do not think that the clause would work, as it would be bad law. It is not our job in the House to pass bad laws in the pursuit of good ends. The new clause attempts to force the hands of councils to get something done. The clause refers to "any person" or "any vacant dwelling house". I am sure that no one in this House would intend that a single person should suddenly become the tenant of a four-bedroomed house and the needs of a married couple, with three children, who have been on the waiting list for 10 years, should be overtaken. Who is to say when

[Mr. Patten]

an empty dwelling which is to be occupied should become available for letting? There are considerable problems of definition.

How would the person on the waiting list stake his claim? The hon. Member for Southwark and Bermondsey (Mr. Hughes) had some interesting thoughts on how claims might be staked, and I shall certainly consider them, but how can such claims be dealt with ahead of people who have been on the waiting list for years?

The clause as drafted would introduce a random element of legalised squatting, and I do not think that that is the right way to ensure that local authorities act with determination to get rid of voids. The Government have made clear their concern about empty public sector dwellings. In July 1985 the Government sent a circular to all local authorities on how to manage their stocks better. Good local authorities of all political colours have followed that advice and are managing their stocks better. When local authorities fail to do so, it is due to a lack of political will, managerial incompetence or a combination of the two.

I do not believe that the new clause will help to solve the problem, and in some ways it could make certain problems worse. I entirely applaud the spirit in which the hon. Member for Perry Barr moved the new clause. I also appreciate the thought which my hon. Friends and hon. Members of the alliance parties have given to the matter. Alas, for reasons that I have given, I do not feel that we can accept the new clause. The all-party message is clear to those councils which keep empty flats and houses.

Mr. Marlow: Will my hon. Friend consider the possibility of bringing forward amendments in another place to bring about some of the intentions which have been mentioned in the House this evening?

Mr. Patten: I had not given way but had, in fact, finished my peroration—on a rather elegant and forceful note. My hon. Friend has caught me out before like this, and I suppose that he will carry on catching me out in this way. I think that it would be difficult to draft any amendments within the framework of the Bill which would make homesteading, or legalised squatting—if that is what my hon. Friend means—possible.

6.15 pm

If my hon. Friend is asking me to go very much further in a root and branch reform of the way in which local councils address the problems of empty dwellings and for the Government to offer help or coercion to make sure that they are filled, that is a much bigger task than we could hope to achieve in the Bill at this stage. However, I am sure that all local councils are now on watch. I am sure that the hon. Member for Bootle (Mr. Roberts), now that I am finally about to sit down, will agree entirely with what I have said.

Mr. Allan Roberts (Bootle): Surprise, surprise, I do not agree entirely with what the Minister has said. I find the Minister's approach to local government typical of the Government's approach. Either the local authority does as it should do, or as the Government think it should do, or the Government will interfere.

The Minister spoke about his centralising tendencies. I hope that the new clause, which has been tabled by the Labour party, will be the hallmark of our method, when we form a Labour Government, of dealing with the problems that are faced when local authorities do not manage their properties well or do not provide the standards that we expect.

The Labour party's approach is to give rights to residents, voters and tenants to demand action or to take action. The pressure would not come from Whitehall and Westminster under the syndrome of "Whitehall and Westminster know best", but legislation would be provided which would put the pressure the other way. Action could be taken through the ballot box, and by individuals and community groups of electors, tenants and residents, and in that way these things could and would be put right. The clause has been tabled on that basis. We are not giving people the right to jump the queue for the houses which are available for people in need. People would not be able to jump in and obtain houses available for letting in advance of their turn as suggested by the hon. Member for Woolwich (Mr. Cartwright) but would obtain houses which had been standing empty for over six months.

There are 668,000 empty homes in Britain and 105,745 of the stock—2·4 per cent.—are local authority stock. The clause is concerned, not with all those properties standing empty, which include the vast majority available for letting, but with the percentage of that figure which have been empty for more than six months or perhaps for more than 12 months.

The hon. Member for Norwich, South (Mr. Powley) discussed the record of Norwich, but it has a good record compared with many other local authorities. The number of empty houses in Norwich represents 2·7 per cent of its stock, which is below the national average, and it has only 50 properties which have been empty for more than a year. It is those 50 or 100—if one takes the six-month period which is included in the clause — with which the legislation would deal. It is those properties which stand empty unnecessarily, not those which are empty but available for letting, which we wish to give homeless people or those in housing need the right to occupy.

We do not want to give the impression that it is just the local authority sector which is at fault. In fact, 3·2 per cent. of the stock of housing associations is standing empty. According to the Department of the Environment's housing investment programme returns, the amount of privately rented stock that is standing empty is 0·6 per cent. The amount of privately owned property which is available for rent but which has been standing empty for a very long time is much greater than it is in the public rented sector.

Mr. John Patten: I do not seek to defend the Government's reputation, but housing associations purchase and refurbish housing stock for later occupancy by their tenants. The houses and flats which they purchase are caught up in those figures when they are being rehabilitated.

Mr. Roberts: I do not deny that fact, just as I hope that the Minister will not deny that the city of Manchester, which was referred to in the debate on 22 April, has 2,272 properties standing empty and available for letting and that 1,932 of the properties that were included in the figure that he vilified in our recent debate are in exactly the same position. They are void and awaiting demolition or

modernisation. If we are to be fair to the housing associations, we must also be fair to the local authorities, including the city of Manchester.

According to the HIP returns, 6·1 per cent. of public sector property that is managed by the Property Services Agency is standing empty. It needs to get its house in order. There are many myths about empty property. If one does not know what lies behind the figures, one cannot understand them. That does not excuse the fact that many public sector properties are standing empty, although they could be occupied, and they would be occupied if this clause was included in the Bill. The clause is imperfect and could not be implemented as it stands, but I ask the Minister to examine it. He has been flexible on previous occasions. I hope that he will agree to introduce a clause in the other place that will deal with this problem.

There are 40,000 people in short-life housing schemes. Many local authority and housing association properties would be standing empty if local authorities and housing associations had not done something about it. They have implemented the effect of this clause, although it is not included in the Bill. Many progressive and radical local authorities and housing associations have repaired properties that were standing empty and let them on licence. The Audit Commission estimates that 20,000 additional dwellings could be brought into use if a clause of this kind were included in the Bill.

The Minister and the Government make much of the fact that empty properties are standing empty. They have every right to do so, but they do not have the right to say that, because properties are standing empty, that justifies their decision not to build new houses. The Opposition agree that it is a scandal that properties are standing empty unnecessarily. They agree that 20,000 properties should be brought into use. However, that is no justification for not building new council houses and modernising older council houses and making money available to deal with the housing crisis that faces this country.

Question put and negatived.

New Clause 3

LEASEHOLD FLATS

'(1) The Secretary of State shall by regulation give effect to recommendations contained in the Report of the Committee of Inquiry on the Management of Privately Owned Blocks of Flats (the Nugee Report) and such other matters as are complementary thereto.

(2) The regulations referred to in the previous subsection shall attend to the following matters—

(a) landlord's name and address;
(b) service of notices;
(c) agents' accountability to the landlord and the use of a receiver and manager;
(d) appointment of managing agents and level of management fees;
(e) management by registered housing associations;
(f) application of minimum standards to blocks of flats;
(g) end of economic life of blocks of flats;
(h) service charges and sections 18 to 30 of the Landlord and Tenant Act 1985;
(i) reserve and sinking funds;
(j) insurance;
(k) variation of unsatisfactory leases;
(l) resolution of disputes;
(m) residents' associations;
(n) tenants collective rights of first refusal and right to buy.

(3) The regulations referred to in this section shall be brought into force within 12 months of the passing of this Act.'.—*[Mr. Fraser.]*

Brought up, and read the First time.

Mr. John Fraser (Norwood): I beg to move, That the clause be read a Second time.

On Second Reading, the Opposition said that we would give every possible assistance to the Government in order to put into legislative form the recommendations of the Nugee committee on the management of leasehold flats. That remains our view. This clause is the last opportunity for the Government to accept our offer, although it would mean legislating by statutory instrument.

I realise that, since the new clause was originally conceived and put down for consideration in Committee, the Government have said that they will implement Nugee in primary legislation next Session. We welcome that statement and the fact that the Government say that they will go further than Nugee and enable leaseholders collectively to acquire the freehold of a block of flats, if the landlord neglects his responsibilities. So far, so good: there is no great disagreement.

However, the Opposition want even more than Nugee. It is important that leaseholders of flats should have the right to extend their leases in the same way as that right was given to leaseholders of houses under the Housing Subsidies Act 1967. Leaseholders of flats whose leases have 50 years or less to run find that they have a diminishing asset. It is difficult to obtain mortgages on such flats. That is not good either for individuals or for the state of the housing stock.

Secondly, we do not believe that the right collectively to acquire the freehold should depend upon neglect by the landlord. The 1967 Act did not say that a precondition of enfranchisement should be the behaviour of the landlord. Many good freeholders manage leasehold estates. Dulwich college in my constituency is one example. That has never been an argument against the right of enfranchisement. The enfranchisement principle ought to proceed rapidly into law for both flats and houses. We shall expedite the passage of the Bill in the next Session of Parliament, but we shall want it to go further than even Nugee or the Government's response.

Mr. Alfred Dubs (Battersea): I appreciate that the Minister will say that he does not like such major matters to be the subject of delegated legislation, and I sympathise with his view. However, he will appreciate that there is widespread concern about the matter. Since I introduced my Ten-minute Bill on this subject, I have received many letters from all over the country. People are absolutely desperate that the difficulties in which they find themselves should be quickly remedied by legislation.

I wish that the Government had taken note of the widespread feeling in the country. The Government support the Nugee report, but I hope that we can press them to go considerably further. Many leaseholders feel that the conditions are absolutely intolerable. The Government ought to have delayed this Bill a little longer in order to introduce the necessary measures to give effect to Nugee now, instead of making people wait for another year or more. Even at this late stage, I hope that the Government will say that they will consider what they can do and that, if necessary, they will introduce an amendment in another place. The Opposition would support such a move. As the will is there, why cannot the Government do it, even at this late hour?

Mr. Simon Hughes: I support the new clause. The Nugee committee did a good job. It made a comprehensive list of recommendations. This sector has been considerably neglected. People have great difficulty in gaining control over either their long-term or their short-term destiny.

The Secretary of State's written answer to the hon. Member for Westminster, North (Mr. Wheeler) provides a general outline of the Government's commitment to the recommendations of the Nugee report. Between now and the beginning of the next Session, I ask the Minister to examine whether some of the other recommendations can be included and whether the suggestions that this new clause contains can be taken on board. If it would be helpful, all parties could contribute to the discussion in the light of the recommendations and the Government's initial response. I am sure that the Minister wishes to maximise the impact of the legislation next year for the good of those in the private sector who will benefit enormously if Nugee, or even Nugee-plus, is implemented within a year from now.

Mr. John Patten: I am in some difficulty over this new clause. I applaud its general drift and recognise that it reflects an all-party feeling that something must be done as quickly as possible for those in private leasehold blocks of flats.

However, I believe it is right that the hon. Gentleman the Member for Norwood (Mr. John Fraser) should remind us that there are good landlords and managing agents who do a good job. I apologise to the hon. Gentleman. When he made his generous offer on behalf of the Labour Party, yesterday during Question Time, to assist with the passage of the Nugee recommendations through legislation, I thanked him for his offer of collaboration. I hope that was an uncharacteristic slip of the tongue; I meant to thank him for his co-operation. I do not suspect the hon. Gentleman ever of wishing to collaborate with the Conservative party.

6.30 pm

I was in the House to hear the speech that the hon. Gentleman the Member for Battersea (Mr. Dubbs) made on his ten-minute Bill. It is clear that members of the alliance and the Labour party and on this side of the House want to do something, but unfortunately a lot of detailed work must be done. I am not being bureaucratic or ministerial about this; I simply do not believe that putting Nugee-plus into effect in the way suggested will produce anything like good law; it will produce hopeless and muddled law. We must discuss the detail of some of these proposals much more with the interested parties. For example, the proposal to appoint a receiver and manager for the operation of the right of first refusal and the variation of defective leases raise intricate issues indeed that require careful drafting.

Other points raised by the Nugee committee's report touch on matters outside the direct sphere of housing and my responsibilities. For example, the setting up of trust funds and sinking funds to deal with service charges raises complicated and difficult issues, as does the issue of insurance for these large blocks of flats. Many of the issues have implications for the rights and duties of landlord and tenant respectively, and they actually involve major changes to the landlord and tenant law. On some of the items listed as matters to be included in the regulations in the new clause—for example, the treatment of blocks of flats at the end of their economic life — the Nugee committee made no specific recommendations, except to tell the Government to do something, but not how to do it. Until further work has been done, it is not possible to determine how far it will be practicable or desirable to implement the proposals by means of secondary legislation, which I do not believe would do the job well. Indeed, there is a risk that the enabling power would turn out to be inadequate to achieve what is needed.

Recognising as I do the urgency of the situation, and the all-party will in the House to do something as quickly as possible, I think that this is the right way to do it. I wish that we could introduce legislation this Session but, without anticipating the Queen's Speech, I fear that we will not be able to do so. I hope that we can do something as soon as possible.

Question put and negatived.

New Clause 6

REPEAL OF SECTION 2 OF THE REDUNDANT CHURCHES AND OTHER RELIGIOUS BUILDINGS ACT

'Section 2 of the Redundant Churches and other Religious Buildings Act 1969 shall be repealed.'—*[Mr. Freeman.]*

Brought up, and read the First time.

Mr. Roger Freeman (Kettering): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take amendment No. 98, in schedule 6, page 118, line 5, at end insert—

'(2A) Section 56(1)*(a)* of the Town and Country Planning Act 1971 shall cease to have effect.'.

Mr. Freeman: I am conscious that we are now moving to a debate not about people's houses and their right to leaseholds or freeholds, but rather about the issue of the preservation of churches of outstanding architectural merit. Although this is a different subject, I do not believe that it is in any way less important than the other issues that we have been debating this afternoon. My new clause repeals section 2 of the Redundant Churches and Other Religious Buildings Act 1969. Since 1969, that provision has permitted the Anglican Church alone to demolish listed redundant churches without seeking listed building consent.

The Anglican Church is therefore in a unique position in relation to the other denominations. Having passed through all the excellent steps in the Pastoral Measure of 1983, which is currently in force, and having considered alternative uses for a church no longer in use, if the Church decides that the building should be demolished, irrespective of the fact that it is listed as a building of outstanding architectural merit, the Church alone has the right in the end to decide the fate of that building and, indeed, to demolish it.

The new clause is designed to correct that anomaly and, at the end of that excellent procedure contained in the pastoral measure of 1983, to give the Secretary of State for the Environment the right of veto over the proposed demolition of that redundant church. I point out that this procedure is already applied to secular buildings that are listed. If a building is listed, the owner of the building must seek listed building consent to demolish the building. The new clause puts the Anglican Church in exactly the same position not only as other church denominations but as other owners of private property.

Mr. Sydney Chapman (Chipping Barnet): I understand and appreciate what my hon. Friend has said, but does he not agree that in the event many more listed secular buildings are demolished, and there are much greater safeguards, although the ecclesiastical exemption operates, for Church of England buildings. Although I understand what he says in theory, does he not agree that in practice there are much greater safeguards for the ecclesiastical achitectural heritage items that he and I are anxious to conserve?

Mr. Freeman: I am grateful to my hon. Friend, but the short answer is that I do not agree with him. If he bears with me, I will come to his point in the logical sequence of my speech.

I emphasise what is not covered by the new clause. It does not affect the ecclesiastical exemption for alterations under the faculty jurisdiction procedure for churches in use. That is a wider issue and my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) deals with it in amendment 98, which is grouped to be considered with this new clause. I am dealing with a narrower issue, concerned only with redundant Anglican churches. I am not suggesting in any way the scrapping of the Pastoral Measure provisions, which I believe have generally worked well. I ask for the ultimate right of veto for the Secretary of State, who would have the ultimate right to decide whether a listed redundant Anglican church should be demolished. After all, that was the recommendation of the Faculty Jurisdiction Commission's report in 1984 in sections 300 to 302.

I now come to my hon. Friend's intervention. Why is this new clause needed? In defending it, I will deal briefly with the five objections that could be made against it. The first is my hon. Friend's point that the Church system works better than the secular or state system. I disagree. I suggest no change to the pastoral measure provisions of the 1983 Act. I want to see all those steps taken—the church examining alternative uses, a waiting period, and consultation with local authorities, conservation bodies and other interested groups. I want all that procedure to stay intact.

What I suggest is a final additional stage. If the Church concludes that a building should be demolished—it has demolished 70 listed churches since 1969—I argue that the Secretary of State should have a right of final review. That is an additional safeguard; therefore, by definition more churches will be saved for the future. The new clause grafts on to an existing system one extra proviso. I hope that my hon. Friend the Member for Chipping Barnet (Mr. Chapman) is satisfied with that answer.

The second objection, of which I am aware from my postbag and public comment, is that the Church needs money from the sale of land underneath a redundant church. The Anglican Church is hard pressed to obtain financial resources. By demolishing a church, especially in the inner city, it might lay its hands on valuable resources which could be used to meet its pressing needs —for example, to provide service to the community and to pay salaries, stipends and pensions to the clergy and their dependants. If a building is listed as being of architectural merit, wider issues are involved than the mere value of the land underneath it.

In a secular system we already apply the test that certain procedures must be followed before a building of outstanding architectural merit can be demolished. It is wrong to put the Church in a different category from the private sector. Without being sacrilegious, I point out that British Rail, which has a large number of buildings of outstanding architectural merit, must go through the same procedure. It, too, is hard pressed.

The Church owns about 50 per cent. of all grade 1 listed buildings. That is the size of the potential problem and a measure of the importance of the new clause.

Mr. Chapman: My hon. Friend has said that the Church owns a high proportion of the grade 1 listed buildings. Will he confirm that only one Church of England grade 1 listed building has ever been demolished?

Mr. Freeman: I can confirm that at least one such building has been demolished. That was a scandal, and I am grateful to my hon. Friend for drawing it to our attention. I am sure that he was referring to Holy Trinity church in Rugby. My right hon. Friend the Member for Henley (Mr. Heseltine), who was then Secretary of State for the Environment, rightly objected to the proposed demolition of the grade 1 listed church and asked the Church to undertake a further review of alternative uses. Sadly, the Church decided to demolish that building, and that was a great loss to our architectural heritage.

The third objection is that, if the system is secularised, the Church's funding might be jeopardised or even withdrawn. The state already contributes about 60 per cent. of the resources of the redundant churches fund, so it is already an important and, perhaps, senior partner in the preservation of redundant churches. The counter-argument is that we are considering only an incremental burden—saving each year a few additional churches of outstanding architectural merit. That will present the redundant churches fund with an additional burden. I hope that the Anglican Church will not consider withdrawing its support. The excellent provisions of the Budget and the Finance Bill to encourage charitable giving by companies and individuals should benefit and enhance the resources of the redundant churches fund.

Fourthly, it is argued that the proposed new clause and, perhaps, the broader proposals of my hon. Friend the Member for Aldridge-Brownhills are the thin end of the wedge in giving greater state control over the Church and are, perhaps, a step towards disestablishment. Since 1977, the state has been providing finance for the repair of churches. When the system was introduced nearly 10 years ago, a clear understanding was reached between the Church and the state that the state would provide finance for the repair of listed buildings and the financing of the redundant churches fund if the Church began the process of reforming its systems of building control and allowed the state, through the Secretary of State for the Environment, to exercise greater control and to contribute to reviewing the fate of some churches. That has been going on for 10 years—much slower than the pace of reform of parliamentary procedure—and there is little evidence of any action. I regret that. We are still waiting for action to be taken.

6.45 pm

The fifth argument against the new clause is that more building controls will impose a bigger financial burden on the Church. My hon. Friend the Member for Twickenham (Mr. Jessel) has advanced that argument, which is based on a misunderstanding. The listed building consent procedure does not mean blanket preservation. It means

[Mr. Freeman]

that someone other than the owner of the listed building —the Secretary of State—would encourage alternative use and ultimately make a judgment on the fate of the building. The Church should support that positive step.

This modest measure is supported by the Friends of Friendless Churches—I pay tribute to that organisation in promoting over many years the campaign for ecclesiastical exemption reform—by six conservation bodies, and by the Royal Institution of Chartered Surveyors, the Royal Town Planning Institute, the Association of District Councils, English Heritage, which is the public sector quango responsible for advising the Minister, and the Church's Faculty Jurisdiction Commission, which supported this move in 1984. I commend the new clause to the House.

Mr. Richard Shepherd: My hon. Friend the Member for Kettering (Mr. Freeman) rightly said that my amendment No. 98 goes further than new clause 6. My measure is primarily intended to encourage my hon. Friend the Under-Secretary of State to disclose the Government's thinking on the future of ecclesiastical exemption. The exemption, embodied in section 56(1)*(a)* of the Town and Country Planning Act 1971, exempts those in charge of ecclesiastical buildings in use, of any denomination—a clear distinction from new clause 6—from the need to obtain listed building consent for their demolition, alteration or extension in such a way as to affect their character as buildings of special architectural or historic interest as would otherwise be necessary under section 55(1) of the Act.

The exemption has a long and inglorious history. Its origins were in the Ancient Monuments Consolidation and Amendment Act 1913, when the then Archbishop of Canterbury successfully persuaded the House of Lords that the Church of England should not be subject to the ancient monuments legislation, on the grounds that its own faculty jurisdiction provided the necessary safeguards. When the concept of listed buildings was introduced in 1947, and extended in 1968, the exemption was carried through into the historic buildings legislation.

The case against this exemption can be briefly stated. Ecclesiastical buildings are often the oldest, and in places the only, historic buildings in the community. They inspire great attention and interest in a wide range of people, not merely the worshippers. The law allows those in control of the buildings to make sweeping changes to them—even to demolish them, as long as part of the site remains "in ecclesiastical use"—without listed building consent and thus without the opportunities for public consultation and publicity to which such changes should properly be subject.

The exemption is based on a series of nonsenses. The first is that it was originally based on the controls that the Church of England has; yet exemption applies to all ecclesiastical buildings and not simply to those of the Church of England. Other denominations have no equivalent of the faculty system and yet enjoy the benefit of the exemption. Large numbers of nonconformist chapels and Catholic churches have been radically altered or demolished without any public participation.

The second is that the Church of England's faculty jurisdiction is in no way a proper substitute for listed building controls. It is sadly deficient in almost every particular. It does not properly involve the local authority. It gives no locus standi to non-menbers of the congregation whose church is to be altered. There is no mechanism for enforcement, and breaches are widespread. Against this, the churches and ecclesiastical organisations concerned argue that liturgical changes should not be subject to control by local authorities. Not all demolition, alteration and extension work is required for liturgical changes, however.

The Government themselves recognise the force of these criticisms, I know. In 1984, the Department of the Environment circulated a consultative document on the future of the extension.

At the same time the Church of England published the report of its own commission on the continuing care of churches and cathedrals, which advocated a number of changes to the faculty jurisdiction to overcome its faults, but left the system largely intact.

Almost two years have passed since the Department's consultative document, and the toll of ecclesiastical buildings continues. I think that the time is now right for the Government to make an announcement on the future of this outdated anomaly, and the amendment provides them with a suitable opportunity.

Mr. Simon Hughes: It is ludicrous that the provisions covering buildings of particular national importance across the board are dealt with in a way that can involve the public in a mechanism that gives them local protection but does not apply to the vast number—50 per cent., as the hon. Member for Kettering (Mr. Freeman) said—of the buildings that fall into the category. There was, as the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, a historical precedent by which a protection was available before planning law developed after the war as it applied to churhces. Not only is that not truly a form of public law but in its procedures it is less effective, slower and less easily understood or participated in. I hope that the Minister can accept the amendment now or that he will find an early opportunity to introduce legislation so that this can be done soon.

The amendment is short and simple, and it would be a good starting point. It is about time that we protected ourselves against the losses that can easily occur of buildings that are part of our heritage, of whatever denomination or of no denomination. This can happen under the present legislation, and the amendment would prevent it.

Mr. Chapman: I have listened with care to the eloquence and expertise of my hon. Friends the Member for Kettering (Mr. Freeman) and for Aldridge-Brownhills (Mr. Shepherd), and I have come to a different conclusion. I invite the House not to accept the amendment or the new clause.

I acknowledge that the law and regulations relating to ecclesiastical exemption are complicated and somewhat anomalous. Church of England churches in use, for example, and non-Church of England churches in use can be altered, extended or partially demolished without listed building consent. However, Church of England redundant churches require consent for alterations or extensions, although this is not required for total or partial demolition, if it is carried out in accordance with a scheme made under the Pastoral Measure. I accept that a non-Church of England church in use requires listed building consent for total demolition.

I wish to point out two matters that go wider. First, church buildings are now listed as, are all other buildings of architectural or historic interest, so that one has the same measuring rod whether a building is an ecclesiastical building of the Church of England or a secular building. Also, we are discussing a very narrow section of the planning laws related to listed building consent only. All Church of England buildings, indeed all church buildings, have no exemption from the normal planning controls.

Some statistics are worthy of recording in this short debate. The Church of England has 17,000 churches, of which a very high proportion, nearly 12,000, are listed. Over 2,600 of those churches are grade 1 listings. My hon. Friend the Member for Kettering acknowledged that in the last 17 years at least, only one of those grade 1 listed chuches has been domolished. That is a very favourable record compared with the demolitions of secular buildings. In fact, the Church introduced provisions for the control of the demolition of buildings over 700 years ago. I therefore feel that I can say without fear of contradiction that the system has been tried and tested and, I think, has not been found wanting. It compares more than favourably with the control of listed buildings under the much later town and country planning legislation.

The Church of England spends about £55 million annually on the maintenance and upkeep of its ecclesiastical estate, and only about one tenth of that figure, about £5 million a year, is provided by the state. That is a pretty good record of voluntary contribution. The result is a proven record of success. While I know that one can adduce statistics to prove almost anything, I would abide by the simple point that a listed church of England building has a three times better chance of avoiding demolition than a listed secular building. I suggest that it is tempting providence to change the rules now.

In any case, I understand that discussions have been going on——

Mr. Rooker: Tempting providence?

Mr. Chapman: I thought that was a rather choice phrase. I always describe the recent terrible conflagration of York minster as an act of God. I think is is quite wrong that the state, let alone the Church Commissioners, did not take out insurance to prevent acts of God.

As I say, discussions between the Department of Environment and the Church Commissioners are under way. I remind the House that the existing arrangements have been regularly honed and in the last 15 years Parliament, on three separate occasions, examined these carefully and approved the present arrangements. As to redundant churches, of which there are just over 1,000, three quarters have been saved. Of the 266 that have been demolished since the Pastoral Measure of 1969, only 62 were listed. That is the latest figure that I have. I stand to be corrected although clearly there will not be much difference.

There are many more secular listed buildings — I think the total is about 338,000 currently listed, including the ecclesiastical ones. Last year alone, of those secular listed buildings 204 were demolished and permission was given for 2,372 to be partially demolished.

The Church, in my view, has an extremely good record. Opposition Members may think that it is a typical Conservative remark to say, "Leave well alone." In my view it would be in the interests of conservation and the protection of our wonderful ecclesiastical architectural heritage if we left the law exactly as it presently stands.

7 pm

Mr. Allan Roberts: The special pleading of the hon. Member for Chipping Barnet (Mr. Chapman) was on behalf of the Church and perhaps not on behalf of the Creator, if He is up there looking down upon us. I am sure He has a real regard for the buildings in which we worship. The people who administer those buildings may not have the same regard for them. I accept the figures the hon. Gentleman gave. I suppose there has not been a major attack on church listed buildings since the days of Oliver Cromwell; he probably altered more than most. Since then the record has been reasonable.

Having listened to the amazing list from the hon. Member for Kettering (Mr. Freeman), I do not think we can treat the new clause lightly; it must be treated seriously. If there are organisations such as the Friends of Friendless Churches there is obviously a problem. I thought it was only animals that attracted such groups. If churches are at such risk that these organisations have to campaign for them, the new clause should be accepted. If the hon. Member for Chipping Barnet is right, and the Church does not want to demolish any empty listed church buildings, why should it object to the change?

I am not sure that amendment No. 98 is so sensible. I hope the Minister will clarify the point. That amendment would affect alterations within a church which was still being used for worship. I have had representations from the Catholic bishop of Hexham and Newcastle, who said:

> "Following the II Vatican Council (1962-1965) we have made significant changes in our worship; this has entailed significant changes in the universal law of our Church about the internal ordering of our churches. Changes have had to be made, but this is done after consultation and with care and discretion."

If a listed church is redundant, it should not be demolished without listed building consent. If it is to be converted into say, flats, planning permission should be sought for the change of use. If changes are to be made within a church for the purpose of worship, the provisions should remain as they are.

If money is available and if there is Government support, the real issue is to deal with listed buildings which have fallen into disrepair. There is one such church in my constituency, the parish church of St. James. The roof is falling in. It is like the Roman Catholic cathedral in Liverpool. But it is a listed building; it is a beautiful building and we are desperately trying to get money to repair it. Perhaps the Minister could help me on that as well.

Mr. Tracey: This has been an interesting ecclesiastical lagoon in the midst of what is primarily a housing and planning debate. I appreciate the sincerity of my hon. Friend the Member for Kettering (Mr. Freeman) in moving new clause 6 and of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who tabled amendment No. 98. I understand their reasons. Certainly the Church of England alone does not have to seek listed building consent for the total demolition of a listed church or of an unlisted church in a conservation area, given that the demolition is taking place under the pastoral measure. If the demolition is by faculty, consent is sought in the usual way.

[Mr. Tracey]

The report of the Faculty Jurisdiction Commission recommended the modification or repeal of section 2, but that was rejected by the General Synod. It is fair to say that many people regret that. I am well aware of the depth of feeling which has manifested itself on both sides of the House and in the country at large.

The subject of ecclesiastical exemption from listed buildings control arouses much feeling. When the Department put out its consultation document in January 1984 on the future of the exemption there were 136 responses. Some argued fiercely for the retention of the exemption; others argued equally fiercely for its abolition, and others simply wanted various modifications. To some extent those views have been reflected in our short debate in the remarks of my hon. Friend the Member for Kettering and my hon. Friend the Member for Aldridge-Brownhills, and then, suddenly, of my hon. Friend the Member for Chipping Barnet (Mr. Chapman), who has considerable expertise in matters of architecture and conservation.

My hon. Friends know very well that my noble Friend the Minister of State, who has prime responsibility for the subject within the Department, has held discussions with representatives of the Church of England and the Churches Main Committee in an effort to find a way forward that would be acceptable to the churches, to the local authority associations and to the amenity societies. Those discussions have been going on for some time. We are getting to the point when they should perhaps draw to a conclusion; nevertheless they are continuing. My noble Friend still hopes that it will be possible to arrive at precisely the right, mutually acceptable solution. The speeches in the debate will be noted when the legislation goes to the other place. I remind my hon. Friends that not only will the Minister of State be there, but also the noble Lord, Lord Montagu, who is chairman of English Heritage.

Mr. Marlow: I am not sure how my hon. Friend intends to finish his speech. If he were to say that he would accept the amendment, that the debate with the Church will take account of the fact that the Bill has been amended and, if the Church does not like the amendment, that it may come forward with a different amendment in the other place, everybody would be satisfied. We would at least come to a conclusion on the matter.

Mr. Tracey: I am sorry to disappoint my hon. Friend, but I am not galloping at such a speed. There is considerable expertise in the other place, including that of the bishops, as I think the hon. Member for Birmingham, Perry Barr (Mr. Rooker) said from a sedentary position. We want debate to take place on the matter so that we may find a mutually acceptable solution.

The new clause and the amendment are somewhat premature. I hope that my hon. Friend will recognise my sincerity and that he will seek to withdraw the new clause.

Mr. Freeman: On the assumption that their Lordships will read carefully the *Official Report* of this debate, I do not wish to detain the House longer. Therefore, I beg to ask leave to withdraw the new clause.

Motion and clause, by leave, withdrawn.

New clause 8

DISPOSAL OF PUBLIC VACANT LAND

'All vacant, dormant, derelict and underutilised land in public ownership listed on the register held at the Department of Environment shall be deemed for the purposes of this Act to be Simplified Planning Zones.'.—*[Mr. Steen.]*

Brought up, and read the First time.

Mr. Anthony Steen (South Hams): I beg to move, That the clause be read a Second time.

In a nutshell, the new clause is about waste. It is designed to help the Government in the objective, which they have put successively to the House and to the country, that derelict public land must be got rid of. It is not just derelict land that we must make better use of, but derelict public housing. On 1 April 1983 there were 305,000 houses which were difficult to let. One needs to reflect on the amount of waste in public housing. We have a great number of acres of public land that are not fully utilised.

It is worth mentioning by way of introduction an answer to a question in April 1984, two years ago. The junior Minister in the Department, who is still the junior Minister there, told me that there were 766,779 sq m of vacant office space in public ownership. That figure is so astronomical that it is difficult to comprehend. We have a great deal of land, we have housing and we have office space that is totally vacant and surplus to requirements and we should get rid of it.

The purpose of this new clause is to accelerate the sale of derelict, dormant, vacant and under-utilised land in public ownership. That means the ownership of land by Government, local government, health authorities, county authorities, district councils, water boards, the Coal Board, British Rail and electricity boards. The House knows the list; the amount of land is astronomical. We have had a number of debates about the scale fo the problem of vacant land. We have had a great number of Adjournment debates and questions and Ministers have always been helpful, but the House should know the scale of the present problem.

Some people say that 100,000 acres of public land are vacant, dormant and derelict while others say it is one third of a million acres. The figures may be academic, but, in order to get precise figures, a former Secretary of State, my right hon. Friend the Member for Henley (Mr. Heseltine), said in 1981 that there was no point in talking about one third of a million acres or 100,000 acres and that it would be better to have a register. I was not a great supporter of the register because it seemed to me to be another delaying tactic, but to give my right hon. Friend his due, he set up a register and in July 1982 it showed that 95,329 acres of public land were registered. In January 1983 that figure had risen to 107,612 acres. In July 1983 it went up again to 110,543 acres, and in January 1984 it rose yet again to 112,167 acres of vacant, dormant, derelict and under-utilised public land.

We know that a lot of vacant land is in public ownership and we also know that the amount of land on the register is only the tip of the iceberg. That is because there is no requirement to register land that is under one acre and a great deal of public, vacant, dormant and derelict land is under one acre. One does have to register land that is scheduled for use by a public authority within, I think, two years but it may have been reduced to one year. On 29

March 1984, there were 4,426 acres of unused and under-utilised land surplus to requirements in health authorities. Why should health authorities have 4,426 acres of publicly owned land that is not being used? Such land is a national, wasting asset and one that is not being used for the benefit of society. It is land that is hoarded by public health authorities.

It is not just the health authorities that are at fault. Let us look at the Department of Energy, a Government Department. It has 311 acres of vacant land. What is it doing with that land? Why has the Ministry of Defence got nearly 2,600 acres of vacant land surplus to requirements? Why is that land not being used? But if the Ministry of Defence hoards 2,600 acres what about British Rail? Although people say that British Rail is improving, two years ago it had nearly 15,000 acres surplus to requirements.

According to the figures that I have, on 1 January 1984, although British Rail had nearly 15,000 acres of vacant, dormant, derelict or under-utilised land, it disposed of only 1,000 acres. At that rate it will take 15 years to dispose of that land. I will not trouble the House by listing all the other public undertakings hoarding land that is vacant, dormant and derelict. However, I shall name a few of them. British Gas has 1,700 acres; the National Coal Board has 2,200 acres; the port authorities have 2,800 acres; the electricity boards have 3,600 acres; and the water authorities have 2,500 acres. So it continues.

7.15 pm

The amount of vacant public land that is not being used is a national disgrace and a national, wasting asset. I have mentioned the land on the register, but I should like to give the estimates of the amount of public, vacant land that is unregistered. The well-known and eminent authority on land use, Miss Alice Coleman of King's College, London, estimates that one third of a million acres of public land is lying dormant. It is that one third of a million acres which this new clause aims to correct.

The purpose of the register was to provide a means by which the Secretary of State could direct the disposal of land hoarded by public authorities. That was why, in 1981, the then Secretary of State, my right hon. Friend the Member for Henley, set up the register procedure. He wanted to get the public authorities to put the land on the register and if they did not have good reasons for holding it, he could make orders for them to get rid of it.

It was mildly disappointing that in answer to a parliamentary question on 21 March 1984, over two years ago, a junior Minister advised me that no orders for disposal of the land had been made. That means that two years ago no orders had been made, and the number of acres of land on the register continued to rise. The Government have put that right, and when the Minister is replying to this short debate perhaps he will tell the House how many disposal orders have been made.

I understand that the figure on the register today is no longer 112,000 acres, the figure that it was a year ago. It is now 110,000 acres. I congratulate the Government on reducing the number of dormant, derelict and under-utilised acres of land on the register by 2,000. At this rate it will take about 50 years to get rid of all the public land on the register, but about 300 years to get rid of all the dormant and derelict land in public ownership, not to mention private ownership. By means of this new clause we seek to find a device to speed up the process by which this public, derelict land can be released.

As the House will know, the problem of public, derelict land is not a new one. The then Secretary of State for the Environment, the right hon. Member for Bethnal Green and Stepney (Mr. Shore) produced a White Paper, "Policy for the Inner Cities", in 1976-77, in which he highlighted the problem of derelict land. The right hon. Gentleman told the House that he would write to every nationalised industry and ask them to review their holdings. I am afraid his letter in 1978 did not produce any goodies, because by 1981 one could not see whether any land had been released. The nationalised industries may have reviewed their holdings, but nothing much happened.

The idea of the register was to focus attention on public authorities that were hoarding land, and was aimed at stimulating action. The House would like to hear from the Minister who is to reply what action is being taken, what action can be taken in future and what he feels about the time scale if it will take 40 or 50 years to release the publicly owned land that is on the register. The House, and I think all hon. Members, want to know why it is taking so long to release the land on the register, and what steps the Government will take to speed up the process. That is what the new clause is aiming to do. I think we must congratulate the Government in selling off the land and producing the orders, but it is all too slow and somewhat bureacratic.

Perhaps I could be excused if I mention the splendid book—which I am sure all hon. Members will have read—which I wrote about four years ago called "New Life in Old Cities". *[Interruption.]* I am grateful for the Minister saying that it was a good book. I will send him a complimentary copy because I am told that it is much better than Horlicks.

In that book, I suggested that the simplest way in which public vacant land could be released—I have asked many questions on this point since — is for the Government to auction it off to the highest bidder. It is an attractive idea. On the steps of the principal town halls of the country the mayor will be standing, wearing his chain saying, "What am I bid for this piece of land?" Why should it not go to the highest bidder, provided that there is a covenant that the land should be developed, shall we say in a year or two, so that if it is not developed it goes back into the auction market and to the private sector? At least it would get it moving.

I suggested, to avoid a flood of land on the market by way of auction, that the public authorities should decide on 25 per cent. of their land that is surplus to requirement, and sell part of it off every year, so that it will take four years to get rid of their surplus requirement. At the present moment, with the amount of land on the register, it would take 30, 40 or 50 years.

The Minister said on a number of occasions that the problem with the auction is the problem of negative land value. Let us avoid those sites which have negative land value, and just auction off the sites that do not, so that the amount of public vacant land on the register will be reduced.

The Minister would be well advised not just to look at local authorities — although I am critical of local authorities—but also at the nationalised industries, and, just as important, the old Government Departments. The

[Mr. Anthony Steen]

Government cannot preach until they get their house in order. There is a lot of public land in Government ownership which should be released.

We have to give the Government due credit because they have embarked upon a number of important approaches to release public vacant land. The Government have a derelict land grant on reclamation projects, and I am told that Government spending is in excess of £75 million this year. There are about 71 acres involved in reclamation most years. There are enterprise zones, which have reclaimed land, and there are the new town corporations, the Merseyside and London Docklands Development Corporations through to the regeneration of the Chatham docks.

Perhaps most successful, there has been the urban development grant where £65 million of Government grant sparked off £295 million of private investment. Let it not be forgotten that this Government are the first to mobilise private money to reduce the amount of derelict land. There is the urban aid programme of some £300 million, and the joint public and private partnership. There is the Wavertree technology park, which has created some 2,000 jobs in the old marshalling yard in my former constituency.

My right hon. Friend the Member for Henley was right to say that if we put public money in, private money will follow, but there are other ways of doing it which are quicker and more enterprising.

I pass over inner-city enterprises, Operation Groundwork, the Liverpool garden festival, the new one in Stoke-on-Trent. In spite of all these wonderful initiatives, I still believe that there is one third of a million acres of land in public ownership which is vacant, dormant and derelict.

Let us look at the consequences, and why this new clause is of such significance. An artificial shortage of land in the primary urban areas actually creates a force for development beyond the city boundaries on the good agricultural land outside, on the green field sites, and pressure is put on the green belt. If these vacant sites in public ownership are left surplus to requirement in the inner city, developers have to look outside it to build houses to satisfy the market demands.

I want to give a specific example to the House to explain why this new clause has such relevance. In the city of Plymouth, which abuts my constituency, and is a large urban conurbation, the market forces, according to the city council, demand that it has a land bank of approximately five years' supply—around 250 acres, or 50 acres a year. Through good housing management, it managed to find this 250 acres. In 1980 it went to the Devon county council to talk about the structure plan and said, "If we look ahead, market forces will continue to demand more and more land for housing. We must go outside the city boundaries." That was included in the Devon structure plan for 1980. It was agreed that some 60 acres of prime agricultural land in my constituency of South Hams should be allowed to be built on, even though there were many many acres of dormant, derelict, public land within the Plymouth boundary. For example, there are some 200 acres belonging to the Ministry of Defence which is vacant, dormant and derelict. There is land belonging to the county education authority. There are many acres of land belonging to British Rail. What has happened is that the Devon structure plan includes green field sites and agricultural land outside the city boundary. If this clause is passed, the simplified planning zones will apply to public vacant land and allow the owners of the land to release the land much more easily.

I am pleading with the House this evening to agree to a clause that will enable our principal city areas to release their land much more easily. A simplified planning zone —which is the framework of this Bill—applied to this land would mean that instead of land outside the city boundaries being included in a structure plan—because there is a shortage of land inside the city—that land could be built on first.

My information is that in Plymouth's case it would mean that the land outside could be taken out of the structure plan, and land inside in public ownership, whether Ministry of Defence, or the British Rail 20-acre Friary site, or the land belonging to the education authority, or horticultural land on the outskirts, could be used rather than good agricultural land outside.

The Government have repeatedly said that public land must be sold off and that good agricultural land must be saved. They said that about the Okehampton bypass. They said "We must not go to the north of Okehampton, we must go south. We must go straight through the national park because is far better that we save the good agricultural land to the north." So too in Plymouth: they could use good derelict vacant land in the centre of Plymouth rather than go outside to use good agricultural land.

All this new clause is doing is easing the problems for the Government. It is easing the planning regime when it comes to public vacant land on the register. It helps the developer; it gives them extra encouragement, and the incentive to buy public wasting land.

This clause is about saving a national wasting asset. It will not solve all the problems, but it is a step in the right direction. It is another weapon in this Government's armoury in their battle to rebuild the inner cities and declining urban areas, and compel public authorities to stop hoarding land.

I pay tribute to the Minister and his Department for what they have done to date. There is more to be done and I hope that the aim of this evening's debate is to help accelerate the sale not just of the 112,000 acres on the register, but of the other 200,000 acres of public vacant land which is currently being hoarded all over the nation.

Mr. Allan Roberts: I hope that the Government are opposed to the new clause. The Opposition certainly are. It would have the interesting effect of declaring simplified planning areas in rural as well as inner-city areas. The hon. Member for South Hams (Mr. Steen) must have realised that, but he may not have realised how it would anger those of his hon. Friends who are opposed to simplified planning zones in rural areas.

7.30 pm

We do not want a major debate on the hon. Gentleman's simplistic view of how to deal with vacant, dormant and under-utilised land. The new clause refers only to land in public ownership. I represent an inner-city area where there is a great deal of dormant, derelict and under-utilised land, and I can tell the hon. Gentleman that the reason why it is in that state—whether it is in public or in private ownership—is that no one wants to use it. The hon. Gentleman suggests that builders are forced to go into green belts or other land that is not derelict or

dormant. In fact they prefer to do so because it is easier and cheaper to build on. Most dormant, derelict and under-utilised land has a negative value. In my constituency the development corporation has removed the negative value from much of that land, but private developers will still not build on it even though it is being made available.

Things are not as simple as the hon. Gentleman suggests. However, we oppose the new clause because we do not want simplified pl nning zones spawning uncontrollably like amoebae all over the place.

Mr. Steen: Why not?

Mr. Roberts: If that is the intention, we might as well abolish planning altogether. No doubt some Government Members would wish to do that. People throughout the country are afraid that if, unfortunately, the Government were returned for a third term they would destroy planning as we understand it, which protects people and the environment.

Mr. Tracey: The House is familiar with the ingenuity of my hon. Friend the Member for South Hams (Mr. Steen). His speech tonight was typical. He has ranged widely. The Government are grateful for the considerable compliment that he has paid them. In particular, my hon. Friend the Minister for Housing will be grateful for my hon. Friend's remarks about the pressure on authorities to dispose of derelict land.

New clause 8 introduces an interesting proposition, which is superficially attractive but is not precisely relevant to what we are trying to do. The new clause would effectively and automatically designate all sites on land registers as simplified planning zones. No regard would be taken of the merits of individual sites so designated. It would not be possible for adjacent land to be considered concurrently with such sites as possible simplified planning zones. Some sites might not be suitable to be simplified planning zones at all. The new clause would remove some of the local planning authorities' discretion in deciding where simplified planning zones should be set up.

Mr. Steen: I was grateful for the Minister's opening remarks. My point is that, in spite of the planning regimes, the Government's efforts and the many millions of pounds made available to release vacant public land, there are still 110,000 acres on the register. Something must be done to release that land. If it is not to be auctioned off, we must withdraw the planning regime that is preventing it being developed.

Mr. Tracey: My hon. Friend can rest assured that we have taken careful note of what he said. We shall read his speech in some detail in order to see whether it contains a gem that we have missed.

There is the question what sort of planning permission would be bestowed by the deemed simplified planning zones that my hon. Friend has mentioned. We do not want to declare SPZs and just tell people to go and fill in the details without regard to the circumstances of the case. I accept that a good number of sites on the land registers may well be suitable for inclusion in the simplified planning zone regime. However, we believe that we need a flexible and selective way of achieving our aim. The current provision in the Bill would do exactly what we are attempting to do. With all due respect to my hon. Friend, we do not believe that the new clause is needed. I hope that he will seek to withdraw it.

Mr. Steen: Before I consider withdrawing the new clause, I believe that my hon. Friend the Member for Eastbourne (Mr. Gow) was just now rising to speak. I should like him to have the opportunity to say something if he wishes to do so.

Mr. Ian Gow (Eastbourne): I was indeed rising to my feet, but I believe that the House is anxious to make progress. In view of the Minister's reply, I hope that my hon. Friend will agree to withdraw the new clause.

Mr. Steen: In view of those helpful comments, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 10

SHORTHOLD

'In the case of shorthold tenancies entered into after the coming into force of Part I of this Act the rent payable by the tenant to the landlord shall be the rent provided in the tenancy agreement and the rent officer shall have no power to vary the rent.'.—*[Mr. Gow.]*

Brought up, and read the First Time.

Mr. Gow: I beg to move, That the clause be read a Second time.

It is certainly common ground among my hon. Friend's and it may even be common ground between both sides of the House, that whatever may have been the other consequences of the Rent Acts, which have been in force for 70 years, one undesirable consequence has been to dry up the supply of privately rented accommodation. It is also common ground between both sides of the House that in some areas there is a grave housing shortage. That housing shortage makes it especially difficult for those seeking a job to move from one part of the country to another.

My right hon. Friend the Minister of State for the Armed Forces tried in the Housing Act 1980 to remedy that shortage of private rented accommodation. He introduced—and he was opposed by the Labour party—what is now known as shorthold. It is a precondition for the granting of shorthold in Greater London that a fair rent should be registered. Even outside Greater London, if a shorthold tenancy is entered into between landlord and tenant, with rent agreed between them, either the tenant or the landlord may make application to the rent officer to vary the agreed rent immediately after the agreement has been signed.

Shorthold was designed to remove one of the disincentives to letting, which was the difficulty that landlords had in recovering possession, and the very long security of tenure given not only to the main tenant, but sometimes to members of his family. I believe that the shorthold provisions in the 1980 Act have had only a modest effect in increasing the supply of privately rented accommodation. In many areas there is still unused or under-used accommodation that the landlord—actual or potential—would be anxious to make available to those looking for accommodation if only there could be a reasonable return on his investment.

That is why I believe that for all new lettings under shorthold — I emphasise that my new clause has no retrospective effect — the rent should be as agreed between landlord and tenant. The House will remember that the maximum period for shorthold is only five years. If, as I hope, my hon. Friend the Minister accepts the new

[Mr. Gow]

clause, some of those who are desperately anxious to find accommodation will have a better prospect of doing so. The potential landlord will be more willing to rent his property if he can get a decent return on his investment, which will make it worth while.

Thus, the sole purpose of the new clause is to improve the prospects of those seeking accommodation. It is both economically and morally wrong for there to be unused or under-used accommodation because of an Act of Parliament or because of the Government's failure to take action which, in their heart, they know would alleviate the distress and hardship caused to many people. If my hon. Friend the Minister requires further time to examine the consequences of the new clause, as he may do, and if he cannot recommend it to the House tonight, I hope that he will at least give an undertaking that it may be possible to move a similar, if not identical, amendment in the other place.

Mr. John Fraser: We are opposed to the new clause. We do not for one moment doubt that if landlords were able to let their properties in areas of acute stress without security of tenure, other than for the maximum period of five years, and without any rent control, there would be takers for it. However, it would lead to the grossest exploitation and ultimately to a vast increase in the responsibilities of housing authorities as shorthold tenancies came to an end and people found themselves bargaining for an even higher rent or thrust back onto the local authority's homeless list. Of course landlords may feel inhibited about letting their properties if there are rent controls, but if one had to choose between protection for the tenant and uncontrolled rents, we would have no difficulty in saying that there should be protection for the tenant.

The hon. Member for Eastbourne (Mr. Gow) was formerly the Minister for Housing and Construction, and we are left wondering to what extent he was speaking with some flavour of official Tory party policy.

Mr. Marlow: Two subjects about which the Government, like the Opposition, are deeply concerned are unemployment and homelessness. We all want to overcome those problems——

Mr. David Winnick (Walsall, North): The hon. Gentleman should declare his interest.

Mr. Marlow: Oh dear. The hon. Gentleman is so tedious. He knows that I own an element of rented accommodation which probably cost me somewhat less than his private house cost him.

Like the Government, the Opposition are deeply concerned about homelessness and the problems of unemployment. One way of dealing with both of those problems at the same time is to increase the amount of accommodation available for rent. Another way of overcoming those problems is to help to ease mobility. There are jobs in some parts of the country that people cannot go to because they cannot find the accommodation. Equally, there are houses in other parts of the country that are blocked because, for good reasons, people do not make them available for others to live in.

7.45 pm

When, for some reason, a tenant moves out, the landlord may consider what to do. As things stand, if the landlord put his property on the market, he would get a certain price for it. However, if he put a tenant in that property at the present rate of registered rents, the property's value would immediately fall considerably. Thus it is against his interest to put in another tenant. Consequently, property owners tend to sell their properties. That is why the private rented sector of accommodation has gone down and down. Yet it is that sector that should be the flexible part of the market that helps people to move from one part of the country to another.

People cannot move from one council area to another. I know that there is a system of swaps and exchanges, but it is not particularly effective. Many people in the north-east and north-west come south looking for jobs. Someone might find a job but then discover that he cannot get the accommodation. In reality, the accommodation is available, but no one wanting to look after his family or his own self-interest would make it available. That is why we have shorthold. That prevents security of accommodation and prevents a reduction in the property's value. In those circumstances, it is in the interest of the owner to put in a shorthold tenant.

What return will the owner of the property obtain for letting it? If the rent is restricted below the market value, the property could still be sold and the money could be invested elsewhere in order to obtain a better return on it. Thus an artificially low rent means that the property will not come onto the market.

I totally agree with the new clause, and I hope that the Government will take the advice of my hon. Friend the Member for Eastbourne (Mr. Gow) and accept it.

Mr. Winnick: As I intend to be brief, I shall not answer at length the points raised by the hon. Member for Northampton, North (Mr. Marlow) other than to say that last time the rented market was deregulated, fewer properties were available to rent, for reasons that we all understand.

I am not surprised that the hon. Member for Eastbourne (Mr. Gow) should table this new clause. When he was Minister for Housing and Construction he lost the argument over deregulation. However, he resigned not over that but over something else. He lost, but not because the Cabinet disagreed with him. Rather, the Government were afraid that if his wishes were carried out, they would lose any chance of winning the next election. I fear that we have witnessed some sort of rehearsal, and that the hon. Gentleman hopes that the Government will accept step by step something that he has always advocated.

If someone moves into rented accommodation and the rent is clearly exorbitant, it is only right and proper that he should be afforded some protection. But the new clause would remove any possibility of a tenant being able, under a shorthold agreement, to go to the rent officer to see whether his rent could be reassessed. The hon. Gentleman wants to take away that basic protection which tenants now have, even under shorthold. That is why I believe that it would be quite wrong for the Government to accept his new clause.

Mr. Anthony Nelson (Chichester): Not for the first or last time, my hon. Friend the Member for Eastbourne (Mr. Gow) has rendered the House a service, this time in moving the new clause. Those of us who were involved in the passage of the Housing Act 1980 felt that the

introduction of shorthold might lead to considerable advantages and opportunities, despite the Opposition's pledge that if they came to power they would repeal the legislation and extend security of tenure to tenants who benefited from it. Understandably and predictably that has had an effect on the number of shortholds that have been granted. That is regrettable, but it is an accepted Opposition power, which they no doubt relish.

But as a result, homelessness in my constituency and elsewhere has increased. Indeed, many of those who are unable to obtain tenancies, where there is plenty of vacant property which could be made available on shorthold or other forms of tenancy at market rents, have had to search the public sector for available property, have swollen the housing waiting lists or have had to pay much higher rents than they would otherwise have had to.

Opposition Members talk about the exploitation of tenants. The real exploitation is that many individuals and young people nationally are unable to obtain any low-cost rented accommodation at the present time. They are the homeless. The properties are available. If the law provides, and the Opposition give it a fair wind, the accommodation is there to satisfy much of the demand.

The sole consequence of their stubborn opposition and the reluctance with which they are dragged into the 20th century of housing legislation is that hundreds of thousands of people are either homeless or paying exorbitant rents because of the Opposition's outdated ideology.

When my hon. Friend the Member for Eastbourne was the Minister responsible for housing, he put forward proposals in this, as in other areas of the private rented sector, for liberalisation. I believe that he had in mind not only trying to ensure that more housing would be brought on to the market but that the dreadful plight of many people, especially young people, would be alleviated.

As we approach the next general election, I hope that the Government will give serious consideration not only to the proposal contained in the new clause, but to revision of the fundamental Rent Acts which underlie the private sector, at least for new tenancies in the future. If we fail to do that we will continue to have a sore in the private sector of the housing market, and dissatisfaction and elongated waiting lists in the public sector and we will deserve the acrimony of our constituents.

Mr. Cartwright: I know that the House wants to make progress. Therefore, I shall be as brief as possible. I want to make clear my opposition and the opposition of my hon. Friends to the approach in this new clause. I certainly support the view that we need a much greater supply of rented accommodation in this country, certainly in the areas of high housing stress. As I have made clear in previous debates on this issue, I do not believe that the best way to achieve that is to try to breathe new life into the old private rented sector which has been in decay and decline for the whole of this century.

I believe that the relationships and atmosphere which surround the private rented market is such that we shall not get agreement about it. I fear that it will be impossible to encourage people to invest in that approach because it is a matter of considerable political difference between the two sides of the House. Therefore, we should be trying to build on the steadily emerging consensus of trying to find new forms of rented housing which do not have the connotations of the old private landlord. [AN HON. MEMBER: "Assured tenancies."] Yes, provided of course by reputable bodies such as housing associations, building societies and pension funds—bodies of the sort which are not looking for a quick return or a quick kill. I am afraid that the difficulty of that approach is that it has the atmosphere, image and all the connotations of the old private landlord.

I do not doubt for one minute the sincerity of some of the people who have taken part in the debate. However, I have some difficulty in believing that the sort of people who come to my advice centre on Friday nights, homeless and unemployed, will really be helped by having a free market in shorthold tenancies in London. I do not believe that we can have a free balance of bargaining between the landlord and the tenant in a situation of housing shortage such as we have in London. If we ever have that approach, I cannot believe that it will help the people who are in desperate need who cannot afford even the below market rents charged at present. Therefore, I am strongly opposed to the new clause. I hope that the Government will resist it.

Mr. Steen: It is strange that we should have two new clauses, one after the other, dealing with waste. The House tends to talk about trying to change things which exist but the new clause that I had the honour to move and this new clause are both about wasting assets. The clause that I moved was about wasting public assets. It is curious that the Government should have rejected that. This new clause, which was moved by my hon. Friend the Member for Eastbourne (Mr. Gow) and for which I have a great deal of sympathy and support, has been rejected by the Opposition. That is perhaps a little more to be expected. Therefore, the deregulation of wasted public land was rejected in a proposal which I moved and now the deregulation of private housing waste is being rejected by the Opposition and the spokesman for the alliance.

It is sad that in this country houses are empty and land is unused in the public and private sectors. We continue to argue in the House and nothing is being done to make use of those wasted assets. When the Minister replies, he should recognise that the House is concerned about waste.

The Government have been concerned about waste in local authorities, and they want to privatise services to reduce it. We now have a third of a million acres of land wasting in this country. That should be dealt with. We now have private housing which is being wasted and we should deal with that.

Mr. Deputy Speaker (Sir Paul Dean): Order. The hon. Gentleman is straying. I am finding it difficult to relate what he is saying to the new clause.

Mr. Steen: I am sorry that you are having difficulty, Mr. Deputy Speaker. The point is being clearly made that my hon. Friend's new clause deals with waste. I am concerned that the Minister should deal with the waste of housing, just as he dealt with the waste of public land on the previous clause. The House wants to hear how we can use housing more effectively, whether in the private or public sector.

If the Minister cannot accept the new clause, can he give some hope that private housing will be better used even if the new clause is not the device he would use? That is the point I was trying to make. I hope that it is now clear.

Mr. Nick Raynsford (Fulham): If we are concerned about waste, the most obvious example, and a symbol of

[Mr. Nick Raynsford]

the present Government's housing policy, is a policy which, because it does not build homes for people in need, generates homelessness and means that far more is spent on accommodating the homeless in bed and breakfast hotels than it would cost to provide them with homes. That is what waste is about and that is the waste for which the Government are responsible.

The new clause is irrelevant. It is based on a fundamental misconception of the causes of the decline of the private rented market. Anyone with any knowledge of the history of private renting over the past 100 years knows that, since the beginning of this century, the market has been in decline for fundamentally economic reasons—because the rate of return that a landlord can expect from renting property is less than he could get by selling it and investing in other assets.

Mr. Steen: The Rent Acts.

Mr. Raynsford: That has nothing to do with the Rent Acts; it has continued systematically over the past 70 years, whatever the hon. Gentleman might say, irrespective of whether the Rent Acts were strengthened or weakened. In fact, the greatest decline came after 1957, when the then Conservative Government sought to reduce controls—*[Interruption.]* Conservative Members would do well to listen to this. They ushered in the era that was known by the name of Mr. Rachman. He is a symbol of what happened when a Conservative Government sought to reduce tenant control and allow a free market.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): I am grateful to the hon. Gentleman for giving way and perhaps he would like to listen to what I have to say. Is it not right that the hon. Member should declare an interest in this debate as he is funded by the housing Ministry? Should he not have declared an interest in the debate before he made his speech?

Mr. Deputy Speaker: Order. We are beginning to stray a little. The new clause relates to shorthold, and a number of recent remarks have been difficult to relate to the subject under consideration.

8 pm

Mr. Raynsford: The only interest that I have to declare is that I have worked for 14 years in housing and I care deeply about the problems of housing.

The reason I stressed that the new clause was both irrelevant and based on a misconception, is that it is assumed that creating short-term lettings will lead to a surge in the number of lettings coming onto the market. That is a misconception which the Conservative party adopted in the 1970s. After the introduction of shorthold under the Housing Act 1980, the decline in the private rented market continued at much the same rate as before, with only a derisory number of shortholds coming into existence. In London, the evidence for the first year of shortholds was that about 16,000 properties went out of letting in the private market and only about 300 shortholds were created. That shows that the whole shorthold experiement was misconceived and inappropriate.

The evidence is that, when property is decontrolled, there will be exploitation and high rents and tenants will be subject to especially brutal pressures from landlords, as was the case during the Rachman era which followed the Rent Act 1957.

I stress that, for all these reasons, the new clause is taking us in an entirely inappropriate direction for housing policy. If the new clause is passed, private renting will continue to decline and there will be more options for exploitation in London, where people in shorthold tenancies will have to pay higher rents. I accept that there are very few of those people, so not many would be affected, but those in shorthold tenancies would suffer disproportionately.

I sincerely hope that the new clause is decisively rejected.

Mr. John Patten: Most hon. Members are aware of my views about empty housing and homelessness. I profoundly believe that somewhere in the equation of the more than 500,000 private empty flats and houses, and the perhaps 90,000 or more registered homeless, it is possible for sensible men of good will to find ways of unlocking that empty accommodation and so make it possible not only to house the homeless but to help young people and stop the degrading scramble for accommodation by young people seeking jobs in our great cities and for accommodation in our university towns.

I do not like deeply entrenched, long-held views which people are not prepared to reconsider. I much prefer the more modern approach put forward by the SDP spokesman, the hon. Member for Woolwich (Mr. Cartwright). He showed that, although he is worried about what would happen should there be a measure of deregulation, the alliance has said that it is prepared to consider measured forms of deregulation, such as extensions to the shared tenancy scheme, where it introduces new forms of finance from building societies, responsible and respectable institutions and others. We should go down that road, across the Chamber, to see whether we can do something to unlock the supply of empty, privately rented homes, in the interests of those who need accommodation, be they the homeless, the young or the mobile job seekers.

Having said that, I believe that the shorthold tenancy scheme is excellent. It has done much to help in the way that it was designed to do, and therefore I welcome the way in which my hon. Friend the Member for Eastbourne (Mr. Gow) introduced his debate on shorthold tenancies. The new clause proposes the removal of the shorthold tenancy scheme from the fair rents system. My hon. Friend wants to deregulate—doubtless he will correct me if I am wrong—all lettings made on shorthold after the date on which part I comes into force, both inside and outside London.

My hon. Friend explained the differences that exist in the shorthold scheme between London and other areas under the provision of the Housing Act 1980, introduced by my right hon. Friend the Member for Tonbridge and Malling (Mr. Stanley) who is now the Minister of State for the Armed Forces. My hon. Friend the Member for Chichester (Mr. Nelson) played an important part in helping that Act on to the statute book.

I hope and believe that my hon. Friend the Member for Eastbourne has today tabled a new clause which is essentially a probing amendment. I have recently spoken in the House about the privately rented sector. My right hon. Friend the Prime Minister and I have said that any legislation in the complex area of rent control must wait until after the next general election.

The shorthold tenancy scheme was not designed as a deregulation measure. That is quite clear, and it does not make sense to turn it into one and to deregulate on this type of tenancy alone. We would therefore get partial deregulation, and that would create some difficulties. We must consider the whole system of rent control and see which groups of people fall inside and outside the system, and not insulate those who choose a specific form of letting agreement.

I hope that my hon. Friend the Member for Eastbourne will accept my assurances that the Government are looking hard at the options for the private rented sector. We are persuaded of the need for reform. I hope and believe my hon. Friend feels that we should legislate rationally and nationally, at the correct time, over the whole area of renting, rather than pick on one valuable and partial scheme for partial deregulation, which would lead to a greater element of confusion in the short term rather than achieve the major aims of the Government to house more people in empty houses and flats which should not be empty because of the workings of the Rent Acts. I hope that my hon. Friend will consider withdrawing his new clause after hearing my comments.

Mr. Gow: I cannot conceal from the House my disappointment at my hon. Friend's reply. However, I think that it would be appropriate that I should beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 12

GRANTS FOR IMPROVEMENT OR REPAIR OF COMMON PARTS

'. Part XV of the Housing Act 1985 (grants for work of improvement, repair and conversion) is amended in accordance with Schedule (COMMONS PARTS GRANTS) so as to provide for a new form of grant towards the costs of works required for the improvement or repair of the common parts of a building containing one or more flats.'.—*[Mr. Robert B. Jones.]*

Brought up, and read the First time.

Mr. Robert B. Jones (Hertfordshire, West): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Deal): With this it will be convenient to discuss the following: new clause 16—Grants for flats and maisonettes—

'For the avoidance of doubt it is hereby declared that a repair and improvement grant under the Housing Act 1985 may be given notwithstanding that the repair or improvement benefits more than one dwelling house or flat.'.

Amendment No. 1, new schedule—Common Parts Grants—

1.—(1) Section 460 of the Housing Act 1985 (general description of main grants) is amended as follows.

(2) In subsection (1) omit the word "and" after the reference to special grants and after the reference to repairs grants insert "common parts grants (sections 498A to 498G)".

(3) In subsection (2) for paragraphs *(b)* and *(c)* substitute—

"*(b)* the improvement or repair of dwellings,

(c) the improvement or repair of the common parts of a building including one or more flats, and"

2. In section 462(1) of the Housing Act 1985 (preliminary condition for grants: the age of the property), after paragraph *(b)* insert ", or

(c) a common parts grant in respect of a building which was erected after 2nd October 1961.".

3. In section 463(1) of the Housing Act 1985 (preliminary condition for eligibility for grant: the interest of the applicant in the property) for "may entertain an application for a grant only if" substitute "shall not entertain an application for a grant, other than an application for a common parts grant, unless".

4. After section 464 of the Housing Act 1985 insert—

Preliminary conditions for application for common parts grant

464A.—(1) A local housing authority shall not entertain an application for a common parts grant unless they are satisfied as regards the relevant works that the applicant either—

(a) has a duty to carry them out, or

(b) has power to carry them out (there being no-one under a duty to carry them out) and has a qualifying interest in the building or in a dwelling in the building,

and that, at the date of the application, at least the required proportion of the dwellings in the building is occupied by tenants.

(2) The following are qualifying interests for the purposes of subsection (1)*(b)*—

(a) an estate in fee simple absolute in possession,

(b) a term of years absolute of which not less than five years remains unexpired at the date of the application,

(c) a tenancy to which section 1 of the Landlord and Tenant Act 1954 applies (long tenancies at low rents),

(d) a protected tenancy, a secure tenancy, a protected occupancy or a statutory tenancy;

(e) a tenancy which satisfies such conditions as may be prescribed by order of the Secretary of State.

(3) The required proportion mentioned in subsection (1) is three-quarters or such other proportion as may be—

(a) prescribed for the purposes of this section by order of the Secretary of State, or

(b) approved by him, in relation to a particular case or description of case, on application by the local housing authority;

and "tenant" for the purposes of that requirement means a person who has an interest within any of paragraphs *(b)* to *(e)* of subsection (2) by virtue of which he occupies a dwelling in the building as his only or main residence.

(4) An order under this section—

(a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and

(b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) This section has effect subject to section 513 (parsonages, application by charities, &c.)".

5. In section 466(1) of the Housing Act 1985 (grants requiring consent of the Secretary of State) for "or intermediate grant" substitute ", intermediate grant or common parts grant".

6. After section 498 of the Housing Act 1985 insert—

COMMON PARTS GRANT

Works for which common parts grants may begiven

498A.—(1) The works for which a common parts grant may be given are works required for the improvement or repair of the common parts of a building in which there are one or more flats, other than works for the provision of a dwelling.

(2) For this purpose—

(a) "flat" means a dwelling which is a separate set of premises, whether or not on the same floor, divided horizontally from some other part of the building, and

(b) "common parts" includes the structure and exterior of the building and common facilities provided, whether in the building or elsewhere, for persons who include the occupiers of one or more dwellings in the building.

Standard of repair to be attained

498B.—(1) The local housing authority shall not approve an application for a common parts grant in respect of a building unless they are satisfied that on completion of the relevant works the common parts of the building will be in reasonable repair.

[Mr. Deputy Speaker]

(2) If in the opinion of the authority the relevant works are more extensive than is necessary for the purpose of securing that the common parts of the building will attain that standard, the authority may, with the consent of the applicant, treat the application as varied so that the relevant works include only such works as seem to the authority necessary for that purpose; and they may then approve the application as so varied.

Ratable value limit.

498C.—(1) The local housing authority shall not approve an application for a common parts grant in respect of a building if, on the date of the application, the average rateable value of the dwellings in the building exceeds the limit specified for the purposes of this section by order of the Secretary of State.

(2) The consent of the Treasury is required for the making of an order.

(3) An order—

(a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and

(b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) For the purpose of this section—

(a) where a dwelling is a hereditament for which a rateable value is shown in the valuation list, the rateable value is the value shown;

(b) where a dwelling forms part only of such a hereditament, or consists of or forms part of more than one such hereditament, the rateable value is such value as the local housing authority, after consultation with the applicant as to an appropriate apportionment or aggregation shall determine.

(5) This section does not apply to buildings in housing action areas.

Common parts grants are discretionary

498D.—(1) A local housing authority may approve an application for a common parts grant in such circumstances as they think fit.

(2) Subsection (1) has effect subject to the following provisions (which restrict the cases in which applications may be approved)—

section 465 (works already begun),

section 466 (cases in which consent of Secretary of State is required),

section 498B (standard of repair to be attained), and

section 498C (rateable value limit).

Common parts grants: estimated expense of works.

498E.—(1) Where a local housing authority approve an application for a common parts grant, they shall determine the amount of the expenses which in their opinion are proper to be incurred for the execution of the relevant works and shall notify the applicant of that amount.

(2) If, after an application for a grant has been approved, the authority are satisfied that owing to circumstances beyond the control of the applicant the relevant works will not be carried out on the basis of the estimate contained in the application, they may, on receiving a further estimate, redetermine the estimated expense in relation to the grant.

(3) If the applicant satisfies the authority that—

(a) the relevant works cannot be, or could not have been, carried out without carrying out additional works, and

(b) this could not have been reasonably foreseen at the time the application was made,

the authority may determine a higher amount under subsection (1).

Common parts grant: limit on expense eligible for grant

498F.—(1) Except in a case or description of case in respect of which the Secretary of State approves a higher eligible expense, the eligible expense for the purposes of a common parts grant is so much of the estimated expense as does not exceed the prescribed amount.

(2) In subsection (1) "the prescribed amount" means an amount prescribed, or ascertained in a manner prescribed, by order of the Secretary of State.

(3) An order—

(a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and

(b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the House of Commons.

Commons parts grants: determination of amount.

498G.—(1) The amount of a common parts grant shall be fixed by the local housing authority when they approve the application, and shall not exceed the appropriate percentage of the eligible expense.

(2) The authority shall notify the applicant of the amount of the grant together with the notification under section 498E(1) (notification of estimated expense of relevant works).

(3) Where the authority redetermine the amount of the estimated expense under section 498E(2) (new estimate where works cannot be carried out in accordance with original estimate), they shall make such other adjustments relating to the amount of the grant as appear to them to be appropriate; but the amount of the grant shall not be increased beyond the amount which could have been notified when the application was approved if the estimate contained in the application had been of the same amount as the further estimate.

(4) Where the authority redetermine the amount of the estimated expense under section 498E(3) (redetermination where additional works prove necessary), the eligible expense under section 498F shall be recalculated and if on the recalculation the amount of the eligible expense is greater than it was at the time when the application was approved, the amount of the grant shall be increased and the applicant notified accordingly.".

7. In section 499(3) of the Housing Act 1985 for "this Part" substitute "the following provisions of this Part down to section 507".

8. In section 511 of the Housing Act 1985 (payment of grants: general), in subsection (3) *(b)* for "or repairs grant" substitute ", repairs grant or common parts grant".

9. In section 513 of the Housing Act 1985 (special cases; parsonages, applications by charities, &c.), in subsection (2) (provisions disapplied) after the reference to section 464 omit the word "and" and insert—

"so much of section 464A(1) *(b)* (preliminary conditions for application for common parts grant) as requires the applicant to have a qualifying interest in the premises, and ".

10.—(1) Section 514 of the Housing Act 1985 (power of local housing authority to carry out works with agreement of person by whom application for grant might be made) is amended as follows.

(2) For subsection (2) (definition of "requisite interest") substitute

"(2) The reference in subsection (1) to a person having the requisite interest is, except in the case of a common parts grant, to a person who has an owner's interest in every parcel of land on which the relevant works are to be carried out; and in this subsection "owner's interest" has the same meaning as in section 463(1) *(a)*.

(2A) The reference in subsection (1) to a person having the requisite interest is in the case of a common parts grant to a person who as regard the relevant works either—

(a) has a duty to carry them out, or

(b) has power to carry them out (there being no one under a duty to carry them out) and has a qualifying interest in the building or in a dwelling in the building;

and in this subsection 'qualifying interest' 'has the same meaning as in section 464A(1) *(b)*.".

11. In Section 515 of the Housing Act 1985, for subsections (2) and (3) (effect on grant of disposal by applicant of his interest in the property) substitute—

"(2) Where an application for a grant is approved but before the certified date the applicant ceases to be a person entitled to apply for a grant of that description—

(a) in the case of an improvement grant, intermediate grant, special grant or repairs grant, no grant shall be paid or, as the case may be, no further instalments shall be paid, and

(b) in the case of a common parts grant, the local housing authority may refuse to pay the grant or any further instalment,

and the authority may demand that any instalment of the grant which has been paid be repaid forthwith, together with interest from the date on which it was paid until repayment at such reasonable rate as the authority may determine.

(3) In subsection (2) 'the certified date' means the date certified by the local housing authority as the date on which the dwelling, house or, as the case may be, the common parts of the building, first become fit for occupation or use after the completion of the relevant works to the satisfaction of the authority.

(4) For the purposes of subsection (2) an applicant ceases to be a person entitled to apply for a grant, other than a common parts grant, if he—

(a) ceases to have an owner's interest in every parcel of land on which the relevant works are to be or have been carried out, or

(b) ceases to be a tenant of the dwelling;

and in this subsection 'owner's interest' and 'tenant' have the same meaning as in section 463(1)*(a)* and *(b)*.

(5) For the purposes of subsection (2) an applicant ceases to be a person entitled to apply for a common parts grant if he—

(a) ceases to have a duty to carry out the relevant works, or

(b) ceases to have power to carry them out or to have a qualifying interest in the building or in a dwelling in the building;

and in this subsection 'qualifying interest' has the same meaning as in section 464A(1)*(b)*.".

12. In section 518 of the Housing Act 1985 (meaning of "dwelling for a disabled occupant" and related expressions), for subsection (3) substitute—

"(3) In this Part 'improvement'—

(a) in relation to a dwelling for a disabled occupant, includes the doing of works required for making the dwelling suitable for his accommodation, welfare or employment, and

(b) in relation to the common parts of a building which includes such a dwelling, includes the doing of works required for making the common parts suitable for use by a disabled occupant of a dwelling.".

13. Renumber section 519 of the Housing Act 1985 (meaning of "reasonable repair") as subsection (1) of that section and after it insert—

"(2) In determining what is ' reasonable repair' in relation to the common parts of a building, a local housing authority shall have regard to—

(a) the age and character of the building and the locality in which it is situated, and

(b) the character of the dwellings in the building and the period during which they are likely to be available for use as dwellings,

and shall disregard the state of internal decorative repair of the building and the dwellings in it.".

14. In Section 526 of the Housing Act 1985 (the index to Part XV) at the appropriate places insert—

"common parts (for the purposes of common parts grant)	section 498A(2)*(b)*"
"common parts grant	sections 460 and 498A"
"flat (for the purposes of common parts grant).	section 498A(2)*(a)*",

Amendment No. 29, in clause 10, page 26, line 9, at end insert—

'*(da)* the recovery of service charges in respect of the cost of grant-aided works;'.

Amendment No. 31, in page 83, line 14 [*Schedule 2*], at end insert—

SERVICE CHARGES IN RESPECT OF THE COST OF GRANT-AIDED WORKS

4(A).—(1) In the Landlord and Tenant Act 1985, after section 20 insert—

"*Limitation of service charges: grant-aided works*

20A. Where relevant costs are incurred or to be incurred on the carrying out of works in respect of which a grant has been or is to be paid under Part XV of the Housing Act 1985 (grants for works of improvement, repair or conversion), the amount of the grant shall be deducted from the costs and the amount of the service charge payable shall be reduced accordingly.".

(2) In section 21 of the Landlord and Tenant Act 1985 (request for summary of relevant costs), in subsection (5) (contents of summary) after "shall" insert "state whether any of the costs relate to works in respect of which a grant has been or is to be paid under Part XV of the Housing Act (grants for works of improvement, repair or conversion) and".

(3) In section 47 of the Housing Act 1985 (limitation on service charges payable after disposal of house by public sector authority), after subsection (3) add—

"(4) Where relevant costs are incurred or to be incurred on the carrying out of works in respect of which a grant has been or is to be paid under Part XV (grants for works of improvement, repair or conversion), the amount of the grant shall be deducted from the costs and the amount of the service charge payable shall be reduced accordingly.".

(4) In section 48 of the Housing Act 1985 (request for summary of relevant costs), after subsection (3) (contents of summary) insert—

"(3A) The summary shall also state whether any of the costs relate to works in respect of which a grant has been or is to be paid under Part XV (grants for works of improvement, repair or conversion).'.

Amendment No. 148, in clause 38, page 75, line 31, after '3', insert '4A,'.

Amendment No. 150, in line 37, after '4', insert '(*Grants for improvement or repair of common parts)*'.

Amendment No. 151, in line 37, after '1', insert '(*Common parts grants*)'.

Amendment No. 152, in line 38 [*Clause 38*], after '3', insert '4A,'.

Mr. Jones: I do not suppose that I am alone in the House—and I see on the Amendment Paper a new clause from the Opposition on this matter—in receiving complaints from constituents and local authorities about what appears to be a gap in the housing renovation system. The complaints concern the common parts of flats and houses divided into flats.

At present, the system provides for two requirements. The first is that a proof of ownership must be provided, and the second provides for a certificate that the application for grant should relate to a property which can be occupied or is capable of letting. That is not the case with common parts, except in the rare cases where those parts are owned singly or in conjunction with a neighbouring flat.

As I have said, there is no real problem in relation to individual flats. Both landlord and tenant can fill the two requirements that I have mentioned. The legal difficulty arises in relation to the common parts which cannot be lived in. That is not a satisfactory state of affairs. I have therefore tabled the new clause and the concomitant amendments. The objective of the new clause is fairly simple, but hon. Members will have noticed that the methodology is more complicated than I would have wished.

I set out to produce a simpler version and to try to amend the present scheme. However, the most obvious way of doing that, after considering the complexity of the legislation, was to create a new type of grant—a common parts grant which would be discretionary for local authorities. As I have said, it may seem over-elaborate, but I think that that is the best way of dealing with it.

There are a number of differences between the proposed new grant and existing grants. Two particular aspects of the grant distinguish it from present grants—the works for which the grant may be made and those eligible to

[Mr. Jones]

apply. In this context "common parts" includes the structure, exterior, common areas and common facilities in a building divided into flats. Although the main problems arise with blocks of flats, these proposals will also apply to converted houses and flats in other buildings.

The grant will be available to the person who is under an obligation to carry out the works. In most cases that will be the landlord. There may, however, be other cases where no one is under an obligation to carry out essential works of repair, perhaps because leases are defective, as we considered in an earlier amendment. In the case of improvements it is unlikely that anyone would be under an obligation to carry them out. In this situation, any person who has the power to carry out works will be eligible for grant provided that he has an interest in the block or in a flat in the block, whether as a long leaseholder, tenant, landlord, management association, and so on.

It might be helpful to hon. Members if I outline other ways in which the new grant will differ from existing grants. Certificates of future occupation will not be required. Instead, I propose that grant should not be available if more than one quarter of the flats in a building are vacant at the time of application. This is an arbitrary figure but it is designed to provide a safeguard against someone making a profit from the improvement of a substantially vacant block by selling the flats as soon as work has been finished.

Common parts grant would not be available if the average rateable value of the dwellings in a building exceeds a specified limit. This is to avoid the Chelsea problem. The limit will be for my right hon. Friend the Secretary of State for the Environment to determine, as is the case with other renovation grants, and I have no doubt that he will adopt the same principle so that the rateable value limits will be aimed at making the new grant available to those people and properties in the greatest need.

It will have been noted by hon. Members that I have also tabled consequential amendments to section 47 of the Housing Act 1985 and to the Landlord and Tenant Act 1985. These are the provisions which were formerly in schedule 19 to the Housing Act 1980. They provide that, folllowing payment of a common parts grant, the amount of service charge payable will be reduced by the amount of the grant. This is to avoid tenants being caned a second time. In addition, similar provision is made for existing house renovation grants.

This is a limited series of measures, which will not apply to a large number of grants, at least to start with, but they will do a great deal to plug a serious gap in the present system which has deterred local authorities which are determined to improve blocks of flats in their areas but have not been able to do so because of the quirks in the present law. Therefore, I commend my new clause to the House.

Mr. John Fraser: May I speak to the associated Opposition amendment? The law on improvement grants for blocks of flats and maisonettes has turned out to be plain daft. There have been a number of cases where substantial grants could be given for alterations, repairs or improvements to individual flats and yet where necessary work on a roof which gave protection to more than one flat requiring a modest amount of money, as a result of rulings by the Department of the Environment and the interpretation of the law could not be undertaken. That has led to the most acute distress. A case is proceeding at the moment between the owners of a block of flats in my constituency and the Department of the Environment. I am not sure whether it has yet been concluded but it has caused the most acute distress and the law needs to be remedied quickly.

The Minister gave us an undertaking in Committee when we raised this issue that the Government would address themselves to it. I do not know whether they have in any way inspired the hon. Member for Hertfordshire, West (Mr. Jones). If they have, we welcome the inspiration and we hope that the Government will be able to accept the amendment, with which we are happy to associate ourselves.

Mr. Simon Hughes: I should like to join that association in views. There is a clear gap in the law. Home improvement grants have failed to help many people who live in accommodation that is effectively shared, or the common parts of which are shared. If the Minister does not respond now by saying that the Government accept the amendments as drafted, I hope that something will be introduced in another place because this is an appropriate Act in which to do something. The new clause put forward by the hon. Member for Hertfordshire, West (Mr. Jones) is more or less appropriate and is certainly sufficiently correct in principle to be adapted by the Department of the Environment within a short time.

Clearly here is an area where property has often been more neglected and so there is more substantial need for moneys for home improvement than in many of the other areas to which money has been directed so far. There is a gap in the law and it appears that there is many-sided agreement on this. I look forward to a positive response.

8.15 pm

Mr. Alfred Dubs (Battersea): This is another respect in which leaseholders are suffering and there can be no doubt that there is a major defect in the law. Over the past few months I have had a number of bitter and angry letters from people in my constituency who have not been allowed an improvement grant. It is clear that even the Conservative Wandsworth council has blamed the Minister for a decision which has given rise to this difficulty.

I was given this undertaking by the Under-Secretary of State, the hon. Member for Ealing, Acton (Sir G. Young), in April:

> "We are, however, currently considering the possibility of an amendment in the Housing and Planning Bill now before Parliament, to remedy the situation."

Therefore, I hope that the new clause tabled by the hon. Member for Hertfordshire, West (Mr. Jones) is Government-inspired and is the way in which the Government, in a slightly roundabout way, are seeking to meet that commitment.

This is an urgent problem. Some of the people who have been held up in their application for an improvement grant are suffering from damp, leaking roofs and so on. There is not a moment to waste in implementing this measure. If the Minister accepts this series of amendments, as I assume he will, will he give an undertaking as to when the provision will come into effect so that those who are waiting will know how much longer they will have to wait?

Mr. John Patten: I am well aware of the consequences, particularly in London, of the home improvement grant legislation. There is a gap in the law which has been recognised by my hon. Friend the Member for Hertfordshire, West (Mr. Jones), the hon. Member for Southwark and Bermondsey (Mr. Hughes) and the Labour Front Bench spokesmen. Indeed, in Committee, the hon. Member for Norwood (Mr. Fraser) raised this important point. That is why I am grateful to my hon. Friend for tabling new clause 12 and the consequential amendments which will remove the anomaly in the Housing Act 1985 by enabling grants to be given for works to the common parts of buildings including flats.

The hon. Member for Battersea (Mr. Dubs) mentioned Wandsworth. Indeed, one of the people who has pressed powerfully on the Government the case for this change in the law has been that excellent Conservative leader in Wandsworth, Councillor Paul Beresford. I am sure that he will welcome this news this evening. I also welcome the proposed consequential amendment on service charges. It is important to ensure——

Mr. Rooker: Come on.

Mr. Patten: Everyone is allowed a couple of minutes during a bipartisan evening.

It is important to ensure that leaseholders who pay variable service charges will be able to benefit from this new grant. Here again, it is a duty on me to say that I applaud the excellent decision reached by the excellent chairman of the housing committee of Westminster city council, Councillor Patricia Kirwan, to enter into a voluntary agreement with private landlords on a new code to regulate private lettings in the city of Westminster. We are fortunate to have people such as Councillors Beresford and Kirwan in local government.

Mr. Rooker: What about Dick Knowles?

Mr. Patten: I would certainly associate Councillor Dick Knowles with my remarks about the need to have good leaders in local government in all political parties. He is always wonderfully rude to me in the friendliest sort of way whenever I meet him.

I have little to add to what my hon. Friend has said about his new clause and the consequential amendments. He put the case for this urgently needed change clearly and I am extremely happy to accept, lock stock and barrel, his new clause and the amendments. In saying that, it means that new clause 16 cannot be accepted because it is not drafted in a way that makes it acceptable to the Government. Of course, it has an identical intention, and I recognise the issue raised by the hon. Member for Norwood in Committee. I am extremely grateful to my hon. Friend the Member for Hertfordhsire, West.

Mr. Dubs: When will it come into effect?

Mr. Patten: I forgot to deal with that point. It will come into effect when the Bill becomes law.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New schedule agreed to.

—[Mr. Robert Jones.]

Mr. John Patten: I beg to move Government amendment No. 4, in page 2, line 6, leave out from 'flat,' to end of line 15 and insert

'44 per cent. plus two per cent. for each complete year by which the qualifying period exceeds two years, up to a maximum of 70 per cent.'.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 5, in page 3, line 7, at end insert

'*(5)(a)* In the case of a flat to which subsection *(2)(b)* applies the District Valuer shall on the application of a person exercising the right to buy to determine the value of the flat in whose block there has been no transfer for value of fewer than three flats in that block (other than a transfer for value on the exercise of the right to buy) give formal notice to the landlord requesting the landlord to offer for sale, with vacant possession a similar flat in the same block

(b) on receipt of such formal notice the landlord shall do his utmost to comply with the notice and shall notify the Secretary of State in writing of the steps which he proposes to take to comply with the notice within three weeks of the receipt thereof.

(c) The landlord shall notify the District Valuer of a sale and the price at which the sale was made within seven days of the exchange of contracts for that sale.

(d) in determining the value of the flat the District Valuer shall take full account of any price notified to him under subsection *(c)*.'

Mr. Pattie: Clause 1 of the Bill, as amended in Committee, provides for a three-tier system of discount on houses and flats sold under the right to buy. The effect of clause 1 as it stands is that for houses the scale would start at 32 per cent. for tenants with the minimum two years, and rise to a maximum of 60 per cent. by steps of 1 per cent. for each of the tenant's qualifying years in excess of two. For flats, in general, the scale would run, as the Bill sets out in its original form, from 42 per cent. by 1 per cent. steps to 70 per cent. This was the proposal in the Bill as introduced.

The amendment tabled in Committee by my hon. Friends the Members for Northampton, North (Mr. Marlow) and Aldridge-Brownhills (Mr. Shepherd) made special provision for flats in deck access blocks and tower blocks with 10 or more floors. Under their amendment the scale for such flats would start at 50 per cent. and rise by 1 per cent. steps to a maximum of 80 per cent.

When we debated that amendment in Committee I suggested that a special discount scale for certain categories of flats could have unfortunate effects. I do not wish to repeat that in detail and I am sure that hon. Members are well aware of my views. However, I recognise my hon. Friends' strength of feeling in Committee that we ought to go beyond the simple 10 per cent. increase in discount on flats for which the Bill, as introduced, provided.

The amendment does that, but it avoids the complication of three different discount scales by providing for better discounts on flats of any kind sold under the right to buy. This is the Government's response to the painful defeat I experienced in Standing Committee by an all-party group on an amendment put down by my hon. Friend the Member for Northampton, North.

It is a dreadful experience to be defeated in Committee. One gets into terrible trouble with the Whips and derision is poured onto one's head by colleagues. I realised I had to claw back as best I could. What I have done in this amendment is to provide for a flat tenant's discount to rise by 2 per cent. steps. Therefore, a tenant with a minimum of two years' standing—necessary to exercise the right to buy—would be entitled to a discount of 44 per cent. and a maximum of 70 per cent. would be reached after only 15 years.

I will give a moment of detail on this as it is important. I am advised that this provision would give much the same average discount as tenants of flats in deck access and

[Mr. Pattie]

tower blocks would have received if my hon. Friend's amendment were enacted in its present form—about 65 per cent. Under my proposal, however, all the tenants of flats, not just tenants of flats in the categories annunciated by my hon. Friend's amendment in Committee, would benefit. Under my hon. Friend's proposal, less than about half of flat tenants would have been eligible for the higher discount. I hope that this change, together with other provisions in the Bill, will encourage tenants to think seriously about buying.

Mr. Hughes: The other statistic which would be helpful to know would be the difference that this would make to the revenue of local authorities as against the present position and as against the position as it would be on the basis of the original drafted clause. On the present rate of sales it would be helpful to know what the difference will be. One of the key factors is not the effect on people's right to buy but the effect on the revenue accounts of the local authorities who have one property less.

Mr. Patten: That is a perfectly proper question, but unfortunately I cannot answer it properly or even give an improper answer drafted by my civil servants. The civil servants are very good at drafting improper answers when asked.

We cannot predict what the effect of this legislation will be on flat sales—so far, the number of flat sales have been extremely small. Only 2 or 3 per cent. of all sales through the right to buy have been flat sales. Sales have been extremely restricted. Thus, we cannot predict the impact of an increase of 10 per cent. discount or the effect of shortening from 30 years to 15 years the period during which the maximum can accrue will have on people's behaviour.

I hope it will encourage people to think seriously about buying their flats. However, we do not know if it will. I cannot say, therefore, without going into the funniest arithmetic of all, what the effects will be on local government finance. The fact that only 3 per cent. of right to buy purchasers have been for flats means that, at the present, the effect on revenue has been minimal. I cannot give a straight answer. I have not satisfied the hon. Gentleman, but I have owned up to the fact that I cannot give a straight answer.

Mr. Hughes: I am grateful for the Minister's answer. Although there may be statistics, I understand his problem. Is his Department proposing to compensate local authorities for any increased sales which they suffer as a result of this legislation becoming law?

Mr. Patten: I do not like the use of "suffer" in this context. The position will remain exactly as it is with the right to buy.

I now turn to amendment No. 5 tabled by my hon. Friend the Member for Eastbourne (Mr. Gow) whom I disappointed so much in the last debate but one. We debated this issue in Committee on 8 April and I had the feeling that I was indirectly addressing my hon. Friend even though he was not a Committee member. I had an uneasy prickle that somewhere behind me was the figure of my hon. Friend and that his hand might descend on my collar at any time.

In Committee, my hon. Friend the Member for Northampton, North tabled a new clause to give effect to the proposal of my hon. Friend the Member for Eastbourne. We had a good debate in Committee and I think my hon. Friend the Member for Eastbourne had a chance to study that particular debate. I have not got much to add to what I said in that debate. There are some practical difficulties.

My hon. Friend's scheme is certainly ingenious, but I fear that practical difficulties remain to be resolved. I am not suggesting that the practical problems are insoluble. However, before adding such novel, complex and costly procedures to the statute book we have to be sure that the scale of the problem justifies a move of this kind. There is no clear evidence to suggest that it does. I am in a position to pay tribute to my hon. Friend the Member for Eastbourne for the role he played when he was Minister for Housing, Urban Affairs and Construction. He set up, with the co-operation of the London boroughs of Ealing and Wandsworth — I am afraid I must mention Wandsworth again as that was the other co-operative body —a study to consider the effects of the sort of situation which my hon. Friend imagined.

The results offered no support for the view that the valuation set on flats by borough valuers or district valuers are excessive. I set out the exact facts and figures in my answer in Committee to the new clause put down by my hon. Friend the Member for Northampton, North. We are continuing to monitor the sale and resale of flats in these areas under the scheme set up by my hon. Friend the Member for Eastbourne. So far we have not received a shred of evidence about over-valuation. I agree that this sample is not very large. There was no evidence to show that a scheme of the kind proposed by my hon. Friend was necessary.

I hope that my hon. Friend will consider withdrawing his amendment.

Mr. Gow: I welcome the provision of extra discount for those who buy flats, and I congratulate my successor on that part of the Bill that is before us. What is now section 128 of the Housing Act 1985 provides that

"any question . . . as to the value of a dwelling-house . . . shall be determined by the district valuer".

The purpose of my amendment is to give further protection to the purchaser of a flat. I wish to move from the particular to the general.

8.30 pm

On 5 April there came to the office in Eastbourne a constituent who is considering exercising the right to buy. The house that he is minded to buy is one to which the Housing Defects Act 1984 applies. It is a prefabricated, reinforced concrete house. Quite understandably, my constituent was dissatisfied with the value placed upon that house by the Eastbourne borough council. He had previously been to see his Member of Parliament, who agreed with him that the valuation placed on the house by the borough council was too high. My constituent therefore applied, as he is entitled to do under the Housing Act 1980, to the district valuer for a determination of the value.

On 28 February 1986 the district valuer wrote to my constituent in the following terms:

"Reference is made to the Notice served on the Eastbourne Borough Council requiring my determination of the value of the

above property in accordance with the provisions of Section 11 of the Housing Act 1980. The property was inspected on 16 January 1986."

I note in passing that the inspection was carried out on 16 January 1986 but that the letter was not written until 28 February 1986. The district valuer then said:

"Representations, either verbal and/or written, from the landlord and the tenant have been considered together with all relevant valuations and available market evidence."

Those are the words that I want to underline to the House and in particular to my hon. Friend the Minister for Housing. The district valuer said that representations, together with all relevant valuations and available market evidence, had been considered. You may find it immensely surprising, Mr. Deputy Speaker—as I do—since this is a prefabricated, reinforced concrete house, that the district valuer then said:

"No structural survey has been made."

Following my constituent's visit on 5 April, I wrote to the district valuer on 8 April and said:

"In the sixth paragraph of your Determination you say that you have considered 'all relevant valuations and available market evidence.' So that I may advise my Constituent, could you please make available to me those 'relevant valuations and available market evidence' which you considered? Why did you make no structural survey of this property?"

It was not the district valuer who replied to my letter of 8 April. On the contrary, the reply came from the assistant chief valuer, land services and taxation division of the Inland Revenue—a valuer, no doubt, of great distinction. He said:

"In view of my earlier correspondence with you, the District Valuer at Eastbourne has forwarded me a copy of your letter to him dated 8 April. It would not be appropriate for him"—

that is, the district valuer—

"to give the information which you now request. The DV has made his statutory determination using his professional knowledge and taking into account all relevant matters of which he was aware . . . I regret that I consider further discussion of any individual cases subsequent to a determination would serve no useful purpose."

But what was it for which I asked? I asked for the evidence upon which he had based his judgment and for all relevant valuations and available market evidence. I also asked him why there had been no structural survey of the property.

What will be the position of those who are considering purchasing a flat? That was a house. There are not many examples of prefabricated, reinforced concrete houses changing hands between one purchaser and another, both of whom are in the private sector, because it is virtually impossible, as the Opposition know, to get a mortgage. As the hon. Members for Birmingham, Perry Barr (Mr. Rooker) and for Norwood (Mr. Fraser) know, the number of approved methods of repair is not very great. If that was the reply that was given in respect of a prefabricated, reinforced concrete house by the district valuer, where there was little evidence of the open market value, how much more difficult would it be to establish the value of a flat in a block of flats where no other sales had taken place?

I am second to none in my admiration for the professional skill and expertise of district valuers, but we are asking them under the 1980 Act, reproduced in the 1985 Act, particularly in the case of flats—however estimable, highly qualified and devoted they may be—to do something which even the wisest man cannot do. Even the hon. Members for Perry Barr and for Norwood, and even the hon. Member for Bootle (Mr. Roberts), were he here, could not say, however wise they may be, what would be the market value of the first flat on the 15th floor that was about to be sold.

The only way to give real assistance to the district valuer in his task is to try to sell one of those flats on the open market. If one asked the finest estate agents—there may be a number of estate agents on the Opposition Benches to whom we could give this task—to try to find a purchaser, then we should know the open market value of that flat.

The purpose of the amendment is to provide protection for those who wish to purchase a flat. The value that is frequently placed upon a flat — here I respectfully disagree with my hon. Friend the Minister for Housing —means that prospective tenants do not buy. Of course my hon. Friend is right to say that there is no evidence. The reason for the lack of evidence is that few deck access flats have been sold. One cannot say that the valuations of deck access flats are proper valuations, because when a prospective purchaser is told what the open market value is he says, "I'm not going to go ahead at that value." That is why there is no evidence.

Before he had heard my modest contribution to this debate, my hon. Friend said that he was unable to accept the amendment. Having heard what I have said, I hope that he may be able to accept it, or that, if he is unable to accept it this evening his noble Friend, who is to pilot the Bill through another place, will look again at this matter. It is not good enough to say that there is no evidence. The evidence is there in this dramatic way. Part of the reason for my hon. Friend's introduction of extra discounts for flats was that such a tiny number of flats had been sold. Why had such a tiny number of flats been sold? It was because either the district council, or the borough council, or the district valuer, had placed a value upon the flat that the tenant knew was nowhere near the price that he would be able to obtain on a resale.

Mr. Simon Hughes: Will the hon. Gentleman give way?

Mr. Gow: No. I think that I detect the mood of the House. It is anxious to make progress. I have said enough to explain my case.

Mr. Cartwright: The formulation in the Government amendment leaves the Bill in a tidier state than it had reached in Committee. It is a great deal better to have only two ranges of discount instead of three. The argument for having a greater discount for the purchase of flats and maisonettes is that they are less attractive propositions and there are far more associated problems. I am glad that the Minister was a little cautious in the way in which he presented his amendment. He clearly did not necessarily suggest that these discounts would result in a great flow of purchases.

Like many of us he understands that many other problems are involved. Practical difficulties are associated with buying a flat or maisonette, and there are problems of service and maintenance charges. To be fair, the Government have tried to deal with those matters in other clauses. Problems are associated with the general environment of the block and the unattractiveness of some council flats and maisonettes. A problem follows from the resale of housing of the general quality of which we are

[Mr. Cartwright]

talking. All these matters will have a much bigger impact than discount on whether more flats and maisonettes are sold.

I underline what the hon. Member for Eastbourne (Mr. Gow) has said. In constituencies such as mine and that of my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes), there is no evidence at all of the sale of flats of any sort, public or private. If we consider a flat in a singularly rundown council estate, whether it is in a tower block on a deck access block or is a maisonette in a high-density development, there is no evidence at all to enable us to decide what is a reasonable market value for that property, given not just the square footage or facilities it contains but the general area in which it is situated, its surrounding environment, and all the features that go to make up the package that someone will buy.

On the basis of that kind of experience, some of my constituents who have been brave enough—some would say foolhardy enough—to buy flats in such an area may have paid more than it was reasonable to expect them to pay. Thus the case made out by the hon. Member for Eastbourne is very good. I hope that the Minister will consider the possibility suggested, because it is important that we try to discover what is a reasonable price in an open market for some of the properties we expect tenants to buy.

Mr. Marlow: I thank the Minister for the gracious, graceful and highly intelligent way in which he has introduced his amendment. I also find very persuasive the amendment introduced by the Member for Eastbourne (Mr. Gower). He will not be surprised by my saying that, because I put forward a similar amendment in Committee, inspired by my hon. Friend the Member for Eastbourne.

There is a great justification for having a higher discount on flats than applies to houses. First, as has been said by at least two hon. Members, we have not sold many flats. Secondly, not many flats have been sold because when a house is purchased there is an unavoidable annual commitment to pay the mortgage. However, when a flat is purchased there is the unavoidable annual commitment of paying the mortgage, the insurance, the cost of keeping a roof on the block of flats, and the service charges, so if there is a higher percentage discount on the sale of a flat. The actual percentage that has to be paid as unavoidable annual commitment is probably much the same for a flat as it would be for a house. That is why the amendment is justified.

Discussions have taken place since the first amendment was passed by the Committee. There were difficulties about how much money would be involved, but we are delighted that the Treasury has come up trumps. The amendment now extends the legislation a much greater range of flats; it was restricted before. It also provides that while a person who has been in residence in a flat for between two and eight years does not receive quite as big a discount as under the previous provision. A person who has been in residence for between eight and 15 years actually gets a bigger discount. It is quite often a person in that category who is better able to buy the property. Thus the probability is that, under this amendment, more people in the deck access and tower block type of flats will buy their flats. In addition, a whole other raft of tenants will be encouraged to buy flats at a higher rate of discount. The whole proposal is very exciting. It provides a wonderful opportunity for many people to purchase the homes in which they have been living, and it can have a great effect on improving the environment in which so many of our citizens now live.

8.45 pm

Mr. Simon Hughes: I want to raise two points, the first relating to the change in discount rules and the other relating to the amendment of the hon. Member for Eastbourne (Mr. Gow). In an intervention this afternoon, I asked the Minister a question because of the concern which I have and which Liberal and alliance-run councils and many other councils have—that, with every change in the rules adding to discounts, whether for houses or flats, there is no compensation back to the local authorities for what in effect they lose in terms of housing stock.

What is involved may indeed be the least desirable accommodation. If we accept the entitlement of people to claim the right to buy and if there is difficulty, as the Government have found, in encouraging people to buy flats in tower blocks, then the Government pretend their policy is more effective by giving greater and greater incentives. If the increase as a result of this policy is not much beyond 4 per cent., the Government will probably give away flats in tower blocks in order to show what a successful policy they have. That is certainly where this policy leads; I have no doubt that such a measure will be introduced if the percentage increase remains low. The problem for the local authorities remains the same. Those with the largest number of flats in constituencies and boroughs such as Southwark and the largest number of flats that are difficult to rent have the greatest problem in accommodating people in decent housing.

Since I first came into the House and subsequently, I have expressed my concern and scepticism about the present legislation. With each change the Government have made to the law, I believe they have added to the discounts without adding at all to the compensation for local authorities. My colleagues and I certainly will not be happy until the Government compensate by adding the money into the housing revenues of local authorities that they have been taking away in larger and larger proportions. I shall be interested to see what the figures produce. I urge the Minister to do something much more substantial for the housing needs of those who are not housed at all or who do not have decent accommodation rather than increasing to privatise blocks or parts of blocks of flats.

I support amendment No. 5 in principle. I appreciate the ridiculous conclusion the hon. Member for Eastbourne arrived at in his proper inquiries which clearly led him to the alley from which he is seeking to escape in his amendment. However, a matter of some technicality is involved in the question of the first occupant to exercise the right to buy in the block when there is no other empty property at all, but where it is still possible, given the wording of the amendment, for a valuation to be carried out properly. I appreciate that one can value as though a flat were vacant even when it is occupied, but I fear that there may still be a technical difficulty with the amendment. If that difficulty can be resolved and there are ways of getting a proper valuation, not only should that happen but the valuations should be in the public domain. I hope that the Revenue and the other people involved will respond to the concern expressed in this debate, giving

proper information when Members of the House or other people seek it and not hiding behind matters of technicality and obscurity.

Mr. Rooker: The rubbish spoken by people outside after the Committee completed considering clause 1 only showed their ignorance in not even bothering to read the details of our proceedings. We had extensive debates on the difficulty of living in flats, whether deck access or tower block, not all of which are hard to let. There was a substantial difficulty with an imprecise Opposition amendment dealt with at the first sitting of the Committee, but I made it absolutely clear that the Opposition would not act in that way, with a simple alteration of the discount. We still believe that people will not buy what they cannot sell. That is the real issue, although, as my hon. Friend the Member for Norwood (Mr. Fraser) said, there are council blocks of flats on the Edgware road which have been sold piecemeal, with two-bedroom flats on the 16th floor selling at more than £50,000. Of course, London is always different from the rest of the country.

As I said on Second Reading, the Government could make the discount 90 per cent., and there would still be a problem. People would not be able to do what they wanted. The issue can be tackled in other ways, not just by piecemeal selling. However, we concur with the Government's approach to clause 1 because, technically, the clause is now meaningless in terms of its operation.

The hon. Member for Eastbourne (Mr. Gow) identified the difficulty of valuing a property on the open market. I appreciate the fact that district valuers face difficulties, in carrying out structural surveys of homes which are probably designated under the Housing Defects Act 1984. The problem affects many tens, if not hundreds, of thousands of our fellow citizens.

We do not want to hinder progress on this part of the Bill or, indeed, progress on the Bill as a whole, until we become party political shortly. The Government have tried to solve this problem of their defeat on clause 1. They were defeated because hon. Members on both sides of the House searched, blindly, for another way. They did not want simply to jack up discounts piecemeal. They wanted to improve housing for people living in flats, whether they rented or wanted to exercise the right to buy.

Mr. John Patten: I welcome the comments of the hon. Member for Birmingham, Perry Barr (Mr. Rooker). Some people did not understand the nature of the debate on clause 1. Anyone interested in it should read the debate in Standing Committee.

I am pleased that Government amendment No. 4 has been welcomed. I am particlarly pleased at the welcome given to it by my hon. Friend the Member for Northampton, North (Mr Marlow). To use his immortal words. "The Treasury has come up trumps." I shall pass on his comments to my right hon. Friend the Chief Secretary to the Treasury who sits with his little calculator in the Treasury looking for opportunities to add things up and, from time to time, to come up trumps. On this occasion, my right hon. Friend has certainly come up trumps, and we are grateful to him.

I made much in Standing Committee of the fact that we do not have any evidence. Lo and behold, from behind me came evidence that I did not have before of a particular problem. I was disturbed by what my hon. Friend the Member for Eastbourne (Mr. Gow) said. I was disturbed at the disgraceful delays in answering correspondence by the Liberal-controlled Eastbourne council on behalf of his constituents. Councils—whether Conservative, Labour or, as in this case, Liberal—should get on with the job of answering letters and looking after the people who live in their areas.

Mr. Simon Hughes: Not the council. It was the district valuer who delayed.

Mr. Patten: The hon. Gentleman should have listened more carefully to the comments of my hon. Friend the Member for Eastbourne. There were delays in answering letters from the council before the district valuer became involved.

Mr. Simon Hughes *rose*——

Mr. Patten: The hon. Gentleman can read the account in *Hansard*.

I make no promises to my hon. Friend the Member for Eastbourne, but he has given me pause for thought. If he can spare the time to send me the evidence to which he referred, I shall consider further with my noble Friend the Minister of State whether we should make changes in the other place. That is not a pledge to do something in the other place. It is a pledge to look seriously at the evidence of my hon. Friend the Member for Eastbourne.

Amendment agreed to.

Schedule 1

Land Registration and Related Matters where Right to Buy Preserved

Amendment made: No. 6, in page 79, line 8, at end insert

'and accordingly section 70(1)*(k)* of that Act (leases which are overriding interests) does not apply.'.—*[Mr. John Patten.]*

Clause 5

Redevelopment of dwelling-house subject to secure tenancy

Mr. Rooker: I beg to move amendment No. 7, in page 18, line 3, leave out clause 5.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 10, in page 18, line 14, at end insert

'and for that purpose reasonably requires possession and occupation of the dwelling-house'.

No. 11, in page 18, line 14, at end insert

'provided that possession is not required for the purposes of refurbishment and subsequent sale or re-letting to another person.'.

No. 12, in page 18, line 20, after 'dwelling house' insert

'provided that possession is not required for the purposes of refurbishment and subsequent sale or re-letting to another person'.

No. 13, in page 18, line 25, at beginning insert 'subject to sub-paragraph 4'.

No. 14, in page 18, leave out lines 38 to 41 and insert

—

'(3) The Secretary of State shall, in giving his approval, consider:

(a) whether the tenants in an area which is the subject of a disposal and re-development scheme have been fully consulted about the proposals;

(b) the views expressed by tenants in an area which is the subject of disposal and redevelopment;

[Mr. Deputy Speaker]

(c) the likely effect of the disposal of the whole or part of one or more dwelling-houses on an adjacent property;
(d) whether the proposed disposal and redevelopment will lead to a substantial loss of accommodation and;
(e) whether the tenants in an area which is the subject of disposal and redevelopment will have an opportunity of renting one of the developed dwellings at a fair rent or buying at an appropriate price.'.

No. 15, in page 18, line 41, at end insert—

'(4) A landlord may apply to the Secretary of State for consent for the disposal and redevelopment of an area of land consisting of or including the whole or part of one or more dwelling-houses only if

(a) a majority of two-thirds of the tenants of the dwelling-houses have agreed in writing to the proposed scheme, following a consultation period of not less than three months from the point at which full details of the proposed redevelopment have been made available on an individual basis to the tenants concerned; and
(b) the local authority is satisfied that the disposal of the dwelling-houses will not affect its ability to carry out its duties under section 22 of the Housing Act 1985; and
(c) the consideration obtained by the local authority for the disposal of the land would in the opinion of the local authority be more than the vacant site value of the land.'.

Government Amendment No. 16. No. 23, in page 20, line 27, at end add—

'(5) In Part IV of the Housing Act 1985, section 105(3) after the word "demolition" insert "or disposal for redevelopment" and in section 105(3) after the word "situated" add— "or *(c)* a proposal to consider the disposal and redevelopment of dwelling-houses let under secure tenancies".'

Mr. Rooker: This is the one central clause to which we take fundamental objection. I do not intend to delay the House because I made the case on Second Reading. In Committee, the Opposition refused even to countenance amending clause 5. I spoke for the best part of nearly two hours, and apologised for doing so, giving the arguments why clause 5 should not remain in the Bill. We failed in our task. We tabled modest amendments earlier in the week and since then have tabled and withdrawn others. For the convenience of the House we thought that it was best to have one debate on clause 5 so that hon. Members would have an opportunity to debate the principle of the clause. We are grateful to Mr. Speaker for selecting amendment No. 7 because that will ease our debate.

The clause will give back to 6 million council tenants one-sided tenancy agreements. It will allow the landlords to kick those tenants out simply because they want to get in the home to do it up and sell it off to someone else. When one strips away all the verbiage, that is what the clause is all about. It is about kicking council tenants out —not so that the home can be demolished to remodel the estate or to create access to the land for new building or because the home is substandard, but so that the home can be done up and sold off to someone else. That is immoral. That is not the housing policy we expect from a British Government in the 1980s.

We are not interested in amending clause 5. Essentially, we want it to be deleted. We cannot understand why the Government are not prepared to accept some of our amendments. The provisions in amendments Nos. 10 to 15 would ameliorate some conditions. One Minister said last November on "TV Eye" that the Government were proposing a residual power and that one person should not stand in the way of a development.

During the debate, we gave the example—I repeat it because no one else should be able to argue that we have kept our light under a bushel—of the Labour-controlled Langbaurgh council carrying out this type of measure with 177 dwellings. Three tenants — there were eviction notices on two—were sticking it out because they loved their homes and did not want to move. Under existing law, they may, or may not, have failed in the courts, but, under this legislation, the council would have walked in immediately. The argument was that those homes would remain and were not required for remodelling. The council changed its mind during the passage of the Bill. I take no credit for that. The credit is due to the campaign waged by the three families concerned to show the council that there were other ways of carrying out housing policy.

Clause 5 requires something that can be tested in the courts, so that it is a matter not just of the view of the Secretary of State, but of a test of reasonableness. That is implied in amendment No. 10. At least there would be a further test of what the Government are up to.

Under amendment No. 11, the clause would not operate after rehabilitation if the dwellings concerned were resold to other people.

Amendment No. 14 relates to tenant consultation—as does amendment No. 15—if by a majority of two thirds the tenants have agreed in writing to the proposed scheme. In this way there is some kind of veto for the tenants. I imagine the Minister will come to the House with good news in some respects on clauses 4 and 6. The Minister made concessions in Committee which he confirmed to me in writing today, saying that in another place substantial concessions will be made on clauses 4 and 6. For that, on behalf of the Opposition, I am very grateful, as I know tenants and my hon. Friends will be.

If the Minister can meet us in that way on clauses 4 and 6, why can he not meet us similarly on clause 5 in regard to amendments Nos. 14 and 16? Before 1980 council tenants had no security of tenure. This Tory Government gave tenants security of tenure. If clause 5 is retained in the Bill, it will remove that security of tenure for a wholly spurious and immoral reason. If such homes are to remain, tenants should have the choice to remain in them.

This is the one clause on which I give the firm pledge that, if it stays in the Bill, it will be removed by a Labour Government because we will have no use for it.

9 pm

Mr. Peter Thurnham (Bolton, North-East): I wish to refer to one small point in connection with amendment No. 16, which says:

"1B.—(1) In considering whether to give his approval to a scheme or variation the Secretary of State shall take into account, in particular—

(a) the effect of the scheme on the extent and character of housing accommodation in the neighbourhood,
(b) over what period of time it is proposed that the disposal and redevelopment will take place in accordance with the scheme, and
(c) to what extent the scheme includes provision for housing provided under the scheme to be sold or let to existing tenants or persons nominated by the landlord;"

Will my hon. Friend, when considering whether to give his approval, comment on the extent to which there might be a defective title? I think that our hon. Friend the other Parliamentary Under-Secretary of State for the Environment touched on this yesterday when he commented that the Government had not ruled out further action. Can my hon. Friend comment on whether he thinks

that further legislation might be needed in this respect or whether there might be an amendment in another place to take account of the possibility of a defective title?

This has been the subject of correspondence for nearly a year between me and the Department of the Environment. It started on 29 April last year in connection with my constituents Mr. and Mrs. Stallard of 1 Charnock Drive, Bolton. Correspondence has been exchanged about those constituents and a number of other constituents who are in a similar predicament. Bolton council, it appears, is unique among councils in having so many defective titles and doing so little about them. I shall be grateful, therefore, if my hon. Friend will say whether he thinks that new legislation might be needed, or whether an amendment in another place might take care of the matter.

Mr. Cartwright: I do not wish to rehearse all the arguments that occurred in Standing Committee, but I am still not persuaded that the clause is necessary. I continue to believe that local authorities have a lot of experience of the slow process of voluntarily decanting people when dealing with this kind of problem. It involves a great deal of time, effort and energy, but surely that is the way to go about the problem when, as the hon. Member for Northampton, North (Mr. Marlow) reminded us in Committee, we are discussing taking people's homes away from them.

My fear, and I think the fear of other hon. Members, is that if this power is given to local authorities to back up what may be a voluntary process to begin with they might be tempted to short-circuit the voluntary process and have early recourse to any legal powers that they may be given. Although the Minister tried to persuade us in Committee that there would be legal protection for tenants, and that tenants who were not happy with the alternative housing would have the protection of the courts, that does not adequately cover the problem of tenants who will suddenly be thrust into the frightening process of appearing in the courts and arguing the issues.

The clause will in a sense play into the hands of the Bill's oponents. Earlier this week the Minister talked about the scare stories which are circulating on council estates about the impact of the clause. That is the price that he will have to pay if he sticks to this approach. So long as this power is left in the Bill, such stories will be told. That is a tragedy, because there are many useful provisions in the legislation. Unfortunately, they will be swept away in the reaction to the shorthand headline approach that will flow from the inclusion of clause 5.

The Minister has gone some way to try to meet the points about consultation and about giving tenants real power. Amendment No. 16 is barely a form of consultation. Certainly it gives no power to tenants who want to express their view on the possibility of losing their homes. I endorse everything that the hon. Member for Birmingham, Perry Barr (Mr. Rooker) has said. If we must have clause 5, we must ask that alongside it there is real and genuine protection for tenants to ensure that such power cannot be exercised against the will of the majority of the people involved.

Mr. Raynsford: The clause is objectionable. It removes security of tenure, effectively to facilitate privatisation. In my constituency the Fulham Court estate is subject to exactly this process at the moment. That example illustrates the position that will be created if the clause is put into effect.

Fulham Court is an estate of about 370 dwellings. It was built in the 1930s. It was attractive and popular at the time, but it has been allowed to fall into decay. I do not wish to make a party point about it. I suspect that both parties which have controlled Hammersmith and Fulham council have in their own ways neglected the estate. The tragedy is that, rather than accept the need to try to put things right and to look after the interests of the tenants, whose needs have been neglected for many years, the current council —a Conservative council held in power by Liberals, an interesting combination—has, in a Pontius Pilate-like style, washed its hands of Fulham Court and decided to sell the estate.

The council started with a process of consultation with the tenants. This is an interesting example of the value of the consultation proposed by the Government. Consultation took place. The council said that it was considering selling to non-profit making bodies. That was the basis of the consultation. The response of the tenants was clear and unequivocal. They did not want disposal of their homes; they wanted the council to live up to its responsibilities and improve the estate for them. A large majority of the tenants said that they did not want the estate to be disposed of.

The council disregarded the wishes of the tenants and proceeded with a proposal to dispose of the estate. It gave priority to decanting people from the estate into available lettings in the authority. As a result, many other people who are in extreme need have not been given housing to which they should have had access. Recently I have been giving advice to tenants who are statutorily overcrowded and who have been advised by the authority that it cannot house them. It is a sad comment on the attitude of an authority when it gives priority to decanting people to enable privatisation to take place, rather than meeting the needs of the people who are statutorily overcrowded.

The estate was gradually vacated, but only one block was vacated in total. With the local authority elections pending, the Conservative councillors suspected that they would lose control of the council and sought to pre-empt any decision by a future council to take a different course of action. The council sought to impose on the sale of that one vacant block a covenant which would require a future council to dispose of the rest of the estate by sale. That covenant was rejected by the housing association. I must declare an interest, because at the time I was a member of the committee of the housing association which had previously wished to buy one block on the estate for shared ownership. The association would not proceed on those discreditable terms.

Did the local authority pay attention? No, it did not. The response by the local authority was to say that it would try to sell and dispose of the properties to private developers. The council has agreed to dispose of the estate, not to a non-profit-making body, which was the basis of the consultation, but to Barratts, a company which is most emphatically profit-making. I should add that during a period over two years ago when Barratts was rather over-committed to timber framed housing, it was not making as much profit as it would have liked. In principle, Barratts is not a non-profit-making body.

That is a measure of the value of consultation by a Conservative-controlled council seeking to privatise. The councillors have demonstrated their contempt for the tenants of Fulham Court. The council has ignored the wishes of the tenants, who did not want the estate to be

[Mr. Raynsford]

privatised. It has shown a gross breach of faith by changing the basis of the sale from a sale to a non-profit-making body to one to a profit-making company, and it has shown a contempt for the democratic process by attempting to bind the hands of a future council to proceed with sales.

Throughout this period the estate has been allowed to go to rack and ruin, and more and more properties have been left empty. It rings pretty hollow to hear the Minister talk about empty properties when we hear about a council which is deliberately leaving 200 houses empty. That represents more than the number of homeless families in Hammersmith and Fulham who are presently living in bed-and-breakfast accommodation. Those houses are being left empty while the council pursues its objective of sale for privatisation.

One of the tenants has been able to get redress by seeking a judicial review in the High Court and obtaining an injunction to restrain the council from proceeding with the sale in the meantime. If this clause had been in effect, that remedy would not have been available and the tenants of Fulham Court not only would have had their wishes ignored, but would have been evicted. The clause will do nothing to help people who need houses. It will exacerbate the sort of problems that I have described and will open the door to exploitation of tenants. I urge hon. Members to reject the clause.

Mr. Simon Hughes: Political retribution of a type came my way during the by-election for the Fulham constituency at which the hon. Gentleman was the victor. I went along incognito, as it were, to ask what I could do to help. I was given a load of leaflets to deliver and, as it happens, I was asked to distribute them in the Fulham Court estate. I had some dealings with my colleagues on the local council about that estate and know all about it. I went round the estate on a sunny and pleasant afternoon not long before the by-election took place.

My comments are as strong as those that have been made by my hon. Friend the Member for Woolwich (Mr. Cartwright). The clause is the worst part of the Bill, and if the Government want the Bill to have a favourable reception outside they have no option but to remove it. The clause takes away protection for tenants. We made that point on Second Reading. As the hon. Member for Fulham (Mr. Raynsford) has said, the consultation process is never adequate unless it gives power to people. The problem with consultation is that it always retains power for local authorities. As the hon. Member for Birmingham, Perry Barr (Mr. Rooker) said, if this power is given to local authorities it will override the right of security of tenure given by the Government to tenants in council property. I give all credit to the Government for giving tenants that right. In this case and in others — Langbaurgh and Tower Hamlets are other examples—that right is under threat.

If ever an experience was destined to make one firm in one's view that the clause ought to be resisted, it was the experience that I had when I went to Fulham Court estate and to many similar estates in my constituency and found that the community feeling was so strong that people were determined not to give in with any degree of willingness. They deserve to be supported in their right not to give in. I understand that the procedures followed by the local council meant ultimately that the proposal, as it was before the application for the judicial review, was that there would be a sale of only those blocks which by then had been vacated and that the rest were not to be sold. Therefore, the picture was not as black as was sometimes painted by the hon. Member for Fulham and his colleagues. None the less, an issue of principle was raised, and there was criticism of Members of this House, both Labour and Conservative.

I beseech the Minister to say that his amendment is not sufficient to recognise the strength of feeling and the strength of view expressed by my hon. Friend the Member for Woolwich and by myself, reinforcing what was said by the hon. Member for Perry Barr, speaking for the Labour party. We would be committed to removing the clause if it went into the legislation, and I hope to persuade the Minister that to legislate in this way, albeit for a short period, might be misleading to those who would be affected and harmful to the rights of people to stay in their homes if they wish to do so.

9.15 pm

Mr. John Patten: I regret that this must be my longest speech this evening. This is an important issue and it is important that I set it out clearly.

Can I begin by dealing with the important issue of Bolton. My hon. Friend from Bolton North-East, (Mr. Thurnham) with his characteristic energy and ingenuity, was able to put Bolton into this debate and I think he is right to raise it. In Bolton, as elsewhere in the country, the problems which he raises in respect of the amendment, which he has admirably drafted, are complex and raise difficult technical issues relating to the rights of third parties, and I do not regard this Bill as a suitable vehicle for pursuing the point further.

I hope what my hon. Friend the Member for Ealing, Acton (Sir G. Young) said yesterday, in answer to questions, will satisfy my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) and my right hon. and learned Friend the Member for Southport (Sir I. Percival) this evening, because there is a strong feeling in the Committee that we must make progress on the main elements in this particular debate.

We are looking seriously at this issue, but I do not think that I can conceivably make any amendments during the progress of this Bill, although I do deplore the way in which Bolton council is delaying so seriously people's rightful aspirations to exercise their right to buy.

Sir Ian Percival (Southport): This is a difficult question. I am glad that my hon. Friend has accepted that it is an important one. Could he not go a little further? So far, he has ruled out the possibility of dealing with this in the course of this Bill in the other place. I would ask him to leave it open, because I doubt whether it is as complicated as some people think. I did have something to do with it when I was a Law Officer, and I would ask him to undertake to look at the formula in clause 13 before the other House parts with it.

Mr. Patten: Who am I to resist the blandishments of my right hon. and learned Friend? I am not going to give an undertaking to him or my hon. Friend to do anything in another place. If they wish to write to me further and in greater detail about this point, I will consider it further. But for the avoidance of doubt, that is not an undertaking

to do something in another place but is an undertaking to look at the possibilities of doing something in another place. With that I hope we can leave the important issues of Bolton. What a political cockpit Bolton is. When I go to Bolton I get scragged by the local council—a very rough lot. I mean Labour Members on the local council.

So far as the main element of this debate is concerned, I understand the strength of feeling of the hon. Gentleman for Birmingham, Perry Barr (Mr. Rooker) on this issue, and I listened to him for two hours upstairs in Committee in a long and powerful speech. I think that clause 5 has been wrongly misrepresented as a wholesale attack on the security of tenure and I think that it is bizarre in the extreme to suggest that it is such. It is nothing of the kind. Its purpose is to remove certain anomalies in the powers of local authorities, and other public sector landlords, to improve their housing stock. That is how I prefer to see it, and that is what I think the reality of the situation is.

At the moment private landlords can obtain possession of their property when they can provide suitable alternative accommodation under present powers.

Councils can also do so because public sector landlords of secure tenants can already seek possession of their dwellings on the grounds that they wish to redevelop the property. There are, therefore, two clear precedents for what is made possible in clause 5. The only situation in which it is not possible to do it is when property is being transferred from public to private ownership—which is not always a bad or an evil thing.

Under present legislation, landlords can also make home loss payments to long-standing tenants who move within the public sector, but they cannot make those home loss payments when there is a transfer disposal from the public to the private sector, and that inability to make home loss payments has been a major obstacle to a number of local authorities, both Labour and Tory, in their attempts to bring dilapidated stock into better condition.

The hon. Member for Perry Barr referred to the "TV Eye" programme last November on which my hon. Friend the Member for Ealing, Acton appeared. As my hon. Friend then said, these anomalies could, on a very limited number of occasions, hinder councils that wished to bring private sector funds into the refurbishment of run-down estates.

What happened in Langbaurgh was very unfortunate. The Opposition know my views about that; I made them quite clear in Committee. It was wrong that a single tenant could block a desirable scheme which, after due consideration, all the other tenants wanted. There must be a balance between security of tenure and the possession of one's home, and the benefit of the greater number of people who wish for a change.

In Standing Committee, after some debate, I was persuaded that the factors that the Secretary of State should take into consideration in deciding whether to give approval for a scheme should be spelt out in the Bill. Persuasive arguments were deployed by the hon. Member for Woolwich (Mr. Cartwright) and by Labour Members. I had already announced some of the issues that I envisaged would be taken into account, but I think that they must be stated in the Bill. Amendment No. 16 is therefore designed to spell out the factors to be taken into account. Opposition Members will wish to be assured that the scheme must be a viable one which will result in the improvement of housing. The Secretary of State will ensure that that is so. He will make sure that the tenants have been properly consulted. I have already stated that I would consider giving tenants a statutory right of individual consultations on proposals for which the new ground is to be used. Landlords will have to take tenants' views into account before seeking the approval of the Secretary of State.

This speech must necessarily be rather long, because of the sensitivity of the issues.

Hon. Members who expressed concern about individual consultations will be pleased to see that the amendment will give tenants that right. I am glad to see that organisations such as Age Concern have given what they call a cautious welcome to the additional safeguards in amendment No. 16.

I expect that only a very few cases relying on the proposed new ground will come to court, but only the court can grant a possession order. It is important that that should be clear. It is unfair and wrong to say that clause 5 introduces the right for councils to kick tenants out at will. That is not true.

Mr. Raynsford *rose*——

Mr. Patten: I shall not give way to the hon. Gentleman.

The court will need to be satisfied that the re-development scheme has the Secretary of State's approval, that the scheme will proceed reasonably quickly, and that suitable alternative accommodation can be found. I shall put on record what I have put in writing to the hon. Member for Perry Barr. I refer to the two amendments that I am unable to move this evening. We shall move them in the other place, and the amendments to clauses 4 and 6 will give effect to the veto that the hon. Gentleman desires. I am happy to give that undertaking, and I shall place a copy of my letter to him in the Library. I sense that it is not the wish of the House to hear it read out word for word.

In conclusion—[HON. MEMBERS: "Hear, hear."] It is always good to be praised by one's own side for one's phrases. But the provisions introduced by the clause will assist public-sector landlords in tackling their rundown estates for the general improvement of the housing stock, while at the same time providing adequate safeguards for tenants. It is perfectly fair for the Labour party, Social Democratic party or Liberal party to campaign against the Bill, to campaign in particular against clause 5 or to inform tenants that they think that the clause is wrong, is against their interests and may do them damage. But I ask them not to scaremonger in their party political propaganda and to give the impression that clause 5 allows the "turfing out" of tenants at will. That is completely and utterly wrong. Any propaganda to that effect is a straightforward lie, and it will be put right by me and my fellow Ministers whenever we have the opportunity.

The Opposition amendments would leave the anomalies that I have described unchanged, and would mean that the opportunity was missed to make a minor change that would help local authorities in their difficult task. I reject their amendments. I wish to strengthen the safeguards for tenants as requested by both sides of the Committee, and am happy to commend amendment No. 16.

Mr. Rooker: The Opposition never said that clause 5 would allow councils to kick out tenants at will. But I make no bones about it: the clause gives councils the right to remove tenants from their homes solely for the purpose

[Mr. Rooker]

of doing them up and selling them off. That is the long and the short of it. If the clause remains in the Bill, 5 million or 6 million families will be unsure whether they can sleep easily in their beds, not knowing whether their council will go in for a scheme that could force them out of their homes.

I have been in the home of a tenant who wanted to stay there. The home was perfectly OK. Somebody knocked on that tenant's door and said, "Why are you still living here? This home is going to be mine. On the plot in the estate agent's office on the site, your plot number, your home, is going to be mine." Imagine how someone feels when that happens, yet that happened in Langbaurgh. It could be repeated up and down the country if the clause remains in the Bill. I do not blame the Minister for saying that he did not want to read out the whole of his letter. We are extremely grateful to the Minister for his concession in relation to clauses 4 and 6. But he said:

"You will see that this arrangement will give tenants an effective right of veto where the majority are opposed to a disposal of tenanted property or to a management agreement."

That is what we asked for, and we are extremely grateful. But why cannot the tenants have the same sort of veto in relation to clause 5?

9.30 pm

We are not opposed to private money being spent to do up rundown estates where there are vast numbers of empty council flats. We have made that clear. We are not opposed to tenants being persuaded of offered something better to move into to facilitate such development. We are not opposed to tenants being moved from their homes under existing law where estates are being remodelled to provide decent roads, proper gardens and proper front paths.

We are opposed to tenants being moved out simply so that their home can be done up and sold off. It is that central point that we are opposed to, none of the others. That is something that the Government's amendment and the Minister's speech do not seem to meet.

Mr. John Patten: I am grateful for the hon. Gentleman's assurance that the Opposition do not think that the bringing of private funds into the public sector is a bad thing. Would the hon. Gentleman undertake—as much as it is possible for him to control his support as it is for us to control our supporters—to do everything he can to prevent Labour party literature containing allegations that clause 5 makes large-scale evictions possible and makes it possible for tenants to be turfed out of their homes. That literature is being circulated in London at present in the local government campaigns. It is doing much harm and stirring up many unnecessary fears in people's minds.

Mr. Rooker: I do not think that the Minister appreciates the problem. The majority of clauses in the Bill would be accepted by every hon. Member because they are not related to the contentious parts of housing or planning. I am not talking about the Bill. We object to clause 5. I do not have any control—I do not think that anybody in the House does—over what our individual candidates say or do. All I seek to do is tell the truth.

I have sought to explain what is wrong with clause 5. I have sought to explain what we have tried to do to amend it and I have also tried to show what can happen if clause 5 stays in the Bill as it is now. I make no bones about it. I have used Langbaurgh as an example. It is a good example, because it shows the naked reality of clause 5 and how the security of tenancy is under threat.

I do not want to repeat what I have said. My constituents are not subject to that at the moment and neither, perhaps, are my hon. Friends. However, there is no political monopoly in seeking to kick tenants out of their homes. It has happened under Labour-controlled councils as well. I do not want council tenants to be removed from the homes they wish to stay in simply so that the homes can be done up and sold off to somebody else. I do not think that any of my hon. Friends do either.

We want this clause removed from the Bill. In the absence of that, at the very minimum, we want something like that contained in amendment 15 put into the Bill to strengthen the operation of the clause.

Question put, That the amendment be made:—

The House divided: Ayes 140, Noes 184.

Division No. 155] **[9.32 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Bruce, Malcolm
Buchan, Norman
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell-Savours, Dale
Carlile, Alexander *(Montg'y)*
Cartwright, John
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Cook, Frank *(Stockton North)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Davies, Rt Hon Denzil *(L'lli)*
Davies, Ronald *(Caerphilly)*
Davis, Terry *(B'ham, H'go H'l)*
Deakins, Eric
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Hancock, Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Haynes, Frank
Heffer, Eric S.
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Simon *(Southwark)*
John, Brynmor
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ronald
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McDonald, Dr Oonagh
MacKenzie, Rt Hon Gregor
McTaggart, Robert
Madden, Max
Marek, Dr John
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin

Park, George
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Soley, Clive
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Tinn, James
Torney, Tom
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Norman Hogg and
Mr. Andrew MacKay.

NOES

Adley, Robert
Aitken, Jonathan
Ancram, Michael
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(Dorset N)*
Benyon, William
Biggs-Davison, Sir John
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brown, M. *(Brigg & Cl'thpes)*
Burt, Alistair
Butterfill, John
Cash, William
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Conway, Derek
Coombs, Simon
Cope, John
Couchman, James
Currie, Mrs Edwina
Dickens, Geoffrey
Durant, Tony
Dykes, Hugh
Evennett, David
Fallon, Michael
Favell, Anthony
Fletcher, Alexander
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Goodlad, Alastair
Gow, Ian
Greenway, Harry
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hickmet, Richard
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Johnson Smith, Sir Geoffrey
Jones, Robert *(Herts W)*
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Lawler, Geoffrey
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lilley, Peter
Lloyd, Ian *(Havant)*
Lord, Michael
McCrindle, Robert
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
Major, John
Malins, Humfrey
Marlow, Antony
Mather, Carol
Maude, Hon Francis
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Moate, Roger
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Patten, J. *(Oxf W & Abgdn)*
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Spencer, Derek
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wheeler, John
Whitney, Raymond
Winterton, Mrs Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Gerald Malone

Question accordingly negatived.

Mr. Deputy Speaker: I understand that the hon. Member for Birmingham, Perry Barr (Mr. Rooker) would like a Division on amendment No. 15.

Mr. Rooker: Yes.

Amendment No. 15 proposed, in page 18, line 41, *[Clause 5],* at end insert—

'(4) A landlord may apply to the Secretary of State for consent for the disposal and redevelopment of an area of land consisting of or including the whole or part of one or more dwelling-houses only if

(a) a majority of two-thirds of the tenants of the dwelling-houses have agreed in writing to the proposed scheme, following a consultation period of not less than three months from the point at which full details of the proposed redevelopment have been made available on an individual basis to the tenants concerned; and

(b) the local authority is satisfied that the disposal of the dwelling-houses will not affect its ability to carry out its duties under section 22 of the Housing Act 1985; and

(c) the consideration obtained by the local authority for the disposal of the land would in the opinion of the local authority be more than the vacant site value of the land.'.—*[Mr. Rooker.]*

Question put, That the amendment be made:—

The House divided: Ayes 95, Noes 185.

Division No. 156] **[9.44 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Atkinson, N. *(Tottenham)*
Barron, Kevin
Bell, Stuart
Bermingham, Gerald
Bidwell, Sydney
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, N. *(N'c'tle-u-Tyne E)*
Buchan, Norman
Callaghan, Jim *(Heyw'd & M)*
Campbell-Savours, Dale

Carlile, Alexander *(Montg'y)*
Cartwright, John
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Cook, Frank *(Stockton North)*
Corbett, Robin
Corbyn, Jeremy
Crowther, Stan
Deakins, Eric
Dormand, Jack
Dubs, Alfred
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Godman, Dr Norman
Golding, John
Hancock, Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Howells, Geraint
Hoyle, Douglas
Hughes, Roy *(Newport East)*
Hughes, Simon *(Southwark)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ronald
Lloyd, Tony *(Stretford)*
McDonald, Dr Oonagh
MacKenzie, Rt Hon Gregor
McNamara, Kevin
Madden, Max
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
Oakes, Rt Hon Gordon
O'Neill, Martin
Park, George
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Raynsford, Nick
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Robertson, George
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Ross, Stephen *(Isle of Wight)*
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Skinner, Dennis
Soley, Clive
Thomas, Dafydd *(Merioneth)*
Torney, Tom
Wareing, Robert
Weetch, Ken
Wigley, Dafydd
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ron Davies and
Mr. Allen McKay.

NOES

Adley, Robert
Aitken, Jonathan
Ancram, Michael
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(Dorset N)*
Benyon, William
Biggs-Davison, Sir John
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Brown, M. *(Brigg & Cl'thpes)*
Buck, Sir Antony
Burt, Alistair
Butterfill, John
Cash, William
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Conway, Derek
Coombs, Simon
Cope, John
Couchman, James
Currie, Mrs Edwina
Durant, Tony
Dykes, Hugh
Evennett, David
Fallon, Michael
Favell, Anthony
Fletcher, Alexander
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Goodlad, Alastair
Gow, Ian
Greenway, Harry
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hickmet, Richard
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Robert *(Herts W)*
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Lawler, Geoffrey
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lilley, Peter
Lloyd, Ian *(Havant)*
Lord, Michael
McCrindle, Robert
McCurley, Mrs Anna
MacKay, Andrew *(Berkshire)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
Major, John
Malins, Humfrey
Marlow, Antony
Mather, Carol
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Moate, Roger
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abgdn)*
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Rowe, Andrew
Ryder, Richard
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Spencer, Derek
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stradling Thomas, Sir John
Sumberg, David
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Winterton, Mrs Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Francis Maude and
Mr. Gerald Malone.

Question accordingly negatived.

Mr. Deputy Speaker: I understand that it will be for the convenience of the House if we take Government amendments formally in blocks, as we come to them, and non-Government amendments as we reach them on the Order Paper.

Amendments made:—

No. 16, in page 18, line 41, at end insert—

'1A.—(1) Where a landlord proposes to apply to the Secretary of State for the approval or variation of a scheme, it shall serve a notice in writing on any secure tenant of a dwelling-house affected by the proposal stating—

(a) the main features of the proposed scheme or, as the case may be, the scheme as proposed to be varied,

(b) that the landlord proposes to apply to the Secretary of State for approval of the scheme or variation, and

(c) the effect of such approval, by virtue of section 84 and ground 10A in Part II of this Schedule, in relation to proceedings for possession of the dwelling-house,

and informing the tenant that he may, within such period as the landlord may allow (which shall be at least 28 days from service of the notice), make representations to the landlord about the proposal.

(2) The landlord shall not apply to the Secretary of State until it has considered any representations made to it within that period.

(3) In the case of a landlord to which section 105 applies (consultation on matters of housing management) the provisions of this paragraph apply in place of the provisions of that section in relation to the approval or variation of a redevelopment scheme.

1B.—(1) In considering whether to give his approval to a scheme or variation the Secretary of State shall take into account, in particular—

(a) the effect of the scheme on the extent and character of housing accommodation in the neighbourhood,

(b) over what period of time it is proposed that the disposal and redevelopment will take place in accordance with the scheme, and

(c) to what extent the scheme includes provision for housing provided under the scheme to be sold or let to existing tenants or persons nominated by the landlord ;

and he shall take into account any representations made to him and, so far as they are brought to his notice, any representations made to the landlord.

(2) The landlord shall give to the Secretary of State such information as to the representations made to it, and other relevant matters, as the Secretary of State may require.'.

No. 20 in page 19, line 29, leave out from 'include' to end of line 30 and insert

"any authority or body within section 80 (the landlord condition for secure tenancies) having an interest of any description in the dwelling-house.'.—*[Mr. Durant.]*

Clause 6

MANAGEMENT AGREEMENTS

Amendment made: No. 24, in page 21, line 33, leave out 'co-operative housing association' and insert

'housing association of which at least half the members are tenants of dwelling-houses subject to the agreement, at least half the tenants of the dwelling-houses are members of the association and the proposed assignee is not, and is not willing to become, a member of the association.'.—*[Mr. Durant.]*

Clause 7

EXTENSION OF ASSURED TENANCIES SCHEME TO CASES WHERE WORKS HAVE BEEN CARRIED OUT

Mr. Simon Hughes: I beg to move amendment No. 27, in page 24, line 8, at end insert—

'(3) In section 57(1) of the Housing Act 1980 after "section 56(4) of the Act, then" insert "(subject to subsection (2) below."

(4) In section 57(2) of the Housing Act 1980, at end insert—

"*(b)* the landlord under an assured tenancy has ceased to be an approved body by reason of unacceptability; and".'.

This amendment relates to assured tenancies and to the need for there to be protection if the landlord ceases to be in the category of an approved landlord in the context of the relationship between the landlord and tenant under the approved tenancy scheme. If at the moment tenants remain under the assured tenure regime, in certain circumstances they lose, not by virtue of anything they do but by virtue of the change in the status of the landlord and the loss of approval given to the landlord. Tenants are thus in a new and vulnerable position instead of having any continuing protection.

The amendment seeks to continue that protection, because it changes the status of the tenant if the tenancy has ceased to be held under a landlord who is an approved body, that landlord having lost that approval by virtue of his unacceptability. Although I was not present in the Committee, I have read what was said and the Minister will remember that a considerable debate took place about the bounds of the assured tenancy scheme. One of the areas of concern about the assured tenancy scheme was the risk when the approved landlord did not continue to have that approval for various reasons.

I seek to give a slightly greater protection than presently exists as one of the ways of reflecting the general concern about the weaknesses in the assured tenancy scheme. From reading the evidence of the Committee, I understand that the Minister accepts that there are some weaknesses.

Mr. John Patten: I presume that the Liberal party accepts the idea of the assured tenancy scheme and its extension being a good thing, because that was said by the hon. Member for Woolwich (Mr. Cartwright) during the Committee stage of the Bill.

Mr. Hughes: Our view is that with the right protection the assured tenancy scheme can be continued, but we did not say explicitly that as it presently stands we accept it. I have read what my hon. Friend said in Committee and he did not give other than a cautious and qualified welcome to the proposals the Government said they intended to bring forward. I ask the Minister to add to the protection of tenants when the landlord ceases to have the status of acceptability. The proposal puts a landlord into the specific and limited status of being a landlord under the assured tenenacy scheme. I hope the Minister will be sympathetic.

Mr. John Patten: Landlords who have their approval withdrawn are already prevented under the assured tenancy legislation from creating any further assured tenancies, as I am sure that the hon. Member for Southwark and Bermondsey (Mr. Hughes) knows. The effect of this amendment would be to deprive them of their existing assured tenancies, presumably by converting them into tenancies to which the Rent Acts would apply. That is my reading of the hon. Gentleman's mind, and he can say whether that is correct. We do not believe that it is right to penalise landlords in this way in respect of their existing assured tenancy lettings. The power of the Secretary of State to grant and withdraw approval is widely drawn.

[Mr. John Patten]

The hon. Member for Woolwich has said that he looks to approved bodies such as building societies and other responsible institutions as being involved in this form of assured tenancy. The amendment could place doubt in the mind of an approved body about the position of an assured tenancy's lettings if the Government policy were to change. The hon. Member for Woolwich has recognised specifically the need for stability and the need not to put off responsible institutions. I believe that an approved body needs reasonable certainty. Having once created an assured tenancy that tenancy will be allowed to continue, otherwise the person involved has no protection for his investment and, in this case, almost always that person will actually be a large investing institution such as a building society, the Housing Corporation, and housing associations, which are also interested. If that certainty is put in doubt, as it would be by the amendment, the practical effect would be to discourage investment. That would be a great mistake. I hope that the hon. Gentleman will withdraw the amendment.

Mr. Simon Hughes: The Minister did not address my specific concern and, therefore, I am not assured or satisfied by his response. I am concerned when landlords lose their acceptable status. I do not seek to put off people from becoming landlords under the scheme, but there are circumstances in which the landlord does not come within the category or would lose his acceptable status. I hope that the Minister will think again. I am prepared at this stage to give him a chance to do so in the hope that the matter will be dealt with in the other place. In that hope, I seek leave to withdraw the amendment.

Amendment, by leave, withdrawn.

It being Ten o'clock, further consideration of the Bill stood adjourned.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Housing and Planning Bill may be proceeded with, though opposed, until any hour.—*[Mr. Neubert.]*

Bill, as amended (in the Standing Committee), again considered.

Mr. Deputy Speaker: I understand that Government Amendments Nos. 28 to 30 are to be moved formally.

Mr. Fraser: On Government amendments Nos. 28 and 30——

Mr. Deputy Speaker: Order. The House agreed to take the Government amendments formally. I think that the hon. Member was here when that was done. I am afraid that we cannot go back on that decision. I shall repeat the amendments—Government amendments Nos. 28, 29, 30 and 31 to be moved formally. The question is that the amendments be made.

Mr. Ron Davies (Caerphilly): Division.

Mr. Deputy Speaker: I am not clear whether the hon. Member wishes to divide on an amendment. If so, I need to know on which amendment he wishes to divide the House.

Mr. Ron Davies: Government Amendment No. 28, Mr. Deputy Speaker.

Mr. Deputy Speaker: I shall put the question on Government Amendment No. 28.

Clause 10

MINOR AND CONSEQUENTIAL AMENDMENTS; REPEALS

Amendment proposed: No. 28, in page 26, line 6, at the end insert—

'(ca) the deferment of completion in pursuance of the right to buy;'.—*[Mr. Kenneth Baker.]*

Question put, That the amendment be made.

The House proceeded to a Division; but no Member being willing to act as teller for the Noes, MR. DEPUTY SPEAKER *declared that the Ayes had it.*

Mr. Deputy Speaker: I am anxious to meet the convenience of the House. I understand that we should now take formally the Government amendments and any amendments that have been discussed and merely pause on the other amendments. If there are any objections to that course, we shall not follow it. The House appears to agree, so we shall proceed on that basis.

Amendments made: No. 29, in page 26, line 9, at end insert—

'(da) the recovery of service charges in respect of the cost of grant-aided works;'.

No. 30, in page 82, line 49 [*Schedule 2*], at end insert—

'DEFERMENT OF COMPLETION IN PURSUANCE OF RIGHT TO BUY

3A.—(1) In sections 140(3)(c) and 152(3) of the Housing Act 1985 (period before notice to complete can be served where tenant entitled to defer completion) for "two years" substitute "three years".

(2) In sections 142(1)(c), (2) and (5) and 151(3) of that Act for "£100" (the amount which the tenant must deposit in order to be entitled to defer completion) substitute "£150".'.

(3) The above amendments apply where notice under section 142(1) of that Act claiming to be entitled to defer completion is served after the commencement of this paragraph.

(4) The above amendments to sections 140(3)(c), 142(5), 151(3) and 152(3) also apply where notice under section 142(1) of that Act claiming to be entitled to defer completion was served before the commencement of this paragraph if the tenant—

(a) serves a further notice on the landlord claiming the benefit of the longer period, and

(b) at the same time deposits with the landlord an additional £50;

and section 142(5) applies to the sum so deposited as if it had been deposited in pursuance of a notice under that section.

(5) No such further notice may be served if the landlord has already served a notice under section 140 or 152 of the Housing Act 1985 (landlord's first notice to complete).

(6) The following provisions of the Housing Act 1985 apply, as to provisions of Part V of that Act, to the provisions of this paragraph relating to a further notice or deposit—

section 170 (assistance in connection with legal proceedings),
section 176 (form and service of notices),
section 177 (errors and omisions in notices),
section 180 (statutory declarations),
section 181 (jurisdiction of county court).'.

No. 31, in page 83, line 14 *[Schedule 2]*, at end insert—

'SERVICE CHARGES IN RESPECT OF THE COST OF GRANT-AIDED WORKS

4A.—(1) In the Landlord and Tenant Act 1985, after section 20 insert—

Limitation of service charges: grant-aided works

20A. Where relevant costs are incurred or to be incurred on the carrying out of works in respect of which a grant has been or is to be paid under Part XV of the

Housing Act 1985 (grants for works of improvement, repair or conversion), the amount of the grant shall be deducted from the costs and the amount of the service charge payable shall be reduced accordingly.".

(2) In section 21 of the Landlord and Tenant Act 1985 (request for summary of relevant costs), in subsection (5) (contents of summary) after "shall" insert "state whether any of the costs relate to works in respect of which a grant has been or is to be paid under Part XV of the Housing Act (grants for works of improvement, repair or conversion) and".

(3) In section 47 of the Housing Act 1985 (limitation on service charges payable after disposal of house by public sector authority), after subsection (3) add—

"(4) Where relevant costs are incurred or to be incurred on the carrying out of works in respect of which a grant has been or is to be paid under Part XV (grants for works of improvement, repair or conversion), the amount of the grant shall be deducted from the costs and the amount of the service charge payable shall be reduced accordingly.".

(4) In section 48 of the Housing Act 1985 (request for summary of relevant costs), after subsection (3) (contents of summary) insert—

"(3A) The summary shall also state whether any of the costs relate to works in respect of which a grant has been or is to be paid under Part XV (grants for works of improvement, repair or conversion)".'.—*[Mr. Kenneth Baker.]*

Clause 11

SIMPLIFIED PLANNING ZONES IN ENGLAND AND WALES

Mr. Nicholas Baker (Dorset, North): I beg to move amendment No. 32, in page 27, line 2, leave out 'shall' and insert 'may'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take the following: Amendment No. 33, in page 27, line 6, leave out 'shall' and insert 'may'.

No. 34, in page 27, line 8, leave out 'shall' and insert 'may'.

No. 41, in page 89, line 4 [*Schedule 3*], at end insert—

'(c) the local planning authority in non-metropolitan counties, as designated in section 11 Part (6), has determined that, in accordance with the options available to it in this Act, it does not require or intend that any of the area for which it is the planning authority be designated as a Simplified Planing Zone.'.

Mr. Baker: My hon. Friend the Member for Christchurch (Mr. Adley) and other of my hon. Friends are not able to be present because they are consulting the King of Spain.

The amendments relate to important matters that affect Dorset in particular but the south of England in general. We are not against the principle of simplified planning zones. Indeed, these are appropriate and right for metropolitan areas.

The concern behind the amendments is that the simplified planning zones might lead to the suit of a developer, particularly with the connivance of a Government less favourable to the environment of the country than this Government, and might enforce simplified planning zones upon such areas in a way that would be inappropriate.

The Minister has tabled a number of amendments to try to take account of these objections, but I must tell him that Wimborne district council tells me in a letter that in its view the amendments do not go far enough. It says:

"whilst there may be some reluctance from Central Government to use the Power of Direction, it is considered to be an important element which would no doubt be used to override local considerations in unspecified circumstances."

What the Bill does in clause 11 is take away to a limited extent the power of the local authority over its own area in relation to these simplified planning zones. I, like all of us, am very concerned about the environment, and the state of the environment is much more potent an issue today than it was, as my hon. Friend will know. This is right and understandable.

The amendments leave the decisions on exclusions to the Minister, not to the local authority. That is the source of the concern. I think the particular concern is highlighted in amendment No. 41. That is the key because it makes it clear that only in metropolitan areas at the suit of a complainant — and I have in mind particularly a developer — can the Minister override what the local authority say.

If we do not have some protection in rural areas that are already suffering from over-development, with a Government that are less favourably inclined to rural areas, we might have a continuation of the over-development which I think no hon. Member would wish to see.

I hope that my hon. Friend will look favourably on the amendments. As I have said, the key is in amendment No. 41. I look forward to what he has to say about the protection of the rural environment and the environment of the south of England, about which all of us who are signatories to the amendment are concerned.

Mr. Simon Hughes: I support the hon. Member for Dorset, North (Mr. Baker). As the Bill is drafted, it requires local authorities to accept simplified planning zones both in concept and reality. The effect of the amendments would be that a local authority should not be required to accept a simplified planning zone but that the decision should be retained locally. The hon. Gentleman referred to Wimborne, so there are pressures in rural areas just as much as elsewhere; often there are more pressures in the south of England. There is pressure particularly in and around the green belt, although that may not apply so much to the district to which the hon. Gentleman referred. When there are pressures, it is appropriate for the local authority to decide whether to give additional planning advantage to people who wish to develop. Otherwise, there is a terrible risk that there will be an incentive for the wrong sort of development which would be out of keeping with the surrounding area.

The Government should accept that there could easily be abuse of the powers that they are seeking to give themselves but which should properly be left with local government. The amendment is simple. I hope that the Government will accept that they need not go as far as they are at present minded to do.

Mr. Tracey: As the night wears on too close to Friday, I hesitate to take too many liberties with the House, but I should register the Government's misgivings about the amendments and also put on record some assurances.

The amendments would have a negative effect on the provisions in the Bill which enable local planning authorities to set up simplified planning zone schemes. They would remove certain duties placed on local planning authorities. Amendment No. 32 would make it optional rather than obligatory for authorities to give initial consideration to the desirability of SPZs in their areas. Similarly, amendment No. 33 would make it optional rather than obligatory for authorities to keep that question

[Mr. Tracey]

under review. Amendment No. 34 would also remove the duty placed on authorities to prepare schemes when they have determined that it would be desirable to do so. This action too would become optional under the proposed amendment.

Amendment No. 41 figured particularly in my hon. Friend's speech. The House should note that that amendment applies only to non-metrcpolitan district local planning authorities. Perhaps there is partisan thought behind it. It would not bite on the London Boroughs or on other metropolitan districts. I take it that the concern behind the amendment is to prevent simplified planning zone schemes from being set up in the less urban and rural parts of the country against the wishes of the planning authority.

As regards the Secretary of State's powers of direction, which seem to be the main source of worry to my hon. Friends from the shires, these powers of direction are already limited to such cases as are referred to my right hon. Friend. Without referrals, my right hon. Friend cannot take action to make authorities prepare schemes. Even if he were minded to use the provision, it would be subject to obtaining the views of the authority. Where a scheme had to be prepared it would be subject to the full procedures of public participation and consultation, including a public local inquiry, if necessary.

There are adequate and fair provisions to protect against unsuitable schemes being set up. My hon. Friends from the shire counties have made a fair attempt to amend the Bill, but we cannot accept the amendments. I urge my hon. Friend to seek to withdraw them.

Mr. Nicholas Baker: I must make it clear that in putting forward the amendments my hon. Friends and I were not proposing a protective, Conservative, backward-looking measure. We seek to protect the environment of the south of England. We also seek to encourage development, but we may not all share the same views about how that should be done. We need to push development, especially in the north and in the extremities of the south of England. We are all agreed that derelict areas and parts of our cities need development. This is not a reactionary move at all. The quality of the environment is precious and must be protected. We are also anxious about the status of local authorities and the strength of local government. I accept what my hon. Friend said about the weakening of the responsibilities of local authorities implicit in amendments Nos. 32, 33 and 34.

My anxiety is reflected in amendment No. 41, but I propose to take the assurances that my hon. Friend has given as his undertaking. I have seen his colleagues from the Department of the Environment, including my right hon. Friend the Secretary of State for the Environment. The idea that they would try to force local authorities in rural non metropolitan areas where simplified planning zones would be totally inappropriate to accept them against their will and against the wishes of a public inquiry is unthinkable. I accept that my hon. Friends would never do such a thing. Let us be careful that we never have a Government that might seek to override local authorities in an undemocratic and undesirable way. On the basis of the assurances, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 35, in page 27, line 9, leave out 'determine' and insert 'decide'.

No. 36, in page 28, line 17, after '(1)' insert—

'The following descriptions of land may not be included in a simplified planning zone—

(a) land in a National Park;

(b) land in a conservation area;

(c) land in an area designated under section 87 of the National Parks and Access to the Countryside Act 1949 as an area of outstanding natural beauty;

(d) land identified in the development plan for the district as part of a green belt;

(e) land in respect of which a notification or order is in force under section 28 or 29 of the Wildlife and Countryside Act 1981 (areas of special scientific interest).

(2) Where land included in a simplified planning zone becomes land of such a description, subsection (1) does not have effect to exclude it from the zone.

(3) '.—*[Mr. Tracey.]*

Clause 12

SIMPLIFIED PLANNING ZONES IN SCOTLAND

Amendments made: No. 37, in page 29, line 28, leave out 'determine' and insert 'decide'.

No. 38, in page 30, line 25, after '(1)', insert—

'The following descriptions of land may not be included in a simplified planning zone—

(a) land in a National Park:

(b) land in a National Scenic Area:

(c) land identified in the development plan for the area as part of a green belt;

(d) land in respect of which a notification or order is in force under section 28 or 29 of the Wildlife and Countryside Act 1981 (areas of special scientific interest).

(2) Where land included in a simplified planning zone becomes land of such a description, subsection (1) does not have effect to exclude it from the zone.—*[Mr. Tracey.]*

Schedule 3

SIMPLIFIED PLANNING ZONES: FURTHER PROVISIONS

Amendments made: No. 39, in page 88, line 25, after 'make', insert 'or alter'.

No. 40, in page 88, line 30, at end insert 'or the alterations'.

No. 42, in page 90, leave out lines 11 to 24 and insert—

'(5) The local planning authority shall before preparing the proposed scheme or alterations consult the Secretary of State having responsibility for highways as to the effect of their proposals on existing or future highways; and when they have prepared the proposed scheme or alterations they shall send him a copy.

(6) A district planning authority in a non-metropolitan county shall also, before preparing the proposed scheme or alterations, consult the county council as planning authority and as to the effect of their proposals on existing or future highways; and when they have prepared the scheme or alterations they shall sent the county council a copy.'.

43, in page 90, line 35 at end insert—

'(2A) Each copy of the documents made available for inspections shall be accompanied by a statement of the time within which representations or objections may be made.'.

No. 44, in page 90, line 46 leave out from 'the' to end of line 47 and insert 'Secretary of State having responsibility for highways.'.

No. 45, in page 91, line 2 after 'shall', insert 'also'.

No. 46, in page 91, line 2 leave out 'planning authority' and insert 'council'.

No. 47, in page 91, line 7 leave out 'or 6(2)'.

No. 48, in page 91, line 9 leave out ', or are taking.'.

No. 49, in page 91, line 10 leave out 'or 6(3)'.

No. 50, in page 91, line 12 at end insert—

'(1A) The documents sent by the local planning authority to the Secretary of State under paragraph 6(2) shall be accompanied by a statement of the steps which the authority are taking to comply with paragraph 6(3).'.

No. 51, in page 91, line 40, after 'inquiry', insert 'or other hearing'.

No. 52, in page 93, line 34 leave out from 'Schedule' to end of line 37 and insert—

(a) a simplified planning zone scheme or proposals for the alteration of such a scheme are required to be prepared, or

(b) steps are required to be taken for the adoption of any such scheme or proposals,'.

No. 53,in page 93, line 40 leave out from 'enable' to 'within' in line 41 and insert 'them to prepare or adopt such a scheme or proposals',

No. 54, in page 94, line 11 leave out from 'their' to end of line 12 and insert 'preparation, withdrawal, adoption, submission, approval,'.

No. 55, in page 95, line 16 at end insert—

'1A. In section 41 of the Town and Country Planning Act 1971 (limit of duration of planning permission), in subsection (3) (exceptions) after paragraph *(aa)* insert — " *(ab)* to any planning permission granted by a simplified planning zone scheme; ".'.

No. 56, in page 96, line 34 after 'make', insert 'or alter'.

No. 57, in page 96, line 39 at end insert 'or the alterations'.

No. 58, in page 98 leave out lines 23 to 29 and insert—

'(5) The planning authority shall before preparing the proposed scheme or alterations consult the Secretary of State and any local roads authority in whose district the proposed zone or any part of it lies as to the effect of their proposals on existing or future roads; and when they have prepared the proposed scheme or alterations they shall send a copy to the Secretary of State and any such local roads authority.'.

No. 59, in page 98, line 34 leave out ', or are taking,'.

No. 60, in page 99, line 7 after 'inquiry', or other hearing'.

No. 61, in page 100, line 37 after 'any', insert 'planning authority or any other'

No. 62 in page 100, line 43, leave out from 'Schedule' to end of line 46 and insert—

'*(a)* a simplified planning zone scheme or proposals for the alteration of such a scheme are required to be prepared or

(b) steps are required to be taken for the adoption of any such scheme or proposals,'.

No. 63, in page 101, line 3 leave out from 'enable' to 'within' in line 4 and insert—

'them to prepare or adopt such a scheme or proposals,'.

No. 64, in page 101, line 22 leave out from beginning to 'making' in line 23 and insert 'preparation, withdrawal, adoption, submission, approval,'.

No. 65, in page 102, line 27 at end insert—

"1A. In section 38 of the Town and Country Planning (Scotland) Act 1972 (limit of duration of planning permission), in subsection (3) (exceptions) after paragraph *(aa)* insert—

"*(ab)* to any planning permission granted by a simplified planning zone scheme; ".'.—*[Mr. Tracey.]*

Clause 13

POWER TO GIVE ASSISTANCE

Mr. Sydney Chapman (Chipping Barnet): I beg to move amendment No. 66, in page 31, line 8, after 'environment', insert

', providing employment for people who live in the area.'.

I think mine is the only non-Government amendment between now and Third Reading so I shall try to detain hon. Members as little as possible. This amendment was partially inspired by the amendment moved by the hon. Member for Birmingham, Perry Barr (Mr. Rooker) in Committee. He quite rightly drew attention in Committee to the importance of local employment prospects as a condition of Government grants.

The hon. Member for Perry Barr stressed that it was important that expenditure incurred under the powers of Part 3 should provide jobs for local residents. In reply, my hon. Friend the Minister expressed his sympathy for the idea of that amendment, but he quite properly drew attention to the difficulty of introducing any legal requirements. In Committee, I said that it would be difficult to enshrine a statutory requirement to provide local jobs. Backbenchers sometimes feel impelled, if I may use a slightly hackneyed phrase, to rush in where Ministers fear to tread. The creation of jobs for local people is one of the objectives of urban regeneration. The word "employment" does not occur in the introduction to part III of the Bill and I hope that my hon. Friend the Minister will sympathetically consider my amendment.

My hon. Friend the Minister is responsible for a number of initiatives which have important employment benefits. I mention the community refurbishing scheme, under which unemployed local people work on turning round conditions on council estates. This approach should be more widely adopted, and I hope that my hon. Friend will accept this approach, which is the purpose of the amendment.

Mr. John Patten: We often pay compliments to one another in the House, sometimes rather excessively, just as we attack each other rather too excessively. My hon. Friend the Member for Chipping Barnet (Mr. Chapman) has been tireless in his constructive contributions to this debate and in Standing Committee, and in his attempts to improve the Bill. We have found some of his amendments easier to accept than others. I have from time to time been defeated by him in Standing Committee, and I shall seek my revenge at a later stage in some other forum.

I believe that once again my hon. Friend has come up with a formulation which will improve the Bill. It reflects the general wishes of the hon. Member for Birmingham, Perry Barr (Mr. Rooker), and I pay tribute to the force with which my hon. Friend deployed those arguments. His amendment strikes the right balance and reflects an all-party agreement to try to do more for employment in these areas. It recognises the general will of Parliament, without taking us into the difficult territory of imposing mandatory requirements. I have great pleasure in accepting it.

Amendment agreed to.

Clause 17

HAZARDOUS SUBSTANCES

Amendments made: No. 67, in page 33, line 34, at end insert 'or is only required'.

No. 68, in page 38, line 40, at end insert—

'Grants of hazardous substances consent without compliance with conditions previously attached

58EE. — (1) This section applies to an application for hazardous substances consent without a condition subject to which a previous hazardous substances consent was granted.

(2) On such an application the hazardous substances authority shall consider only the question of the conditions subject to which hazardous substances consent should be granted, and—

[Mr. John Patten]

(a) if they determine that hazardous substances consent should be granted subject to conditions differing from the subject to which the previous consent was granted, or that it should be granted unconditionally, they shall grant hazardous substances consent accordingly; and

(b) if they determine that hazardous substances consent should be granted subject to the same conditions as those subject to which the previous consent was granted, they shall refuse the application.

(3) Where—

(a) hazardous substances consent has been granted or is deemed to have been granted for the presence on, over or under land of more than one hazardous substance; and

(b) an application under this section does not relate to all the substances,

the hazardous substances authority shall only have regard to any condition relating to a substance to which the application does not relate to the extent that it has implications for a substance to which the application does relate.

(4) Where—

(a) more than one hazardous substances consent has been granted or is deemed to have been granted in respect of the same land; and

(b) an application under this section does not relate to all the consents,

the hazardous substances authority shall only have regard to any consent to which the application does not relate to the extent that it has implications for consent to which the application does relate.

(5) Regulations may make provision in relation to applications under this section corresponding to any provision that may be made by regulations under section 58B above in relation to applications for hazardous substances consent.'

No. 69, in page 39, line 2, leave out from 'that' to end of line 4 and insert—

'*(a)* there has been a material change of use of land to which a hazardous substances consent relates; or

(b) planning permission has been granted for development the carrying out of which would involve a material change of use of such land and the development to which the permission relates has been commenced,'.

No. 70, in page 39, leave out lines 11 to 21 and insert—

'(2) The hazardous substances authority may by order—

(a) revoke a hazardous substances consent which relates to only one substance if it appears to them that that substance has not for at least 5 years been present on, under or over the land to which the consent relates in a quantity equal to or exceeding the controlled quantity; and

(b) revoke a hazardous substances consent which relates to a number of substances if it appears to them that none of those substances has for at least 5 years been so present.'.

No. 71, in page 40, line 37, at end insert—

'(2A) Regulations may make provision in relation to applications under subsection (2) above corresponding to any provision that may be made by regulations under section 58B of this Act in relation to applications for hazardous substances consent.'.

No. 72, in page 40, line 42, at end insert—

'(3A) Without prejudice to the generality of subsection (3) above, in dealing with an application the authority shall have regard—

(a) to the matters to which a hazardous substances authority are required to have regard by section 58C(2) *(a)* to *(d)* above; and

(b) to any advice which the Health and Safety Executive or Health and Safety Commission have given following consultations in pursuance of regulations under subsection (2A) above.

(3B) If an application relates to more than one consent, the authority may make different determinations in relation to each.

(3C) If a consent relates to more than one hazardous substance, the authority may make different determinations in relation to each.

(3D) It shall be the duty of a hazardous substances authority, when continuing hazardous substances consent, to attach to the consent one of the following—

(a) a statement that it is unchanged in relation to the matters included in it by virtue of section 58C(4) above;

(b) a statement of any change in respect of those matters.

(3E) The modifications which a hazardous substances authority may make by virtue of subsection (3)*(a)* above include, without prejudice to the generality of that paragraph, the making of the consent subject to conditions with respect to any of the matters mentioned in section 58C(5).

(3F) Subject to subsection (3G) below, sections 35 to 37 of this Act shall have effect in relation to applications under subsection (2) above and to decisions on such applications as though they were applications for planning permission.

(3G) In the application of sections 35 to 37 of this Act by virtue of subsection (3F) above—

(a) references to the local planning authority shall be construed as references to the hazardous substances authority;

(b) section 35(4) and section 36(5) and (7) shall be omitted;

(c) the words "and in such manner as may be prescribed" shall be substituted for the words in section 36(2) following "time";

(d) in section 37—

(i) the words "by the development order" shall be omitted from the first place where they occur; and

(ii) the words "the application shall be deemed to have been granted" shall be substituted for the words following paragraph *(b)*.'.—*[Mr. John Patten.]*

Clause 20

TRANSITIONAL PROVISION

Amendment made: No. 73, in page 47, line 17, leave out Clause 20—*[Mr. John Patten.]*

Clause 21

HAZARDOUS SUBSTANCES

Amendments made: No. 74, in page 50, line 26, at end insert 'or is only required'.

No. 75, in page 55, line 29, at end insert—

Grants of hazardous substances consent without compliance with conditions attached.

'56GG.—(1) This section applies to an application for hazardous substances consent without a condition subject to which a previous hazardous substances consent was granted or is deemed to have been granted.

(2) On such an application the planning authority shall consider only the question of the conditions subject to which hazardous substances consent should be granted, and—

(a) if they determine that hazardous substances consent should be granted subject to conditions differing from those subject to which the previous consent was granted, or that it should be granted unconditionally, they shall grant hazardous substances consent accordingly; and

(b) if they determine that hazardous substances consent should be granted subject to the same conditions as those subject to which the previous consent was granted, they shall refuse the application.

(3) Where—

(a) hazardous substances has been granted or is deemed to have been granted for the presence on, over or under land of more than one hazardous substance; and

(b) an application under this section does not relate to all the substances,

the planning authority shall only have regard to any condition relating to a substance to which the application does not relate to the extent that it has implications for a substance to which the application does relate.

(4) Where—

(a) more than one hazardous substances consent has been granted or is deemed to have been granted in respect of the same land; and

(b) an application under this section does not relate to all the consents,

the planning authority shall only have regard to any consent to which the application does not relate to the extent that it has implications for a consent to which the application does relate.

(5) Regulations may make provision in relation to applications under this section corresponding to any provision that may be made by regulations under section 56D of this Act in relation to applications for hazardous substances consent.'

No. 76, in page 55, line 31 leave out from 'that' to 'they' in line 33 and insert—

'*(a)* there has been a material change of use of land to which a hazardous substances consent relates; or

(b) planning permission has been granted for development the carrying out of which would involve a material change of use of such land and the development to which the permission relates has been commenced,'

No. 77, in page 55, line 40 leave out from beginning to end of page 56, line 5 and insert—

'(2) The planning authority may by order—

(a) revoke a hazardous substances consent which relates to only one substance if it appears to them that that substance has not for at least 5 years been present on, under or over the land to which the consent relates in a quantity equal to or exceeding the controlled quantity; and

(b) revoke a hazardous substances consent which relates to a number of substances if it appears to them that none of those substances has for at least 5 years been so present.'.

No. 78, in page 57, line 13 at end insert—

'(2A) Regulations may make provision in relation to applications under subsection (2) above corresponding to any provision that may be made by regulations under section 56D of this Act in relation to applications for hazardous substances consent.'.

No. 79, in page 57, line 18, at end insert—

'(3A) Without prejudice to the generality of subsection (3) above, in dealing with an application the authority shall have regard—

(a) to the matters to which a planning authority are required to have regard by section 56E(2)*(a)* to *(d)* above; and

(b) to any advice which the Health and Safety Executive or Health and Safety Commission have given following consultations in pursuance of regulations under subsection (2A) above.

(3B) If an application relates to more than one consent, the authority may make different determinations in relation to each.

(3C) If a consent relates to more than one hazardous substance, the authority may make different determinations in relation to each.

(3D) It shall be the duty of a planning authority, when continuing hazardous substances consent, to attach to the consent one of the following—

(a) a statement that is unchanged in relation to the matters included in it by virtue of section 56E(4) above;

(b) a statement of any change in respect of those matters.

(3E) The modifications which a planning authority may make by virtue of subsection (3)*(a)* above include, without prejudice to the generality of that paragraph, the making of the consent subject to conditions with respect to any of the matters mentioned in section 56E(5) above.

(3F) Subject to subsection (3G) below, section 32 to 34 of this Act and section 179 of the Local Government (Scotland) Act 1973 shall have effect in relation to applications under subsection (2) above and to decisions on such applications as though they were applications for planning permission.

(3G) In the application of sections 32 to 34 of this Act by virtue of subsection (3F) above—

(a) section 32(3) and section 34(5) and (7) shall be omitted;

(b) the words "and in such manner as may be prescribed" shall be substituted for the words in section 33(2) following "time";

(c) in section 34—

(i) the words "by the development order" shall be omitted from the first place where they occur; and

(ii) the words "the application shall be deemed to have been granted" shall be substituted for the words following paragraph *(b)*.'.

No. 80, in page 59, line 6, at end insert 'being or is'.

No. 81, in page 59, line 40, leave out 'by a development order'.—*[Mr. Kenneth Baker.]*

Clause 24

TRANSITIONAL PROVISIONS—SCOTLAND

Amendment made: No. 82, in page 63, line 32, leave out Clause 24—*[Mr. John Patten.]*

Schedule 4

HAZARDOUS SUBSTANCES: CONSEQUENTIAL PROVISIONS

Amendments made: No. 83, in page 104, line 4 at end insert—

'4A. The following section shall be inserted after section 271 of that Act—

Application to certain hazardous substances authorities of provisions as to hazardous substances control

271A. — (1) The provisions of this Act relating to hazardous substances shall have effect subject to such exceptions and modifications as may be prescribed in relation to granting hazardous substances consent for authorities who are hazardous substances authorities by virtue of section 1A of this Act.

(2) Subject to the provisions of section 58E of this Act, any such regulations may in particular provide for securing—

(a) that any application by such an authority for hazardous substances consent in respect of the presence of a hazardous substance on, over or under land shall be made to the Secretary of State and not to the hazardous substances authority;

(b) that any order or notice authorised to be made, issued or served under those provisions shall be made, issued or served by the Secretary of State and not by the hazardous substances authority.".'.

No. 84, in page 105, line 24, leave out 'paragraph 17' and insert

'the entry relating to the Sewerage (Scotland) Act 1968 in Part II'.

No. 85, in page 105, line 40, at end insert—

'3A. The following section shall be inserted after section 257 of that Act—

Application to planning authorities of provisions as to hazardous substances control

257A.—(1) The provisions of this Act relating to hazardous substances shall have effect subject to such exceptions and modifications as may be prescribed in relation to hazardous substances consent for planning authorities.

(2) Subject to the provisions of section 56G of this Act, any such regulations may in particular provide for securing—

(a) that any application by such an authority for hazardous substances consent in respect of the presence of a hazardous substance on, over or under such land shall be made to the Secretary of State and not to the planning authority;

(b) that any order or notice authorised to be made, issued or served under those provisions shall be made, issued or served by the Secretary of State and not by the planning authority.".'.

No. 86, in page 106, line 44, at end insert—

'Town and Country Planning Act 1984 (*c.* 10)

6. In section 1 of the Town and Country Planning Act 1984 (application in anticipation of disposal of Crown interest)—

(a) in subsection (1)*(a)*, after the words "listed building consent" there shall be inserted the words ", hazardous substances consent"; and

(b) the following subsection shall be inserted after subsection (3)—

"(3A) Any hazardous substances consent granted by virtue of this section shall apply only—

[Mr. John Patten]

(a) to the presence of the substance to which the consent relates aftr the land in question has ceased to be Crown land: and

(b) so long as that land continues to be Crown land, to the presence of the substance by virtue of a private interest in the land.".'.—*[Mr. John Patten.]*

Schedule 5

OPENCAST COAL: MISCELLANEOUS AMENDMENTS

Amendments made: No. 87 in page 107, line 8 at end insert

'or to carry out operations incidental to such working'.

No. 88, in page 113, leave out lines 34 to 37.

No. 89, in page 113, line 44, leave out 'have applied' and insert 'are proposing to apply'.

No. 90, in page 114, line 3, leave out '28 days' and insert

'such time, not being less than 28 days from the first publication of the notice, as may be specified'.

No. 91, in page 116, line 17, leave out from 'permission' to end of line 19 and insert

'which permits the Board to work coal by opencast operations or to carry out operations incidental to such working.'.

No. 92, in page 116, line 24, after 'permission', insert 'and the carrying out of operations incidental to such working.'.

No. 93, in page 116, line 35, at end insert—

'(13A) In paragraph 5(1) of Part I of Schedule 2 (compulsory rights orders)—

(a) for the words "an authorisation under section one of this Act" there shall be substituted the words "opencast planning permission"; and

(b) for the words from "an authorisation", in the second place where those words occur to "operations" there shall be substituted the words "opencast planning permission should be granted or should have been granted.".'.—*[Mr. John Patten.]*

Clause 26

LISTED BUILDINGS AND CONSERVATION AREAS

Amendment made: No. 94, in page 66, leave out lines 41 to 44.—*[Mr. Kenneth Baker.]*

Clause 34

LISTED BUILDINGS AND CONSERVATION AREAS—SCOTLAND

Amendments made: No. 95, in page 75, line 1, at end insert—

'(ba) applications to vary or revoke conditions attached to planning permission;'.

No. 96, in page 75, line 8, leave out 'inspectors' and insert 'appointed persons'.

Schedule 6

LISTED BUILDINGS AND CONSERVATION AREAS

Amendments made: No. 99, in page 118, line 34, at end insert—

'(3) Renumber paragraph 9 of Schjedule 11 to the Town and Country Planning Act 1971 (appeal in default of decision) as sub-paragraph (1) of that paragraph and after it insert—

"(2) Sub-paragraph (1) of this paragraph applies to an application to the local planning authority for approval by the authority required by a condition imposed on the granting of listed building consent with respect to details of the works as it applies to an application for listed building consent, with the following modifications—

(a) for references to the prescribed period substitute references to the period of eight weeks from the date of the receipt of the application, and

(b) omit paragraph *(b)* and the word 'or' preceding it.".'.

No. 101, in page 121, line 7, leave out '56A' and insert '56B'.

No. 102, in page 121, line 14, after 'consent),' insert 'sections 242, 243, 245 and 246 (validity of orders, proceedings for review and appeals)'.

No. 103, in page 121, line 15, at end insert

'section 271 and Part VI of Schedule 21 (application of provisions to works by local planning authority)'.

No. 104, in page 122, line 43, at end insert—

'Application to local planning authorities of provisions relating to listed buildings

10. In Part VI of Schedule 21 to the Town and Country Planning Act 1971 (provisions of Act applying to applications by local planning authorities with respect to listed buildings), at the appropriate place insert "Sections 242, 243, 245 and 246.".'.

No. 105, in page 124, line 12, at end insert—

'(3) Renumber paragraph 8 of that Schedule (appeal in default of decision) as sub-paragraph (1) of that paragraph and after it insert—

"(2) Sub-paragraph (1) of this paragraph applies to an application to the planning auhority for approval by the authority required by a condition imposed on the granting of listed building consent with respect to details of the works as it applies to an application for listed building consent, with the following modifications—

(a) for references to the prescribed period substitute references to the period of two months from the date of the receipt of the application, and

(b) omit paragraph *(b)* and the word 'or' preceeding it.".'.

No. 106, in page 126, line 21, leave out paragraph 7 and insert—

'(7) Section 262A(8) of the Town and Country Planning (Scotland) Act 1972 (application to buildings in conservation areas of provisions relating to listed buildings) is amended as follows—

(a) for the words from "section 53" to "section 54C" substitute "section 53 to 54D";

(b) for "section 92 to 95" substitute "section 92 to 96";

(c) after "section 179" insert "sections 231, 233 and 23";

(d) after "section 253(1)*(b)*" insert "section 257";

(e) after "Schedule 17" insert "Part IV of Schedule 19".'.

No. 107, in page 127, line 9, at end insert—

'Application to planning authorities of provisions related to listed buildings

10. In Part IV of Schedule 19 to the Town and Country Planning (Scotland) Act 1972 (provisions of Act applying to applications by planning authorities with respect to listed buildings), at the appropriate place insert "Sections 231, 233 and 234"'.—*[Mr. John Patten.]*

Clause 27

LOCAL PLANS AND UNITARY DEVELOPMENT PLANS

Amendment made: No. 108, in page 67, line 31, leave out 'repealing'.—*[Mr. Kenneth Baker.]*

Schedule 7

LOCAL PLANS AND UNITARY DEVELOPMENT PLANS

Amendment made: No. 109, in page 128, line 17, leave out first 'development' and insert 'treatment'.

No. 110, in page 130, line 8, leave out 'or'.

No. 111, in page 130, line 8, after 'repeal', insert 'or replacement plan'.

No. 112, in page 130, line 32, at end insert—

'(2A) Each copy of the documents made available for inspection shall be accompanied by a statement of the time within which repesentations or objections may be made.'.

No. 113, in page 130, line 43, leave out 'or 12A'.

No. 114, in page 130, line 45, leave out 'or are taking'.

No. 115, in page 130, line 46, leave out from 'with' to ', and' and insert 'subsection (2) of that section'.

No. 116, in page 131, line 2, at end insert—

'(1A) The documents sent by the local planning authority to the Secretary of State under section 12A shall be accompanied by a statement of the steps which the authority are taking to comply with subsection (3) of that section.'.

No. 117, in page 131, line 29, after 'or', insert 'other'.

No. 118, in page 133, line 38, after 'alteration', insert 'repeal'.

No. 119, in page 134, line 8, after 'alteration', insert 'repeal'.

No. 120, in page 134, leave out lines 21 to 31 and insert—

'of a local planning authority proposing to make, alter, repeal or replace a local plan, direct that it shall be assumed for that purpose that the structure plan proposals have been approved by him, subject to such modifications as may from time to time be proposed by him and notified to the county planning authority.

(2) A direction ceases to have effect if the Secretary of State rejects the proposals for the alteration or replacement of the structure plan'.

No. 121, in page 134, leave out lines 33 to 35 and insert—

'*(a)* in the case of an application by a county planning authority, any district planning authority whose area is affected by the relevant local plan proposals; or

(b) in the case of an application by a district planning authority, the county planning authority.'.

No. 122, in page 134, line 38, leave out 'in force'.

No. 123, in page 134, line 38, leave out 'by the alterations'.

No. 124, in page 135, line 7, leave out 'amended' and insert 'altered'.

No. 125, in page 135, line 10, at end insert—

'and the alteration, repeal of replacement plan has come into force'.

No. 126, in page 135, line 41, at end insert—

'(2A) Each copy of the documents made available for inspection shall be accompanied by a statement of the time within which representations or objections may be made.'.

No. 127, in page 136, leave out lines 7 to 13 and insert—

'(4) The documents sent by the local planning authority to the Secretary of State under sub-paragraph (2) above shall be accompanied by a statement of the steps which the authority are taking to comply with sub-paragraph (3) above.'.—*[Mr. John Patten.]*

Schedule 8

PLANNING: MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 128, in page 141, line 40, after 'is', insert 'to be'.

No. 129, in page 141, line 41, leave out 'regulations' and insert 'rules'.

No. 130, in page 147, line 14, leave out 'they have' and insert 'it has'.

No. 131, in page 147, line 16, leave out 'the proposals are' and insert 'any part of it is'.

No. 132, in page 147, line 18, leave out 'proposals' and insert 'plan'.

No. 133, in page 147, line 21, leave out 'proposals' and insert 'plan'.

No. 134, in page 147, line 27, leave out '1972 Act' and insert 'Town and Country Planning (Scotland) Act 1972'.

No. 135, in page 150, line 32, at end insert—

'National Scenic Areas

8A. After section 262B of the Town and Country Planning (Scotland) Act 1972 insert—

National scenic areas.

262C.—(1) Where it appears to the Secretary of State, after such consultation with such persons or bodies as he thinks fit, that an area is of outstanding scenic value and beauty in a national context, and that special protection measures are appopriate for it, he may designate the area by a direction under this section as a National Scenic Area; and any such designation may be varied or cancelled by a subsequent direction.

(2) Notice of any such designation, variation, or cancellation as is mentioned in subsection (1) above shall be published in the Edinburgh Gazette and in at least one newspaper circulating in the vicinity of the Area by the Secretary of State.

(3) Every planning authority shall compile and be available for inspection free of charge at reasonable hours and at a convenient place a list containing such particulars as the Secretary of State may determine of any area in their district which has been designated as a National Scenic Area.

(4) Where any area is for the time being designated as a National Scenic Area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance in the exercise, with respect to any land in that area, of any powers under this Act.

No. 136, in page 153, line 18, after 'references', insert 'to the Minister'.

No. 137, in page 153, line 33, after 'is', insert 'to be'.

No. 138, in page 153, line 34, leave out 'regulations' and insert 'rules'.

No. 139, in page 154, line 30, leave out 'inspector' and insert 'appointed person.'

No. 140, in page 154, line 37, leave out from 'appeal' to end of line 39.

No. 141, in page 155, leave out lines 20 to 25.

No. 142, in page 155, line 12, leave out *'(a)'*.

No. 143, in page 156, line 15, leave out 'section 205(3) *(a)*' and insert 'sections 205(3)*(a)* and 205A(3)*(a)*'.

No. 144, in page 156, line 48, at end insert—

'22A. In sections 32(4) and 33(5) of the Town and Country Planning (Scotland) Act 1972 for the words "and 27A" substitute "27A and 28A".'.

No. 145, in page 157, line 3, at end insert—

'23A. In section 53(4) of the Town and Country Planning (Scotland) Act 1972 omit "under section 54 of this Act.".

23B. In section 275(1) of the Town and Country Planning (Scotland) Act 1972 (interpretation)—

(a) the following shall be inserted after the definition of "restriction on the winning and working of minerals"—

"'roads authority' has the same meaning as in the Roads (Scotland) Act 1984";

(b) the following shall be inserted after the definition of "Minister"—

"'national scenic area' has the meaning assigned to it by section 262C of this Act".'.

No. 146, in page 157, line 4, leave out 'II' and insert 'III'.

No. 147, in page 157, line 6, at end insert—

'Consequential amendments of other enactments

24A. In subsection (5) of section 179 (reference of applications to regional planning authority) of the Local Government (Scotland) Act 1973, after "27A" insert "28A,".'.

—*[Mr. John Patten.]*

Clause 38

COMMENCEMENT

Amendments made: No. 148, in page 75, line 31, after '3', insert '4A,'.—*[Mr. Robert B. Jones.]*

No. 149, in page 75, line 37, after '4', insert *'(Proposals for co-operative management or ownership)'*.

No. 153, in page 76, line 4, leave out 'second' and insert 'first'.—*[Mr. Kenneth Baker.]*

Schedule 9

REPEALS

Amendments made: No. 154, in page 158, line 36, at end insert—

'1986 c.5.	Agricultural Holdings Act 1986	In Schedule 14, paragraph 25.'

No. 155, in page 158, leave out lines 45 and 46.

No. 156, in page 160, line 42, column 2, at beginning insert 'Control of'.

No. 157, in page 160, line 55, column 3, after 'In', insert 'Part II of'.

No. 158, in page 161, line 5, column 3, at beginning insert ' Section 3(2).'.

No. 159, in page 161, line 8, at end insert—

1968 c.14.	Public Expenditure and Receipts Act 1968.	In Schedule 3, in paragraph 6, the entry relating to section 355(8) of the Local Government (Scotland) Act 1947.'.

No. 160, in page 161, line 15, at end insert—

'In section 53(4), the words—

"under section 54 of this Act".'.

No. 161, in page 161, line 43, at end insert—

'In section 247(1)*(d)*, the words from "in" to "grants".'.

No. 162, in page 162, line 10, at end insert—

'*(a)* in part I, the reference to sections 237, 238(1) and 239;.

No. 163, in page 162, line 17, after '25', insert 'and 60'.

No. 164, in page 162, line 18, at end insert—

		'paragraph 10 of Part II of Schedule 2.
1984 c.27.	Road Traffic Regulation Act 1984.	In section 129(1)*(d)* the words from "(including" to "in the inquiry)".'. — *[Mr. John Patten.]*

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. John Patten.]*

10.23 pm

Mr. John Fraser: We have debated the Bill vigorously, especially clause 5 and other objectionable provisions, but on other clauses we have acted constructively. We hope to see legislation on the Nugee committee recommendations absolutely guaranteed next Session. We have secured some improvements in the law on improvement grants for flats and we have made a significant contribution to co-operative involvement by tenants. We welcome those parts of clause 6 which will give tenants a greater say in their management and greater control over their environment.

We have opposed those parts of clause 6 which were aimed simply at private management for private profit, but the Government amendment, which they hope to reinforce in another place, will virtually guarantee council tenants a veto on privatisation over their heads.

A number of matters which should be in the Bill are not. It represents missed opportunities, because it is largely about the management, rather than the provision, of housing. Our criticisms, not least in the debate on Tuesday, of the gross inadequacy of housing provision remain as forceful as ever. The Bill does nothing to improve the supply or the quantity of housing.

There are two things that I should like to see in the Bill when it returns from another place. One most important matter is in relation to homelessness. There has recently been a court decision to the effect that the homeless persons legislation only requires a local authority to make provision for the homeless and not to provide housing. That interpretation of the law is nonsensical. I hope that the Government will undertake to amend that aspect of homelessness law in another place. There is also the question of interpretation of section 91 of the Housing Act 1985. There is some misunderstanding about whether that section makes a tenancy assignable or simply capable of assignment.

The other matter that the Bill does not deal with satisfactorily is the problem of the inner city. Of course, there is the urban regeneration grant. We discussed that matter constructively in Committee. However, although there has been a period of quiet and the inner cities have been hibernating over a long winter and a cool spring, the Bill's attempts to deal with the inner cities and urban regeneration are not nearly sufficient to tackle the problem.

I represent an inner city constituency. There are over 3,000 unemployed school and college leavers in my borough. That is not untypical of the situation in many city areas. In other words, three battalions of young appear to have lost the struggle before they have started the fight. The effects of such a level of unemployment flow back into the schools and demoralise the entire community.

Lambeth has a problem that has been repeated in Handsworth and other inner city areas — the virtual impossibility for some businessmen of insuring their premises. There can be no greater disincentive to setting up a business than finding that you cannot get insurance cover to protect it. That is a very serious symptom of the problems of the inner city.

Poverty continues to increase as well as unemployment, and the measures in the Bill in that area are mere pinpricks. We shall have to return time and time again to the question of finding a more effective way of dealing with problems that could easily be resurrected as the weather becomes warmer. I am most concerned about the inadequacy of the Bill, in housing and inner city terms, to provide the resources to meet the undoubted problems that still exist.

Mr. Chapman: My right hon. Friend the Minister made some extraordinarily generous remarks about amendment No. 66. I appreciate very much what he said. I should also like to comment very briefly on Government amendment No. 36, which was inspired, I believe, by an amendment that I put forward in Committee. I am grateful to the Minister for agreeing that simplified planning zones should not be created in national parks, conservation areas, areas of outstanding natural beauty, areas of special scientific interest or—to add a final rider—green belt areas. I have the privilege to be the president of the

London Green Belt Council. The amendment is a great advance and will give immense reassurance to environment organisations concerned with the conservation of our countryside.

The Minister courteously informed me, after I moved an amendment in Committee about the demolition of listed buildings and the relevant procedures, that he would introduce an amendment, on the lines that I suggested, in another place. I hope that he will take into consideration the words of the chairman of English Heritage and the joint committee of various organisations concerned with conserving, in an intelligent way, our architectural heritage. I was not responsible for designing any part of that heritage, but I believe that if we can conserve it, untold future generations will benefit. We have had very constructive Committee and Report stages, with active and intelligent participation from hon. Members on both sides, which has, indeed, improved the Bill.

10.29 pm

Mr. Cartwright: I agree with the hon. Member for Norwood (Mr. Fraser) that, in its housing application, this is a Bill about management. But unlike him, I do not complain about that. Given the state of housing management, it is important to approach some of the problems that flow from that.

The interesting factor has been the degree of agreement across the political divide as to the ways in which housing management can be improved. The encouragement of housing co-operatives is one obvious example of that. The Bill makes a useful contribution towards making that idea a reality and towards giving people more control over their homes and their environment. I welcome the degree of agreement achieved over the need to encourage assured tenancies and to try to find new forms of rented accommodation to meet the need that clearly exists.

The urban regeneration grant may not make a dramatic contribution to the problems of our inner cities, but it should not be despised. It is worth having, and I welcome it. However, I am somewhat more sceptical about simplified planning zones. I should welcome them if they made a contribution, but I shall wait to see whether the fears that I and other have expressed are founded or whether the simplified planning zones make a bigger contribution than we expect.

I certainly endorse what the hon. Member for Chipping Barnet (Mr. Chapman) has said. We have had some very useful debates on the Bill, and both sides of the House have co-operated to make it a better Bill. I pay tribute to the Minister for his sensitive handling of the Bill and for the way in which he has responded to constructive proposals and has returned with ways of meeting our objectives. He has not always met them in full, but he has honestly and sincerely tried to take our views into consideration. That has greatly helped the Bill's passage.

10.31 pm

Mr. Winnick: The Bill should not go to the other place wihout its critics once again making their position clear, just as my hon. Friend the Member for Norwood (Mr. Fraser) has done.

The Bill does not help to provide a single new dwelling. Incidentally, I am glad that the Secretary of State is now present. There is a formidable housing crisis. Thousands of families have no accommodation of their own, and live with their relatives or friends, or, as we know, in bed and breakfast accommodation. There is a huge waiting list of people who need to be housed. Many families in my constituency are housed in multi-storey blocks. They do not want to buy their flats, but they would like the opportunity to transfer to houses. That point has been made time and again to me and, I would have thought, to many hon. Members by their own constituents.

Earlier, the Minister said that he wanted to nail the lie that tenant security was being undermined. But the security of many council tenants is certainly being undermined as a result of the Bill, because it is intended that a local authority should be able to sell to the private sector. It will be up to the court to decide and so on, but that will not offer much protection to those tenants. The Bill is obsessed with privatisation. For example, there is the clause that deals with the privatisation of council estates. I took a deputation to see the Under-Secretary of State and they were seen by civil servants. The Rosehill estate in Willenhall in my constituency is desperately in need of modernisation. At long last there is a chance of that estate being modernised. These are pre-war dwellings. Last summer, I went around with a senior representative of the Department of the Environment who saw for himself the conditions in which my constituent's live on the estate.

To foot the bill of modernisation, the council is being effectively blackmailed into agreeing to sell off at least 20 houses and some open land on that estate before the necessary finance is authorised so that Rosehill can be modernised. That is an illustration of the Government's obsession with privatisation, and their desire to privatise many dwellings in the public sector.

I see no reason why we should refrain from criticising, or why Labour candidates should not warn tenants up and down the country of the likely effect of the legislation in the near future. What is required is the opposite of what the Bill offers. Increased public investment in houses is required, and the opportunity once again for local authorities to be in a position to build.

It has been estimated that fewer than 30,000 council dwellings will be started this year. I wonder whether the Secretary of State is proud of that. Many council dwellings need to be modernised and local authorities should have the financial means of carrying out the work.

For all those reasons, Mr. Deputy Speaker. I believe that we are justified in opposing the measure. It will go through because the Government have their majority, but we shall do what is necessary. We shall tell the country what is at stake. I have no doubt at all that many people will be even more determined to vote Labour as a result of this measure.

Mr. Marlow: I give the Bill my blessing. It is a tremendous Bill. It gives great hope and opportunity to many people who are not living in the best of circumstances. It gives them a better opportunity to buy their flats and to manage them.

I thank my hon. Friend the Minister for the tremendous way in which he ran the Committee and the business this evening. I extend my thanks to the main protagonists on the Front Bench opposite the hon. Members for Norwood (Mr. Fraser) for Birmingham, Perry Barr (Mr. Rooker) and for Woolwich (Mr. Cartwright). It was the most positive and stimulating Committee on which I have had the pleasure to serve.

[Mr. Marlow]

I am only sorry that the bad fairy had to turn up, with the spiteful remarks that he has recently made. I can assure him that this beautiful Bill will live and survive. If anyone is going to prick his finger it will be him.

Mr. Simon Hughes: Following the blessing of the Bill by the hon. Member for Northampton, North (Mr. Marlow), if will be difficult to make excessive remarks.

It was not for want of interest that the Liberal party was not represented on the Committee. It was a small Committee. My hon. Friend the Member for Woolwich (Mr. Cartwright) spoke for the alliance. He attended on every occasion, or on all but one occasion. He was a regular attender, participant and contributor. We pay tribute to him for that.

Some things remain to be said. The Government came to office saying that they would make Britain the best-housed nation in the world. They have so fundamentally failed in their policy that the Bill will not do more than bring occasional improvement and hope to some people.

There are good signs. People are beginning to accept and recognise the need for co-operatives, and, as I said on Report, we hope for more. Improvements have been made in relation to service charges. An amendment was passed on Report in relation to improvement grants for blocks of flats where work has so far not been possible. Those are certainly improvements.

I hope, as the hon. Member for Norwood (Mr. Fraser) said, that before the Bill completes its passage through both Houses it will be able to accommodate something to amend the Housing (Homeless Persons) Act, which was introduced by my hon. Friend the Member for Isle of Wight (Mr. Ross) and which the judgment in the case of Puhlhofer *v.* Hillingdon Borough Council has shown to be defective.

The Act does not give homeless people any security of decent accommodation in the way that it was thought it did until the House of Lords judgment.

I end with a reflection which is very much a daily vision in a constituency such as mine. Unless the Government do something that moves away from the two policies of privatisation and deregulation of housing and planning we will sadly see the creation of two nations. We need a much more serious attack than the Bill is providing.

My constituency contains the London Docklands Development Corporation and the Southwark council area outside the LDDC. In one area we see people in depressing council accommodation, often in tower blocks, many of whom cannot be adequately housed. In the other area we see people enjoying the benefits of the deregulated docklands corporation, where properties are changing hands at exploitative prices for figures in excess of £175,000, grossly abusing the entitlement of many other people to a decent share of housing in London. It puts up the price of land and drives away people who have a right, because they are local to communities such as ours in the docklands, from the places that are their own.

The result convinces me that the magic of the marketplace, as the former Minister responsible for housing used to call it, does not provide the answer. Only if people have control, participation and shares in their communities and housing, and in the planning of their areas in a democratic way, where everybody, no matter what his status or income, has an equal chance, will we begin to house our nation and plan for it properly.

There are some good things, but the fundamental failure of the Government to address the malaise of the inner cities and beyond has not been remedied by the Bill. I regret that and hope that the Government realise their derogation and dereliction of duty. With every month that passes their administration causes problems for many areas of Britain from which they will find it difficult to recover.

Mr. John Patten: At this stage I wish only to thank those hon. Members on both sides of the House who have said kind words about the ministerial team on the Bill. I would also like to thank those hon. Members on both sides of the House who improved the Bill so much in Committee and on Report.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Higher Education (NAB Report)

Motion made, and question proposed, That this House do now adjourn.—*[Mr. Mather.]*

10.42 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): I seek a clear statement from the Minister about the position in which polytechnics and colleges find themselves in regard to their funding for 1987-88, the future of many of their courses and, above all I seek a clear statement of the number of students that will be admitted in that year. The fact that there is widespread confusion on these vital matters is a direct result of the Government's incompetent management and neglect of higher education in our country.

On Monday the Minister described education as being in

"creative ferment at all levels."

He admitted that that made it a "difficult period". What a euphemism. For "creative ferment" he should more properly have said chaos. To appreciate the extent of this crisis it is necessary to describe briefly the present state of higher education—the context in which the National Advisory Body's planning exercise for 1987-88 is taking place.

On Monday the Minister said:

"British higher education is among the best in the world". —[*Official Report,* 21 April 1986; Vol. 96, c. 72.]

I would agree in many respects. We certainly have some of the best teachers, best courses and best institutions, but our age participation rate is appallingly low at 13 per cent. Japan provides higher education for 20 per cent. of its young people and the United States provides higher education for 22 per cent. In western Europe only Portugal and Ireland have a lower proportion of 18-year-olds entering higher education.

In his reply the Minister may say that the fact that the number of students entering polytechnics and colleges has risen by 70,000 since 1979 is the Government's one single achievement in higher education. However, the Government have made higher education pay a very bitter price for that gain. They have not provided the additional money to educate those students. Indeed, expenditure on higher education has been cut by 10 per cent. in real terms. Britain is the only country in western Europe which is cutting expenditure on higher education. Every other country recognises that to meet the needs of industry, technology and the future they must expand higher education. This country is, however, reducing expenditure on higher education.

The ratio of staff to students has worsened in this country by 25 per cent. and expenditure per student has decreased by 20 per cent. Purchasing for equipment, books, library provision, crucial periodicals, support staff such as technicians and all the resources necessary to provide the high quality higher education, have been cut and are now critically underfunded.

The National Advisory Body, set up to advise the Government, clearly stated that no more savings could be made. That is the context in which the Secretary of State wrote to the Minister as chairman of the National Advisory Body on 3 February and said:

"I would like to invite NAB for its planning exercise to adopt (as well as the assumption adopted hitherto by the secretariat and the chairman's study group), the assumption that the 1987-88 Quantum might show an increase of 3·5 per cent."

Translated, that meant a shortfall of £23 million. The NAB secretariat went away and attempted to work out what this planning assumption of the Secretary of State would mean in practice.

On 4 April the secretariat wrote to the directors of polytechnics and colleges with their conclusions. These involve a 6 per cent. cut in student numbers in engineering, technology, construction, science, health, mathematics, business management and in design. They would also mean an 11 per cent. cut in modern languages and a 16 per cent. cut in humanities. Specifically, they would mean that the Rose Bruford college would close, in spite of a recent excellent report from Her Majesty's inspectorate. All humanities would cease at Newcastle, Brighton and north Cheshire polytechnics. At the north Staffordshire polytechnic in my constituency, modern languages would go, computing would lose 70 students and social sciences 116. Sunderland polytechnic would lose its civil engineering department and perhaps most damaging and most idiotic of all, Wolverhampton polytechnic would lose all of its engineering, cutting some 600 students over the three years and losing 35 staff. It is idiotic that that should happen in a town that is founded and based on engineering, and it is equally idiotic to cut a department in which the computer-aided design and computer-aided manufacture centre had recently received £70,000 investment from the National Westminster bank. That must be a crazy policy.

Everyone in this country believes that we should encourage computer-aided design and manufacturing; only this Government could have created circumstances which have led to cuts in that provision. In all, the total number of students entering polytechnics and colleges in 1987-88 would be reduced by 9,400 full-time equivalents —that is over 12,000 students in real, human terms who would be affected. What a farce!

Faced by the unanimous condemnation of the education world and the anger of parents and potential students, the Secretary of State and the Minister have done their best since then to dismiss the NAB's planning exercise. The Minister called it a "campaign of alarmism" and the Secretary of State more tersely called it "rubbish", "a single guess". However, the professional staff at the NAB have based the exercise on the Secretary of State's assumption, which he invited NAB to adopt. As the Secretary of State set the assumption for the planning exercise, it does not become him to disown it now.

I understand that the Minister is telling his colleagues and anyone else who will listen that the NAB should have produced more than one assumption that, as the letter said: "it might be appropriate for NAB to adopt a range of assumptions".

Indeed, his next sentence in the letter of 3 February specifies the additional assumption that the Secretary of State had in mind—the one "adopted hitherto by the Secretariat". It did in fact adopt that assumption which allows for a cut of £42 million and 18,000 fewer students. Is that the assumption that the NAB should have sent to the directorate? Is that the range of options that the Minister is now saying it should have adopted? The Minister does not seem to be very keen to respond and it is no wonder because he was in the chair at the NAB committee meeting on 27 February when the central planning assumption was agreed. He will recall that one other person was there on that day—the Secretary of State. Both of them were in the room. They heard the

[Mr. Mark Fisher]

discussion. They knew the framework laid down by the board. It really is hypercritical of them to seek to dismiss the reality of that now.

The truth is that the Secretary of State and the Minister have bungled this planning exercise, just as they have damaged so many other parts of our education system. They are both zealots for cuts in public expenditure and they have delivered over education for the knife without a struggle. Then they seem to be surprised, or perhaps confused, when such cuts are made. They say, "No, it is not us; it is the directors of the polytechnics, the NAB". Nobody in Britain believes what the Secretary of State and the Minster say. Their hands are not clean. They are responsible for this assumption and the conclusions that run inexorably from it.

The Minister may well say that there was a further alternative for the NAB. It could have chosen to cut the unit of resource, the expenditure per student, still more. But that was never proposed at that meeting of 27 February, as I understand. But, as Mr. Clive Booth, the director of Oxford polytechnic and a former senior official of the Department of Education and Science has said:

"In polytechnics, spending per student is the lowest ever."

As the Council for National Academic Awards has said in a recent unpublished paper,

"There is little if any scope for further reductions in the resourcing of public sector institutions in England if the quality of courses . . . is to be sustained at acceptable levels."

Indeed the CNAA goes on to conclude that if the present resourcing policies are continued, it will have to choose between accepting lower course quality and withdrawing course approval. That is a stark choice between numbers and quality. No wonder what Mr. Christopher Ball, the chairman of the NAB, has said that cuts are inevitable if we are to maintain the quality of provision.

Tonight in this Adjournment debate we need to know who is right. Is it the CNAA and the NAB and almost everybody else in higher education who say that a reduction of £23 million in 1987-88 — which follows from the Secretary of State's own assumption—will lead to either lower quality or to a reduction in students, or is it the Secretary of State and the Minister who say that this is rubbish?

The Secretary of State and the Minister have sought to avoid that question by saying that we should leave it until later in the year and that it will all work out in the negotiations, or, perhaps less honourably in his speech to the directors of polytechnics, the Secretary of State blames teachers in higher education for last year's pay award. That simply will not wash.

If the NAB and the CNAA are wrong, let the Minister answer five important questions tonight. First, what will be the number of students entering polytechnics in 1987-88? Secondly, what courses will be available to them? Thirdly, how many staff will teach those courses? Fourthly, what resources will they have to do that work? Fifthly, what unit of resource and range of teachers will be available?

The Minister may say that those are imponderables because they flow from the planning exercise, although it is a planning exercise which he himself set up. Nobody in higher education would advocate a return to the old system which was clearly indefensible, but surely the Minister can see that the present arrangements for the exercise are fatally flawed. Decisions made in the autumn will not be conveyed to polytechnics until December. That will leave them six, or at the most nine, calendar months to effect those changes. It simply is not possible to make reductions on those scales without knowing before December what courses will be offered. They cannot be advertised honestly or put into effect.

Surely the sensible thing would be to adopt the recommendations of the Jarratt committee on the universities and opt for a three-year cycle of planning for higher education. I believe that the Jarrett committee on the public sector will also adopt that view, but, sadly, it is a view rejected by the Secretary of State's Green Paper. I urge him, as a constructive criticism, to think again to avoid such problems. If the Minister insists that this form of planning exercise, on a yearly basis, is the right method and if he insists that he will not give any undertakings tonight the British people will consider that he is playing games with higher education.

He will fuel the confusion and demoralisation which is already rife in higher education. Parents, students and teachers in higher education are angered by the present confusion and uncertainty. They want, and the country wants, better provisions for higher education and more secure, long-term planning certainties.

We could plan with such a certainty and deliver the skills our higher education is capable of delivering but which, at present, we are sadly lacking. Tonight is an opportunity for the Minister to repair some of the damage that has been caused since 4 April. That damage flows inexorably from the Secretary of State's letter to the Minister and the assumptions which he suggested that NAB should make. If the Minister cannot reassure people, higher education is in a parlous state. I do not believe that is the Minister's intention. This is an opportunity for the Minister to put some certainty into higher education and give us the planning base which we undoubtedly need.

10.55 pm

The Parliamentary Under-Secretary of State for Education and Science (Mr. George Walden): I am grateful to the hon. Member for Stoke on Trent Central (Mr. Fisher), for giving the House this opportunity to debate the planning exercise for 1987-88 now being undertaken by the National Advisory Body for Public Sector Higher education — NAB for short. Equally, I welcome the chance to discuss the planning of the public sector more generally.

The National Advisory Body secretariat's consultative student number proposals, which were circulated to institutions on 4 April, have, in particular, received extensive coverage in the press. Not all of that coverage has been careful to distinguish their status. That may not be entirely the fault of the media, since this is the second time this year that they have been invited by NAB to contemplate substantial reductions in intakes in 1987-88. The first time was in January when the putative reduction totalled 18,000 places. Now it is a more modest 10,000. This is all the more regrettable because of the inevitable anxieties to institutions, their staff and to students and parents that confusion about the Government's policies can cause. I am sorry that the hon. Gentleman, for rather transparent purposes, has chosen to try to muddy the waters further.

There are even better examples of this confusion than the hon. Gentleman's speech. On 8 April the Leader of the Opposition asked the Prime Minister:

"was the dispatch of a letter from the National Advisory Body committee to the directors of polytechnics a mistake, or did it not take place, or is it another fantasy?" — [*Official Report*, 8 April 1986; Vol. 95, c. 16.]

The answer is yes, it was a fantasy. I am the chairman of the committee in question and no such letter was sent. If the hon. Gentleman wishes to apologise on behalf of his right hon. Friend for misleading the House, I shall be happy to give way to him on this point.

Mr. Fisher: The Minister knows very well that the NAB secretariat sent a letter on 4 April to the directors of polytechnics and colleges. He has a copy of the letter.

I have copies of that letter, sent to several polytechnics. Surely he does not want to deny the fact that Christopher Bull, on behalf of NAB, sent out that letter?

Mr. Walden: I am saddened by that intervention, because it shows that the hon. Gentleman is not prepared to apologise on behalf of his right hon. Friend for misleading the House. and he also seems to be confused about the exact state of affairs. I hope that I can further enlighten him in the course of my speech.

The hon. Gentleman has been careful to avoid the most yawning pitfalls, but he has still not got it right—as we have just seen. I am glad to have this opportunity to set the consultative proposals by the NAB secretariat in context and, in so doing, to allay the anxieties to which I referred. To that end, I should first make clear that the proposals issued by the NAB secretariat are not Government decisions, nor reflections of Government policy.

The proposals are, in fact, the first results of a planning process and the work of the secretariat of the National Advisory Body. The NAB was established in 1982 in response to the need for some form of central planning of the maintained sector of higher education following the "capping" in 1980 of the advanced further education pool which shares the cost of local authority higher education between authorities. Its remit was, and is, to advise my right hon. Friend the Secretary of State annually on the disposition of academic provision within the sector and on the consequential distribution of the advanced further education pool between authorities in respect of their institutions providing advanced work. In 1985 that remit was extended to include the voluntary colleges. As part of its remit NAB conducts a major revision of academic and institutional plans every third year. The first review was in respect of the years 1984-85 to 1986-87 and was completed in December 1983. The second, on which it is now engaged, will cover the years 1987-88 to 1990-91.

It is axiomatic that an exercise of this kind, looking ahead over a period of three years, cannot foresee all eventualities and must perforce adopt some assumptions as a basis for developing its plans. So it is with the NAB secretariat's consultative proposals that were circulated just over three weeks ago, which were prepared with a view to the formulation of draft advice to the Secretary of State for consideration by the NAB board and committee later this year.

The proposals are based on a single assumption about the resources likely to be available for public sector higher education in 1987-88. It was on that assumption that the NAB committee invited the secretariat to draw up proposals which would restore the level of funding per student to its planned 1985-86 level.

Mr. Fisher: Will the Minister give way?

Mr. Walden: No. I believe genuinely that the hon. Gentleman has quite a lot to learn about this, so he must listen very carefully.

It is, among other things, because the committee believes that funding in 1987-88 will not fully compensate for previous inflation that a 7 per cent. reduction in intakes has, for the time being, been embodied in the secretariat's consultative proposals for 1987-88. In fact, the quantum for 1986-87 increased by 6 per cent., which included an allowance of 4·5 per cent. for year on year inflation, whereas I now note that the Government forecast for inflation in 1986-87 has fallen below 4 per cent. This all goes to show how hazardous these projections are and how misleading it can be to try to enshrine them in concrete.

I stress the contingency of all this, however, also because the actual resources available for 1987-88 will not be known until the autumn. Not until then will the NAB committee — I stress the committee — decide how to advise the Secretary of State about the number of students in aggregate who can be accommodated, not about the subject and institutional implications. At that juncture, as the NAB secretariat's letter covering the proposals itself notes, the committee will have to review the hypothesis used to date and, to quote the letter:

"may wish to consider other options."

The NAB normally tenders it final advice towards the end of the year, whereon the Secretary of State has normally announced his decisions by Christmas.

The hon. Gentleman has suggested that the existing assumptions about funding should be given particular credence because I, as chairman of the NAB committee, am a party to them. That is to misunderstand my position. I hope that that is not done deliberately. My colleagues on the committee, who comprise the chairman of the board and six councillors representing local education authorities, well understand that in addition to chairing their meetings I am also a Minister in my right hon. Friend's Department. I cannot, wearing my ministerial hat, compel the committee to reach any conclusion that it was not inclined otherwise to reach or, wearing my chairman's hat, commit my right hon. Friend to accepting whatever advice the committee may choose to put forward to him.

Mr. Fisher: Will the Minister give way?

Mr. Walden: No. If I could do either of these things, what would be the purpose of having a national advisory body?

Mr. Fisher *rose*——

Mr. Walden: I give way to the hon. Gentleman.

Mr. Fisher: Does the Minister dispute that the board acted on the assumption upon which it was invited to act by the Secretary of State in the letter that I specified earlier? The board projected the Secretary of State's assumption into the hypothesis that it worked out.

Mr. Walden: By referring to the board the hon. Gentleman has given a new stir to the muddy water that he has already created. We are not discussing the functions of the board. We are discussing the functions of the

[Mr. Walden]

committee and its secretariat. I suggest only that the hon. Gentleman should continue to listen most carefully to what I have to say. Then he may learn how these things actually work.

It remains the case that the Government's position has been the same throughout. Both at the level of the NAB board, on which officials from my Department sit, and in the Committee we have pressed NAB to plan on the basis of a variety of funding assumptions.

The hon. Gentleman also sought to convict the Government of a disregard for the maintenance of quality. The hon. Gentleman deduces a threat to quality from the evidence of declining unit costs in the public sector since 1979. He asserts that the limit of what is an acceptable level of funding per student has now been reached and that the Government cross it at risk to the maintenance of quality.

Obviously the Government are watching very closely the relationship between funding and quality. We are by no means suggesting that the system is infinitely elastic, but there are important issues here about the relationship between resources and student numbers which go to the heart of what planning is about. The hon. Gentleman's charicteristically lavish prescription implied in his speech simply to spend more money does not even begin to address these problems. Perhaps, therefore, in the time remaining, I could take his education in hand.

The background to the fall in unit costs—11 per cent. across the system as a whole—often cited as an index of quality, is the sustained expansion of student numbers, and hence of access, which has occurred in the first half of this decade. Since 1979, the public sector as a whole has absorbed an increase in students of 27 per cent. In polytechnics alone the growth has been about 37 per cent. That is a formidable and impressive achievement. The orderly assimiliation of these additional numbers owes much to the quality of NAB's planning since 1982—and no one is suggesting that NAB always gets it wrong.

There is, however, no general evidence that it has been achieved at the expense of quality. That is because the resources necessary to sustain the expansion were largely already in place. Accommodation and resources which had been laid down in the 1970s in anticipation of student demand which either failed to materialise, or materialised at a slower rate than expected, were filled up only in the 1980s. The fall in unit cost is thus in practice a measure of the more efficient and intensive exploitation of spare capacity.

The proof of this is to be found in the performance of the student/staff ratio, which, across the system as a whole, has taughtened from 8·2:1 in 1979 to 10·8:1 in 1984, but still remains below the target of 12:1 established by NAB itself—I emphasise that—as a basis for its planning. Thus the National Advisory Body, in its strategy advice to my right hon. Friend the Secretary of State about higher education in the late 1980s and beyond, published in September 1984, judged, in the light of the views of Her Majesty's Inspectorate and the validating bodies, that the fall in unit costs was not in itself a ground on which it could argue for an increase in the funding per student. I do not accept, therefore, the hon. Gentleman's thesis that we are witnesses to a protracted attenuation of resources. One man's fall in funding per head is another man's efficiency saving.

Nor do my right hon. Friend or I accept—and this appears to be NAB's current thesis—that there is no further realistic scope for a more cost effective distribution of provision across the system. Within the public sector of higher education, the polytechnics as a group are now operating what is evidently a tight ship. The average polytechnic student-staff ratio in 1984-85 stood at 11·5:1, close to, though still below, the 12:1 target. I recognise that there is concern within some polytechnics about the stringency of resources and that this concern has played its part in the NAB committee's decision to accord priority to sustaining a particular level of funding per student—the unit of resource. However, I remain sceptical of the invariable relationship which the unit of resource presupposes between funding and student numbers: namely, that each student comes at an average cost and that, for every rise or fall in the real level of funding, access should be increased or diminished commensurately.

A recent paper by the Council for National Academic Awards, to which the hon. Gentleman has referred and which was submitted to the National Advisory Body, encapsulates my own doubts in stipulating that the relationship is not a mechanical one. Common sense surely confirms that judgment. How can the unit of resource hold good as a description of the relationship between resources and numbers when a significant proportion of the system's costs are attributable to its buildings and other facilities which are relatively inelastic to demand? Thus I note that the CNAA paper, which is far more complicated than suggested, though estimating that the present resource level may create difficulties for the maintenance of quality in the longer term, also implies that current funding is above the resource level necessary in the short term. In other words, across the system as a whole the existing infrastructure is equal to the demands now placed on it.

I particularly regret the pretext which dependence on the unit of resource supplies to those unwilling or unable to scrutinise how the system might be better organised to make resources go further and to sustain quality. The efficient allocation of places and resources is not only the key to orderly planning but is NAB's job and fundamental to the partnership between Government and local authorities which NAB embodies and which has worked well a number of times.

It is undeniable that there is overcapacity to be discerned in the system. By contrast with the efficient polytechnics, the student-staff ratio elsewhere in the local authority higher education sector stood at 9·6:1 in 1984-85. That is indicative of substantial spare teaching capacity. I think that not only the taxpayer and ratepayer but those institutions currently experiencing financial stringency have a right to ask why that spare capacity might not be rationalised and resources freed to flow to those parts of the system which are under presssure. If I were the director of a polytechnic which had played its part in the expansion of access in this decade, I should ask that question insistently.

It is my firm belief that we do ourselves no service by turning our back on these complications, and I am sorry that the hon. Gentleman chose to do that. I do not doubt the sincerity of the directors of individual polytechnics

who have expressed to me concern about resources. I have talked to a number of them. I was interested that the hon. Gentleman mentioned Wolverhampton, because I visited the polytechnic there when the local collaborative project which involved the Westminster bank was being launched. I had a chance on the spot to calm the excessive fears that had been aroused.

I do not dissent from the proposition that our investment in public sector higher education should be such as to build on existing strengths and to maintain quality. I must ask the hon. Gentleman to apply his mind to realistic judgments on educational economics. The arguments about the maintenance of quality and building on existing strengths will not carry conviction unless and until it can be shown that existing resources are being used cost effectively. I hope that what I have said makes it clear that there is some way to go—I would not exaggerate how far—before we can truthfully say that. In the meantime —I stress this——

The Question having been proposed after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twelve minutes past Eleven o'clock.

House of Commons

Friday 25 April 1986

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITIONS

Social Security Reform

9.35 am

Mr. Roy Jenkins (Glasgow, Hillhead): I beg to ask leave to present a petition on behalf of over 5,000 residents of Glasgow, mostly of the Hillhead division. The petition states:

legislation based on the 'Reform of Social Security — Programme for Action' White Paper would be extremely detrimental to the residents of the United Kingdom who are in receipt of Social Security benefits. Wherefore your petitioners pray that your honourable House do not pass legislation arising out of the Reform of Social Security White Paper. And your Petitioners, as in duty bound, will ever pray etc.

To lie upon the Table.

9.36 am

Mr. Douglas Hogg (Grantham): I beg leave formally to present a petition on behalf of some 60,000 of my constituents. Because I want it to be formally incorporated into the proceedings of the House, I shall ask the Clerk to read the body of the petition.

THE CLERK OF THE HOUSE *read the petition, which was as follows:*

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The humble petition of the residents of the villages of Fulbeck, Leadenham, Caythorpe, Brant Broughton, Brandon, Stubton, Fenton, Beckingham, Stragglethorpe, and other places in the counties of Lincoln and Nottingham.

Sheweth that your petitioners are wholly opposed to the proposal announced by Nirex to consider Fulbeck airfield as a possible site for the disposal of nuclear waste material; that your petitioners are also opposed to Nirex carrying out exploratory works at Fulbeck airfield; that your petitioners do not believe that burial in shallow trenches is a proper or safe way of disposing of intermediate nuclear waste material. Also that your petitioners do not accept that the geology or hydrology to be found at Fulbeck airfield are such as to make safe burial of short life intermediate nuclear waste material possible. Further, your petitioners assert that the roads in the area are inadequate for the safe transport of radioactive material. Your petitioners are also concerned by the proximity of dwelling houses to the proposed site and the impact upon their value of the proposal announced by Nirex.

Wherefore your petitioners pray that your Honourable House shall not approve any order which would cause or allow Nirex to carry out any works whatsoever at Fulbeck airfield.

And your petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Orders of the Day

Obscene Publications (Protection of Children, etc.) (Amendment) Bill

As amended (in the Standing Committee), considered.

Ms. Clare Short (Birmingham, Ladywood): On a point of order, Mr. Speaker. I wish to object, to and to ask you to reconsider, your selection for today. You have not selected my new clause that seeks to amend the Bill, and I do not think that the reasons that I have heard are reasonable ones.

My attempt to amend the Bill arose from the provisions of the Bill as put before the House on Second Reading, which included, for example, a list of visual images that were to be accounted obscene. I was not on the Committee, so my next chance to amend the Bill arises on Report, but a new clause related to the Bill as originally drafted is not to be accepted for discussion. There is enormous public feeling about this matter. When there is strong feeling outside that there should be some change in the law, but the matter cannot be discussed in the House, the House is brought into disrepute.

Mr. Speaker: I thank the hon. Lady.

I have explained to her why I could not accept her new clause. As she knows, her amendment is starred and was tabled only yesterday. The Bill was reported more than 10 days ago and it is not normally my practice to select starred amendments. It is quite in order for the hon. Lady to advance her arguments during the debate on the amendments on the Order Paper that have been selected.

Clause 1

ACT TO APPLY TO TELEVISION AND SOUND BROADCASTING

9.41 am

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I beg to move amendment No. 1, in page 1, line 6 at end insert:

'Provided that nothing in Section 1 shall be construed as affecting the responsibilities of the Governors of the BBC, or the duties of the members of the Independent Broadcasting Authority under the Broadcasting Act 1981 or of the cable authority under the Cable and Broadcasting Act 1984'.

I would never dream of questioning in any way either the decisions of the House or the decisions that are taken by you, Mr. Speaker, on its behalf. You are a remarkable Speaker, by whom the House is extremely well served. The point raised by my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) illustrates some of the difficulties that we faced during the passage of the Bill.

When the Bill first came before the House I believed that there would be a fairly balanced examination, not just of the implications of changing the law to put extra restrictions on the broadcasting of material or on the display of indecent magazines, but at least, in a fairly responsible way, of the problems that any legislature faces when it is legislating for a society that changes its measure of moral interpretation over the years and which alters its attitude. In legislating, we must remain both reasonable and acceptable to the great bulk of the people.

[Mrs. Gwyneth Dunwoody]

The Bill has not been conceived or examined in that light or in that manner. From the beginning we have seen a demonstration of a number of strongly held prejudices. We have heard from many hon. Members that the need to take action on certain services such as broadcasting arose because of great abuses and out of the difficulties that are faced day by day by ordinary families seeking to protect themselves, and especially their children, from obscene material. If that is so, there is a great responsibility on the House to produce evidence and not just to say, "I am offended by some of the things I see and I would not want my children to see them."

We need to produce hard, detailed evidence and such evidence has been sadly lacking, especially in relation to the broadcasting authorities, from the time that we started to look at this legislation. We have had demonstrations of items to which hon. Members have objected, but there is always a danger in Members waxing eloquently and indignantly about broadcasting. To start with, very few hon. Members see much television. If we asked hon. Members how many hours of broadcasting or even narrowcasting they saw in a month, they would find great difficulty in demonstrating that they had seen anything like one hundredth of the material that is normally seen by our constituents.

Mr. Tim Brinton (Gravesham): The hon. Lady speaks about the difficulty hon. Members have in seeing much television. Because of the hours that we work, that is right, but is there not the other difficulty exhibited in the Bill that all we have seen are the two main offenders in the eyes of the supporters of this Bill—the worst extracts of two films that went out at midnight on Channel 4?

9.45 am

Mrs. Dunwoody: The hon. Gentleman makes a strong point, and it underlines what worries me. On Second Reading we heard constantly about two programmes and some hon. Members have since watched extracts from them. I certainly did not see the whole of one film because I was bored by it and turned it off. Before we change legislation that covers our broadcasting authorities, we have to be sure not only that we have a reason to do so, but that we can demonstrate that those broadcasting authorities are not fulfilling their duties and are not carrying out the tasks set for them after considerable care and examination by the House. We have arrived at this point in Third Reading without that ever having been demonstrated.

We had a most interesting and unique Committee stage and we went forwards and backwards putting little changes into the Bill. As a result, the Bill that we are now debating bears little resemblance to the one that we debated on Second Reading. It is the function of the House to change legislation for the better, but to change the inadequate for the inadequate is extraordinary. The amendment seeks to make it clear that we will look at the existing legislation and accept that both the BBC and the IBA have their duties clearly laid out in existing legislation. So far, we have not demonstrated that those authorities are not doing the job that they are meant to do. That is the most important point.

This may be the moment for me to say something about matters that have worried me for some time. There is a concerted attempt on the part of a quite small pressure lobby to change a great deal of the legislation on the basis of that lobby's prejudices. That is quite legitimate and I have no objection to it, as long as the House is perfectly well aware of the fact that it is being pressured. I often ask myself if we are not changing the whole climate in which we examine broadcast material. I am not at all sure who the members of the National Viewers' and Listeners' Association are, but I am sure that they are all upstanding and noble people. Whoever they are, they have been behind a concerted attempt through this legislation to change the attitude of the House towards the broadcasting authorities. [*Interruption.*] I am happy to have that confirmed by hon. Gentlemen on the Government side, but they cannot demonstrate that the broadcasting authorities are not doing what they are supposed to do.

Where is the evidence of inadequate broadcasting control? We have gone through the whole Committee stage and I have seen no such evidence. Where are the names? In Committee I asked for hard evidence of these great obscenities eternally pumped out by both broadcasting authorities, and I was handed a most bizarre and amusing list containing adjectives that are common on most shop floors in Britain. The temptation to read it into the record was quite strong, but I resisted that temptation because it is about time that the House grew up in its attitude to important control. We are not here to write on to the statute book our own moral hang-ups; we are here to frame legislation that is sensible and balanced.

Mr. William Cash (Stafford): Will the hon. Lady accept that in an article written by Michael Winner he says:

"Few doubted that Channel 4's screening of 'Sebastiane' was an error."

He says exactly the opposite of the hon. Lady.

Mrs. Dunwoody: I have the honour to know Mr. Michael Winner extremely well.

Mr. Brinton: Not too well.

Mrs. Dunwoody: I know him very well. One of my few criticisms of him is that he is a Conservative, but he will grow out of that eventually. I am pleased that he has been quoted, because "Sebastiane" was the only film, apart from "Jubilee", that was quoted throughout the passage of the Bill. It was shown very late at night and it illustrates the point I am making. We are proposing to change the entire responsibilities of the broadcasting authorities because two films upset some Members of Parliament.

I am talking about something that is very important. Broadcasting authorities that fulfil their duties must be prepared to produce guidelines that they stick to and that grade material throughout a 24-hour period. After all, we are often talking about more than 18 hours of broadcasting per day. The authorities must try to programme so that the majority of people can enjoy the material. But today we seem to be saying that, no matter what time of the day or night the material is broadcast, it must be acceptable to children, because some children are up at midnight or even after that. On that basis, it does not matter what sort of material adults wish to see, as long as there is any possibility that one inadequate parent allows his child to stay up later than is normal for children. Apparently, if that happens we must change the law to protect that child. That is an exceedingly odd argument.

The other argument used by Conservative Members is that one need not even be present if a video recorder is used, and so long as the material broadcast is capable of being recorded and played back, it must conform with a viewing association's view of what constitutes adult material. That is extraordinary and very disquieting. It represents direct censorship of any material other than that which is suitable for showing to a small child.

Mr. Jerry Hayes (Harlow) *rose——*

Mrs. Dunwoody: I give way to our own Jack in the box.

Mr. Hayes: I find myself in the embarrassing position of entirely agreeing with what the hon. Lady says——

Mrs. Dunwoody: Sit down; I can't bear it.

Mr. Hayes: I am sure that I will eventually grow out of it. But the position is even worse than the hon. Lady has described. Although the Bill was introduced with the best of intentions, it has tried to solve the problem by invoking one of the worst pieces of legislation to be on the statute book. That legislation is wholly discredited and unworkable and is universally accepted as such. I refer to the Obscene Publications Act.

Mrs. Dunwoody: I might have got a round to that point, if the hon. Gentleman had given me the opportunity to do so. But it is important to consider how the IBA and the BBC operate. I do not have the greatest admiration for the judgment of journalists. Indeed, I believe it to be sadly lacking on most important issues. However, before we change the law, we should be clear about what happens now. I shall tell hon. Members what the IBA says, because unlike the BBC, it has gone to great trouble to ensure that we have a clear statement of its viewing policy. The IBA's statement is quite helpful, because it says things that amount to self-censorship being operated before the material is broadcast.

It is the IBA's aim not to broadcast material that is unsuitable for children at times when large numbers of children are viewing. The full text of the IBA's viewing policy, which forms part of the guidelines, makes it clear that the IBA believes that family viewing policy means that programmes are scheduled carefully throughout the evening to take account of the changing proportion of children and adult viewers and the responsibilities that parents should exercise as the evening progresses. The IBA also points out that that policy would be seriously prejudiced by the Bill.

If the Bill was enacted, all programmes would have to be suitable for children, as it makes no distinction between viewing at different times of the day or night. The IBA points out that it is required to make value judgments at every level. If programmes go out for 18 hours a day, some programmes will obviously anger individual hon. Members. The sort of objections that I might make would probably be quite different from the objections of others hon. Members, who seem more concerned about sex.

In am most concerned about violence and the constant conditioning that goes on. Some Conservative Members seems to find that perfectly acceptable, because the violence is shown in a sanitised American way that gives the impression that people can be thrown around the screen, that cars can be driven 18 times through any crash and that automatic weapons can be used with the victims being able to get up and walk away. As a good trade unionist I might see some reason for producing constant work for stuntmen, but that would be the only justification for many of those television programmes.

Mr. Chris Smith (Islington, South and Finsbury): Does not my hon. Friend's point go even further than that? Sometimes the portrayal of violence in an extremely shocking and revolting way, such as occurred—here I do not disagree with Conservative Members—in parts of "Jubilee" can sometimes have a far less damaging effect on those watching just because it produces revulsion, than the sanitised violence to which she has referred.

Mrs. Dunwoody: Hon. Members talk about violence, but not about the programmes that go out week after week that somehow give the impression that it is all right to knock someone six foot in the air and for him to break a bone.

Sir Geoffrey Johnson Smith (Wealden): I agree wholeheartedly with the sentiments that the hon. Lady has just expressed. But what steps does she believe should be taken, as clearly present arrangements are not working very well?

Mrs. Dunwoody: The broadcasting authorities have guidelines. The IBA clearly sets out what is regarded as an offence to good taste and decency, and what is regarded as a portrayal of violence. But how often have Conservative Members objected to programmes such as "The A-Team" which come out every week? How often do they bother to sit down to write to the directors of the various companies saying that the implications of a programme are extraordinarily violent and amoral, because they suggest to young people that certain things are acceptable as long as the stuntman eventually gets up without any blood being split or obvious damage?

Such programmes are deadening. They alienate people over a long period of time, then they become the norm, and people think that that is really what happens. If we change the legislation in this way, that will not be affected *—[Interruption.]* If Conservative Members agree with me, they should tell me why they are seeking to change the law in such an inadequate way.

Mr. Robert Key (Salisbury): Will the hon. Lady answer the question put by my hon. Friend the Member for Wealden (Sir G. Johnson Smith)? She says that programmes such as "The A-Team" become acceptable. That is our argument in favour of the Bill. What does she think should be done?

Mrs. Dunwoody: With the greatest respect, that is not the hon. Gentleman's argument for the Bill. There was never any suggestion that the Bill was aimed at such programmes. When we asked what he intended to do about the constant drip drip of violence, we were told that that was acceptable, because it was, in effect, sanitised. Indeed, my hon. Friend the Member for, Ladywood has had to table amendments to the Bill because she feels that it has created a moral ambience that exploits women or that produces an atmosphere in which females are somehow only part of the sex fantasies of middle-aged men.

Mr. Chris Smith: In response to the hon. Member for Salisbury (Mr. Key), will not my hon. Friend say that the extension of the Obscene Publications Act 1959 to cover radio broadcasting and television will not do anything to meet the problem caused by the constant drip, drip of

[Mr. Chris Smith]

violence witnessed in "The A-Team" and other programmes? There is no way in which one could say that such programmes tend to deprave and corrupt those watching them, within the terms of the law as it is understood.

Mrs. Dunwoody: My hon. Friend has described the real position. Some of us remember the absurdity of the trials under the Obscene Publications Act 1959, the numbers of people who were called as experts, the extreme cost and length of the trials which took place—only to prove, in the final analysis, that human beings are much more difficult to corrupt by sex than we had ever thought.

It is clear from the IBA code exactly what matters the authority considers to be important. There is a whole section, for example, on presentation and the young and vulnerable which I believe is very sensible. It is important that we should allow the IBA to exercise its role in a responsible and adequate manner.

10 am

The BBC has similar controls imposed upon it. If there is consistent evidence of failure on the part of those authorities, individual Members should be bringing those matters to the authorities' attention all the time.

Ms. Clare Short *rose—*

Mrs. Dunwoody: Hon. Members should not come to the House claiming that individual films are offensive and that therefore we must change the way the authorities operate.

Ms. Short: I agree with my hon. Friend that there is no problem about obscene sexual material appearing on television. I did not see the two films which so upset Conservative Members. However, I believe that the drip, drip of sanitised violence makes that violence normal and shapes children's thinking and attitudes to violence. Can we not deal with that problem by considering the guidelines, and should we not consider amending them to require the BBC and the IBA to minimise the number of programmes showing repetitive and sanitised violence? Should we not be seeking that reform?

Mrs. Dunwoody: There are a number of ways in which we could bring pressure to bear on the broadcasting authorities. It is perfectly possible to do that and I believe that there is already a great deal of self-censorship not only on sex and violence but also, I am sorry to say, about politics. There have been occasions during the past three years when the evidence has shown that the broadcasting authorities, faced with a programme which they believe might be politically sensitive, imposed self-censorship. Often it was only the reaction of the workers within the organisations which caused the material to be shown.

We do not need to change the law; we simply need to change the way in which we proceed. That is the point which my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) was making very clearly.

Mrs. Virginia Bottomley (Surrey, South-West): Would the hon. Lady appreciate that the drip, drip aspect of violence is not disputed but that many people are absolutely fed up with pious thoughts and no action? The measures suggested in the Bill are a way for those who are in despair over inaction in the face of pious thoughts, to have recourse to action themselves.

Mrs. Dunwoody: The difficulty about that argument is that we should not deal with futility by doing something that is even more futile. That would happen under the Bill as it stands. Frankly, that has been my objection to this nonsense from the beginning.

I care about children and pornography. The suggestion that somehow or other we should produce a Bill with a grandiose sounding title and put it on to the statute book, is not sufficient. Some people would run a coach and horses through the legislation, and it may be so badly drafted that any lawyer worth his salt could get away with anything he wants. It must be wrong, in the face of that, for an hon. Member to return to his constituency party, self-satisfied and happy on a Friday and say, "I have personally helped with the passage of a new Bill onto the statute book." The fact that that Bill is even more stupid than the previous Bill, does not say much for the intelligence of the House of Commons.

Mrs. Bottomley: Is that not preferable to returning to one's constituency party and saying, "I have personally prevented the Bill from reaching the statute book?"

Mrs. Dunwoody: It is a matter of attitude. I think that my constituents send me to the House to frame good, workable and intelligent legislation. If they only send me here in order to make speeches which satisfy my ego, I do not know why I am here. I could go and wait in my bathroom or lavatory and do something more constructive.

We must make that distinction. We must realise that those who support gesture politics stand a real risk of the rest of the House saying that that is what it is—simply a gesture.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. I apologise for interrupting the hon. Lady, but, we must get back to the amendment. We should be dealing with the responsibilities of the governors.

Mrs. Dunwoody: I apologise, Mr. Deputy Speaker. There is a terrible temptation to answer points raised by one's opposite numbers which causes me to stray from the issue under consideration.

The Obscene Publications Act 1959 will in no way improve or cover the responsibilities of the IBA or the BBC. There are existing powers which ensure that the material that is broadcast can be monitored. I do not believe in control and I believe that the Houses of Parliament get into difficulty when they try to monitor every programme that is broadcast. Many of us remember the 1930s and 1940s and what happens when the State seeks to control the minds and thoughts of people who are responsible for broadcasting material.

The authorities must be given clear guidelines—and they already have those. They must be told that the guidelines state their responsibilities, and they must be allowed to behave in a way which demonstrates that they understand their responsibilities. Simply quoting two films from the many hundreds of hours of broadcasting does not demonstrate that either of the broadcasting authorities are failing in their duties. That is what horrifies me about the Bill. We have had a discussion redolent of that kind of prejudice without any real evidence or facts.

The least that we can do is accept the amendment. If we do not accept the amendment, if it is not properly drafted in some way, we should make it clear that the IBA and the BBC at present have adequate machinery to

organise their affairs so that they are not offensive to the bulk of the people and to ensure that they can operate without always fearing prosecution by any particular bigot. Perhaps it was unkind of me to say "bigot", although the world is full of eccentrics who see obscenity where ordinary people do not. People with real psychiatric problems should not have the opportunity to prosecute the IBA and the BBC on the basis of something that they thought they saw late at night on a programme.

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): I am following the hon. Lady's comments with interest and I believe that she is making an important point. The obligations under the Broadcasting Act 1981 upon the IBA and the governors of the BBC are much tighter than the requirements of the Obscene Publications Act 1959. As the hon. Lady said, it is therefore very important to reassert that those Acts continue to apply. I would like to reassure her that nothing in the Bill, if it is enacted without the hon. Lady's amendment, will in any sense affect the obligations of the IBA and the governors of the BBC to apply a much stricter code than anything that is contained in the 1959 Act.

Mrs. Dunwoody: I am happy to have that reassurance. However, can the Minister also assure me that individual pressure groups will not be able to take action against the broadcasting authorities without proper evidence, by using the Obscene Publications Act? If that happens we will open the door to an extraordinary series of long litigations which will not improve or clarify the existing position but will muddy the waters to such an extent that people will not know what is acceptable and what is not.

Sir Nicholas Bonsor (Upminster) *rose*——

Mr. Mellor: I am sure that my hon. Friend was probably about to make the same point as me, as he is a lawyer. The hon. Lady has again raised an important point about bringing prosecutions; that matter will have to have the consent of the Director of Public Prosecutions.

Mrs. Dunwoody: We can be comforted by the fact that the Director of Public Prosecutions, judging by the speed with which he acted in certain cases in the National Health Service, hardly rushes to respond to pressures. However, I hope that that will be sufficient for us.

I believe that the amendment would help, and I hope that the House will be prepared to accept it.

I have sat through the passage of the Bill and I am still not clear what was in the mind of the hon. Member for Davyhulme (Mr. Churchill) when he brought it forward. The flexibility which he has shown in removing and reinstating clauses has made it clear that we are debating a different Bill now from the one which was before the House on Second Reading. The Bill as it stands has a different import from the original measure. At the end of the day it would be absurd if all that came out of our many hours of examination of the matters pertaining to the Bill was a change in the way that the broadcasting authorities operate which would put them more at risk and would not overcome the real problems that have been debated by some of the more sensible Conservative Members.

If the House passes the Bill in its existing form, we will be into gesture politics with a vengeance. There has been no clear examination of the real difficulties surrounding the portrayal of violence on television. No real effort has been made to ascertain how the Bill will improve and protect children. In debating this mish-mash of nonsense we are giving it weight, responsibility and seriousness that it does not deserve. I hope that the amendment will be accepted, because it will make it clear that we are not inadvertently making major changes without endeavouring to make them responsible and sensible.

Mr. Churchill (Davyhulme): First, I express my gratitude to the members of Standing Committee C for their helpful and constructive approach to the Bill. I have no doubt that the Bill has emerged from Committee significantly improved and I wish to acknowledge that fact. The Bill will fulfil the twin objectives with which I set out, which were to remove the specific exemption that applies uniquely to broadcasting, including television, from the provisions of the 1981 Act, and to make the more explicit sex magazines less accessible to children and young persons.

This is a modest Bill and I make no extravagant claims for what it would achieve. If enacted, I believe that it would help to protect children at an emotionally vulnerable age. I thank the members of the public who have written in their hundreds, with 9:1 in support of the Bill.

Mrs. Dunwoody: How many?

Mr. Churchill: I have received nearly 1,000 letters of support.

Mrs. Dunwoody: I am sure that the hon. Gentleman has received that number of letters. Perhaps he will tell us how many he received on the Shops Bill? Many of us received nearly 1,000 letters both for and against that Bill.

Mr. Churchill: I received about 50 letters on the Shops Bill.

Mrs. Dunwoody *rose*——

Mr. Churchill: If the hon. Lady would forgive me——

Mrs. Dunwoody: No, I would not.

Ms. Clare Short The hon. Member for Davyhulme (Mr. Churchill) may be interested when I tell him that I have received 3,452 letters of support for my proposal in new clause 1 and amendment No. 25, and only 30 in opposition to it.

Mr. Churchill: I shall turn to that issue at a later stage when we deal with other amendments.

There is a broad measure of support throughout the country for the Bill and for something to be done to pull up the broadcasters and remind them rather more firmly than has been the case in recent years of their responsibilities to Parliament and to the public. There will undoubtedly be deep disappointment and concern — indeed anger—if their wishes are frustrated along with the will of Parliament, which was expressed so clearly on 24 January when the House voted by 5:1 in favour of giving the Bill a Second Reading.

Mrs. Dunwoody: The House had a different Bill before it on that occasion.

10.15 am

Mr. Churchill: There would be that reaction if their wishes were frustrated by only a handful of Members. I hope that that will not happen and that the spirit of friendly and constructive co-operation which prevailed in Committee will be continued.

Mr. Tim Brinton (Gravesham): Will my hon. Friend tell those people who will be angry if the Bill does not complete its passage through the House exactly what the Bill will do to help them if it is enacted?

Mr. Churchill *rose*——

Mr. Deputy Speaker: Order. If the hon. Member for Davyhulme (Mr. Churchill) responded to that invitation, we would be getting away from the amendment. We must discuss the amendment that is before the House.

Mr. Churchill: The hon. Member for Nantwich and Crewe (Mrs. Dunwoody) claims that the case for the Bill has thus far not been proved. The hon. Lady contends that the case has not been made that broadcasters have failed in self-regulation and suggests that thus far concern has been expressed only about two films—"Jubilee" and "Sebastiane". I hope to make it clear that that is not so and that concern is not restricted to those two films.

In addressing myself specifically to the amendment, I express strong agreement with the proposition advanced by the hon. Member for Nantwich and Crewe that nothing in clause 1 shall be construed as affecting the responsibility of the governors of the BBC or the members of the IBA. There is nothing in clause 1 that would do that. It should go without saying that the Broadcasting Act 1981 stands in its full vigour and that the Bill is merely a back-up measure of last resort that is aimed at ensuring respect for the guidelines and reinforcing the authority of the statutory bodies in upholding them. As my hon. Friend the Under-Secretary of State has said, the standards of the guidelines enjoin each authority that

"nothing is included in the programmes which offends against good taste or decency".

Those standards are far higher than the minimum ones that the Bill aims to guarantee. The fact that the authorities have failed in their duty to uphold such standards should be obvious to all except the most myopic of television viewers.

The hon. Member for Nantwich and Crewe referred to the films "Jubilee" and "Sebastiane", and I shall quote briefly from the reply of the Director-General of the IBA, Mr. John Whitney, of 27 March when he said, apropos these two films,

"we had very specifically in mind the statutory requirements of the Broadcasting Act . . . that nothing should be included in programmes which 'offends against good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling'. It was our considered opinion that neither film would conflict with the Act, provided they were shown late at night and as part of a season of films chosen and introduced by David Robinson, the film critic of 'The Times' . . . Both were widely shown in public cinemas, and, as you are aware, were at no stage prosecuted under the Obscene Publications Act."

That is extremely relevant because one of the elements in the test of obscenity is to have regard to the audience. I can well understand that neither of the two films in question would be prosecutable if shown to an audience of 18-year-olds plus. However, I wish to draw the attention of the House to a reply of great significance from Mr. Alasdair Milne, the Director-General of the BBC, of 8 April. He told me that for the month of February, the most recent month for which figures are available,

"the typical number of 4-17 year olds watching television between 11 p.m. and midnight ranges between 0·8 million and 1·8 million depending on the day of the week."

He added that after midnight to closedown the viewership of those aged between 4 and 17 years is between 8 per cent. and 13 per cent. What would be the fate of a cinema owner who regularly allowed 8 per cent. to 13 per cent. of his audience to be children from the age of 4 to 17 years? He would be prosecuted and his licence would be removed. I do believe——

Mrs. Dunwoody *rose*——

Mr. Churchill: The hon. Lady has had her opportunity, but I will give way.

Mrs. Dunwoody: I am very grateful to the hon. Gentleman. Those who seek to prosecute the cinema owner would have to demonstrate that those children were in the cinema. I would love to know where the BBC got the figures from.

Mr. Churchill: The figures come from the Broadcasters' Audience Research Board. Both the IBA and the BBC draw their figures from that organisation.

There are between 800,000 to 1·8 million children watching the many X-rated films which go out. Mr. Alasdair Milne made it clear that, in the course of last year, there were no fewer than 62 X-rated films broadcast on the BBC alone. That is a significant figure.

Mrs. Dunwoody: Is the hon. Gentleman saying that at no point in the 24 hours will it be possible for anyone to show any material which is not acceptable to children?

Mr. Churchill: What I am questioning and what millions of parents of small children and teenage children question is whether a broadcasting authority has the right

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Mrs. Dunwoody: Parents have a right. There is a switch on the television—on-off.

Mr. Churchill: —in defiance of its statutory obligations to broadcast material which would be held to deprave and corrupt young people, when those films are available to adult-only cinemas.

Mr. Hayes: I understand my hon. Friend's point. I was horrified to learn that so many 14-year-olds are watching television at that time of night. Surely my hon. Friend must accept that it is most hypocritical for parents who have allowed their children to watch these sort of films to write and ask for legislation. The most worrying aspect is the lack of parental control.

Mr. Churchill: It may be fine to talk of parental control in the cosy Hampstead garden suburb in which the broadcasting apparatchik may reside with their nannies or au pairs to look after their children. However, in the type of area which I and many other hon. Members represent — industrial Britain — there are tens of thousands of families per constituency, single-parent families, families where the parents are shift workers, where no one is left at home to regulate the children's viewing. The figures produced by the BBC reveal that there are up to 1·8 million children who watch television up to midnight.

The idea that anything goes after 9 pm is a fraud and can no longer be used as justification by the broadcasting authorities. This week has been the horrifying case of a four-year-old girl who was raped by two 11-year-old boys.

Mrs. Dunwoody: Do not start on that.

Mr. Churchill: Where do 11-year-olds get the idea of committing such a crime if it is not from either pornographic magazines or from a diet of sex and violence thrust on them in their homes by television?

Mrs. Dunwoody: Demonstrate the evidence.

Mr. Churchill: The hon. Lady asks for evidence. I mention a letter I received from someone in Leicestershire who writes:

"At about 10.45 am on 20 February I tuned in to Central TV, to watch the School's programme."—

I stress school's programme—

"The programme was one of a series called 'Starting Out'. Two youngsters take Y.T.S. jobs at an hotel, the lad in the kitchens and the girl as a chambermaid . . . The girl gets plied with drink by the manager and before long we are shown her in bed in the hotel and the manager has come naked and completely uninvited into her bed and we are shown him raping her. The scene is quite explicit."

That is a school programme which goes out at 10.45 am on Saturday morning.

Another parent from Bridgend, Mid Glamorgan, wrote to the editor of the *TV Times* and said:

"During the children's school holiday, I turned on the TV at 10.45 am to see if there was anything suitable for my small children and heard: 'I expect he just wants to get into your knickers.'"

Another letter on the same televison programme states:

"We are not embarrassed: we are horrified that any school children are so exploited and subjected to such verbal muck."

That is what the broadcasters are allowed to put out on schools programmes. The broadcasters smugly ask for the link to be proved between violence and sex on television and what is happening in the country.

Broadcasters proclaim that this medium is the most powerful medium in the world for communication and for putting over ideas. If a television company is a commercial one it will try to sell a few minutes viewing time for thousands of pounds due to the viewing power of the medium.

A letter published in the *Lancet* on 22 March offers a link between a programme and the results of that programme. The letter was written by two doctors of the department of medicine at Hackney hospital and it states:

"On Sunday, March 2, the Omnibus edition of the BBC Television's soap opera *Eastenders* showed the character Angie taking an overdose. In the following week we experienced a 300 per cent. increase in the number of patients attending the accident-and-emergency department at the Hackney Hospital in East London for deliberate overdose . . . In the week after the *Eastenders* programme 22 patients attended the accident-and-emergency department having taken an overdose. During the previous 10 weeks the average had been 6·9. During the previous 10 years the average . . . was 6·7."

Sue Bishop of Birmingham's *Sunday Mercury* said:

"Shocking new evidence of the 'copycat' link between television violence and real life tragedies has been revealed by doctors in the Midlands. They say that during the week after the overdose drama in 'Eastenders' attempted suicide cases at their hospital almost DOUBLED. In one week more than 40 people were admitted after taking an overdose of drugs like Angie Watts in the BBC soap opera . . . And their message to viewers 'For heaven's sake don't copy what you see on television. Angie may have survived—but you could die'."

I think the link is incontrovertible.

Mr. Alfred Dubs (Battersea): I understand what the hon. Gentleman has said and it is regrettable if there was such a sequence of events. Is he suggesting that if the Bill were to become law, sequences as that drug-taking sequence in "Eastenders" would no longer be possible? I suggest that the Bill would do nothing about it.

Mr. Churchill: I was answering the point made by the hon. Member for Crewe and Nantwich who suggested that the broadcasting authorities are living up to their responsibilities. I do not believe that they are and I think this is clear evidence that they are not. That sequence was directly contrary to the BBC's guidelines for its programme producers.

Sir Nicholas Bonsor My hon. Friend has demonstrated the link between what is happening on television and people's behaviour. On exactly the same principle, violence is copied.

Mr. Churchill: There is no question about that. When I asked my local chief superintendent whether there was evidence of the public perpetrating copy cat crimes, he said, "You should see some of my constables. They think that they are Starsky and Hutch, whereas a few years ago ——

Mr. Dubs: It would have been Dixon of Dock Green.

Mr. Churchill: Indeed, it would have been Dixon of Dock Green.

10.30 am

The governing bodies should take their responsibilities more seriously and get a firmer grip on what is broadcast before further damage is done. Amendment No. 1 is defective in two respects. First, the cable authority is outside the Bill's scope. Cable programmes are subject to a separate offence of obscenity, to be found in section 25 of the Cable and Broadcasting Act 1984. In any event, that section bites on the providers of cable services, not on the Cable Authority which, unlike the broadcasting authorities, is not responsible for the content of programmes distributed by cable systems.

Secondly, the amendment omits to mention members of the Welsh Fourth Channel Authority, who are responsible for all programmes shown on that channel. In any case, the amendment is unnecessary. The duties and responsibilities of broadcasters are clearly laid down in the royal charter of the BBC and in the licensing and agreement with the Government. They are also set out with respect to the IBA and the Welsh Fourth Channel Authority in the Broadcasting Act 1981. Nothing in the Bill bears on their existing responsibilities. The existing requirement, which is to put out nothing which offends against good taste, will continue to be the test and nothing in the Bill implies otherwise. I must therefore ask the House to reject the amendment.

Mr. Ian Mikardo (Bow and Poplar): My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) was diverted from her case a little by interventions from Conservative Members, notably the hon. Member for Surrey, South-West (Mrs. Bottomley), on violence being shown on television. There is a good deal to be said on that subject. I had hoped that this would have been a decent Bill setting out standards, but I regret to say that it is not. If we have a decent Bill, we may do something about the violence on television.

I sat through the Second Reading and the whole of the Committee stage. There has been no sign from the Bill's sponsors that they see a reduction of the showing of violence on our screens as any part of their purpose. It has been sex, sex, sex, and nothing but sex.

Mr. Cash: Does the hon. Gentleman agree that,, since 1982, the courts have included violence in the definition of obscenity so that, when applying the Bill to television, we are applying standards of obscenity which include violence? If he accepts that, does he accept that the Bill is necessary?

Mr. Mikardo: I do not accept that because the definition of obscenity is so blurred—we had this over and again in Committee—that nobody can say what it includes and what it does not. I can only go on the speeches that were made in Committee and on Second Reading. They were all about sex. Conservative Members kept on about "Sebastiane" and "Jubilee". I did not hear anything in Committee, although it has just been mentioned lightheartedly, about "Starsky and Hutch", "The Professionals" or any other programme that shows violence. It was clear throughout the Committee stage that the sponsors are obsessed about sex and that that is what the Bill is all about.

Mr. Churchill: I must remind the hon. Gentleman of what I and others said about "Jubilee" on Second Reading and in Committee. Although there was offensive language and an offensive portrayal of sex, the burden of the complaint from both sides of the House was its vicious cruelty and violence.

Mr. Mikardo: If I were looking for examples of violence, I would not have thought that "Jubilee" was a number one runner. It was so interestng to the hon. Member and others only because it links violence and sex.

Much emphasis has been put on copycat behaviour. Any senior police officer will confirm that newscasts most induce copycat behaviour. Do those who support the Bill propose that a horrendous rape should not be reported? According to the police, the greatest copycat influence comes from news reporting. A lot more people, especially young people, see "News at Ten" or the BBC's 6 pm news than ever saw "Sebastiane" or "Jubilee". Hon. Members must be careful when carrying their argument through to what, on the face of it, appears a logical conclusion, but which is nonsense.

I support my hon. Friend the Member for Crewe and Nantwich because her amendment deals with one of the things that has become apparent during debates on the Bill —the principal motivation of the Bill's sponsors is a crude and massive prejudice against the BBC and the IBA. The hem of their skirt shows all of the time. To judge from behaviour on one occasion, to which I shall refer on a later amendment, there are some Conservative Members who prefer the standards of *The Sun* to those of the BBC and the IBA. That is not much of a tribute to their standards or their sense of morality.

As it has come up again today, and doubtless will do so again, I want to try to dispose once and for all all of Conservative Members' obsession with "Sebastiane" and "Jubilee". I did not see "Jubilee", but I saw "Sebastiane". It had no tendency to deprave and corrupt.

Mrs. Dunwoody: It sent me to sleep.

Mr. Mikardo: It had a very strong tendency to bore me out of my mind. I object powerfully on two grounds to "Sebastiane" being shown. The first is that it was so boring and slow. Everything took such a long time. It took ages for anything to happen. I have always thought that those who engage in depravity are pretty sharp, alert and quick about it, but everything that happened in "Sebastiane" took ages and was very boring.

Secondly, I objected to the fact that the characters spoke their Latin with an accent different from that which the Romans used.

Mr. Mellor: Was the hon. Gentleman there?

Mr. Mikardo: That is a fair question, as a giggle across the Floor of the House. I am nearly as old as that, but not quite. We now know, by research, how the Romans pronounced their Latin. They did not pronounce it in the Italianate way that was used by the characters in "Sebastiane". I believe, therefore, that the BBC ought not to have shown it. I agree with Mr. Winner, with whom I crossed swords on one occasion on "Any Questions", about that.

The two groups of television authorities produce between them in excess of 30,000 hours of programmes a year. If we accept that those two films were an error of judgment, they represent a one hundredth part of 1 per cent. of the annual output of the BBC and the IBA contractors. All mortals are fallible. I wonder how many hon. Members could put their hands on their hearts and swear that during their activities both inside this House and outside it the clangers they have dropped amount only to a one hundredth part of 1 per cent. of those activities. If shackles are to be placed on the broadcasting authorities because we consider that they are unfit to do their jobs, perhaps we ought to consider whether we are fit to be Members of Parliament, because the clangers that we drop during our activities amount to more than a one hundredth part of 1 per cent.

My hon. Friend the Member for Crewe and Nantwich said that one will get what she, with here customary charitableness, called eccentrics taking up prosecutions. I say to the Minister, because he intervened on this point, that I am not altogether consoled by the fact that the consent of the Director of Public Prosecutions is required. In recent years there has been a good deal of evidence that the Director of Public Prosecutions is highly selective about the speed with which he tackles different kinds of breaches of the law.

Mrs. Dunwoody: There was a great scandal about the sale of blood by the National Health Service to private sources, and I put down questions over a period of 17 months before any action was taken. When I asked why it had taken so long, I was told that the investigations had been complicated. However, other investigations are completed with astonishing speed.

10.45 am

Mr. Mikardo: My hon. Friend quotes a particularly graphic example. One would have to carry out only a few hours of research to find another dozen examples like it. Therefore I am not altogether consoled by what the Minister said on that point.

As my hon. Friend the Member for Crewe and Nantwich said, this is not the Bill that was discussed on Second Reading. This is the fourth Bill. There was the original Bill upon which we voted. Then the hon. Member for Davyhulme (Mr. Churchill) produced a mark 2 version, which he then abandoned for his mark 3 version. After that he abandoned his mark 3 version for this Bill. As this Bill is different from that which we discussed on Seond Reading, we do not know for certain that the Bill as it now stands would have received a Second Reading. The hon. Gentleman quoted with pride his big majority at Second Reading. However, he does not know whether he would have obtained that kind of majority for this Bill. The hon. Gentleman's Bill contained matters that were so hair raising that it resulted in certain hon. Members salivating

with recollection and in many votes being cast for his Bill that he would not have gained had it been this rather cold fish of a Bill.

Mr. Cash: On a point of order, Mr. Deputy Speaker. Is the hon. Gentleman suggesting that the amendments that have been moved and accepted and that now form part of this Bill might in some respects have been regarded as beyond the scope of the original Bill?

Mrs. Dunwoody: That is not a point of order.

Mr. Deputy Speaker: That is a matter for the hon. Member.

Mr. Mikardo: As you are aware, Mr. Deputy Speaker, that is not a point of order. It is not relevant to the points that I was making. If the hon. Member for Stafford (Mr. Cash) gained some satisfaction out of making his intervention, I wish him joy of it, but I do not have to take any notice of it.

My hon. Friend the Member for Crewe and Nantwich is right to seek to ensure that we do not place further unreasonable shackles upon the broadcasting authorities. They go to great lengths to try to meet public opinion. Of course they will make mistakes once in a while, but nobody can charge them with showing indifference to the problems that we are discussing, and it would be wrong to seek to shackle them further.

Mr. Mellor: As the House knows from other interventions that I have made at other stages of the Bill, the Government are neutral on the proposition as to whether broadcasters should be made subject to the Obscene Publications Act 1959 or whether the exemption that they have always enjoyed should be continued. That remains the Government's view.

However, I make what I hope are a few helpful points about the amendment. It is apparent from the discussions so far that, with the possible exception of the hon. Member for Bow and Poplar (Mr. Mikardo), all those who have spoken or intervened have been at pains to point out that the guidelines that apply to both the IBA and the BBC are, in their terms, far tighter than anything that is prescribed in the 1959 Act. Most of them have either explicitly or impliedly indicated some dissatisfaction with the manner in which the guidelines are enforced by the broadcasting authorities. That is a matter for them. It is not a matter for me. However, I hope that the broadcasters will take seriously hon. Members' comments and some of the examples that they have given. There will be an opportunity for them to do so during the reconsideration of the BBC's guidelines that is being undertaken by a committee that is chaired by Mr. Wyatt.

Always at the heart of the issue has been the question whether the imposition of a long stop — nobody can assert that the 1959 Act would be any better than a long stop—would have the effect of toning up the system or, as some have contended, whether it would have the effect of placing even less emphasis upon the significance of the guidelines than is already the case. That is not a matter that I want to go into in detail, because it has been covered in the general issues. However, if the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) is concerned that the requirements under the BBC charter or the requirements that weigh on the IBA under the Broadcasting Act would be ousted by the Bill if it were to become law, I hasten to reassure her, as I tried to do in my intervention, that that would not be so. I hope that nothing that anyone has said is intended to do other than reinforce the duties of the broadcasters, which they clearly owe to Parliament, to observe the arrangements made under the charter and the Broadcasting Act.

If that were the case I could well understand that the hon. Lady might say, "Well why not make the declaratory statement?" That is effectively what her amendment suggests. I would have no objection to that although it is not in the end entirely a matter for me. The trouble is that the amendment is defective—I make no complaint of that — in two material particulars. First, it makes no reference to the Welsh Fourth Channel Authority, although that is an oversight that I can well understand because one does not necessarily think of that authority as much as the BBC. I see the hon. Lady hiding her face in shame, but she need not do so because there are no Welsh Nationalists here today.

Mrs. Dunwoody: We are all Welsh Nationalists.

Mr. Mellor: One stood in Putney at the previous general election but he did not do very well.

Mr. Dubs: Next time.

Mr. Mellor: We shall have to wait and see.

Mr. Nicholas Brown (Newcastle upon Tyne, East): He had an interesting sense of geography.

Mr. Mellor: Secondly, there is a reference in the amendment to the Cable Authority but cable is separately regulated under the Cable and Broadcasting Act 1984 and is outwith the scope of the broadcasting arrangements dealt with here.

I hope that, whatever else we may disagree about, the hon. Lady will accept two propositions. First, that the rules by which she sets so much store, as do I, will remain. They are not ousted by the Bill. Secondly, it is not unfortunately possible to accept the amendment as saying that they will remain. It would simply mean that there would need to be consequential amendments in the House of Lords which would be of no advantage.

Mr. Dubs: The hon. Member for Davyhulme (Mr. Churchill) referred to an extract from "East Enders" and talked about copycat tendencies and the influence of television on behaviour. We all accept that television is the most powerful medium that there is. Those of us who are old enough to have seen the transition in Britain from a non-television society to a television society have a better idea of the increasing impact of television on all aspects of life.

Given that television is such a powerful influence, what part should be played either by the House or the BBC and IBA in saying that as there is a tendency to copy what is seen on television certain things should not be shown? The difficulty with that argument is that there is almost no end to it. Almost anything that can be seen on television might conceivably have a damaging influence on some viewers. Therefore, deciding where to draw the line is a difficult task which has defeated many people. Indeed, one of the reasons why there has been some criticism of the IBA and the BBC is because they may not have made the right decision.

Much as I regret the possibility that a drug-taking scene in "East Enders" led to a number of impressionable young people doing likewise, I find it difficult to say that therefore "East Enders" should not have shown that scene.

[Mr. Dubs]

I do not have the hon. Gentleman's advantage of having watched that incident, so I am basing what I say on his description of it. But I find it hard to say that a programme such as "East Enders" should not be allowed to depict incidents which happen, alas, all too frequently, judging from the newspapers.

Mr. Cash: Will the hon. Gentleman accept that in a programme I watched the other day a representative from MIND strongly condemned that particular incident because of the very facts that my hon. Friend the Member for Davyhulme (Mr. Churchill) has mentioned. I hope that the hon. Gentleman will support MIND in that particular instance.

Mr. Dubs: I respect MIND as an organisation, but without having seen the film it is hard to make a specific judgment or to contradict judgments made by others. All I would say is that overdoses of drugs are deeply regrettable, but they do happen, as British newspapers show. I find it hard to say that no film which depicts life as it may be should exclude incidents which are part of life, even if they are regrettable.

Mr. Churchill: The perniciousness of what was shown rested in the fact that the television personality Angie downed an overdose of barbiturates with a bottle of gin and was saved. That is what gives rise to the grounds for concern. Many impressionable young people, having just finished an unhappy love affair, may think that they could do the same thing and also be saved. The fact that there was such a significant increase in the suicide and attempted suicide rate that week can only be a matter for grave concern. Indeed, it has been accepted by the broadcasting authorities that that should not have gone out and they did not include it in the repeat.

Mr. Dubs: All I can say to that the is that responsibility lies more with the broadcasting authorities than with anybody else. But I still question whether, if the Bill becomes law, there is anything in it that would put a stop to such an incident.

That brings me to the heart of what I want to say. I deal with what the Minister said earlier. The objectives and aims which we share—that there are things from which impressionable young people should be protected—can best be achieved by the operation of the BBC and IBA guidelines rather than by legislation which, particularly in the context of the example that the hon. Gentleman has quoted, would not achieve that end.

Mr. Mikardo: My hon. Friend is right to say that if that criterion is applied, there is nowhere that it can end. For example, teetotal bodies might object to the fact that in the two series which have huge audiences — "Coronation Street" and "East Enders"—a lot of the action takes place in a pub. Does that mean that people should not be shown drinking in pubs for fear of copycat? What about smoking and the rest of it? What does it stop?

Mr. Dubs: My hon. Friend puts his finger on the real difficulty of where one stops if the example of television is such a powerful one.

I rest my case in the main on the fact that if we in the House are not happy about the way in which the guidelines operate, it is up to us to ask the BBC and the IBA what is the matter with their guidelines, either in the way that they are being applied or in what is contained within them. That sort of dialogue with the broadcasting authorities would do more to protect children and young people than anything in the Bill.

I do not share the belief that in drawing a parallel between television and cinema we can say that there are some films to which people under 18 are not admitted in the cinema and so that makes it all right. In fact, a young person — not a 10-year-old — in his or her mid-teens seems to find no difficulty in getting into a cinema, in London at any rate, even if there is an official bar on under 18-year-olds. But that is by the way.

I know from my discussions with the BBC and the IBA that they are genuinely concened about the public's perception of what they show and they are genuinely concerned about the views of hon. Members. I am convinced that if the House were to tell the authorities that we want to see changes in the guidelines or in the way in which the guidelines are implemented, there would at least be a willingness to discuss and enter into dialogue. That is a more useful path along which to go.

There is a matter of concern which is covered directly by the amendment. I feel that, despite the Minister's assurance—human nature being what it is—if there is legislation as a backstop the enthusiasm with which the BBC and IBA will apply their guidelines may be diminished to some extent. They will say that they do not need to worry too much about whether a film ought to be shown because there is the backstop of the new legislation. Because that might be the way in which it would operate, I am doubly concerned about the effect of this legislation. The effect might not simply be a blunt instrument. It might weaken the very protection which we are seeking to achieve.

11 am

There is another point to which hon. Members have referred and which I wish to discuss. I find the idea that, because some young people aged between 14 and 17 watch television until as late as midnight, all television ought to be based on that assumption, difficult to reconcile with the needs, ambitions and desires of an adult, mature society. I find it hard to accept what the hon. Member for Davyhulme said earlier, that television, under no circumstances, should show anything which would be unsuitable for a 15 or 16-year-old. The consequences for television as a medium of news, information and entertainment could be extremely damaging.

I did not believe that the hon. Gentleman intended his Bill to go that far, but what he said earlier suggests that he does. We have to strive for a balance. On the whole, I think that the broadcasters have the balance right. The balance is that early in the evening many children watch and programming ought to take note of that. However, later in the evening things change. I shall quote from the "IBA Family Viewing Policy":

> "But it is assumed that from 9.00 pm onwards parents may reasonably be expected to share responsibility for what their children are permitted to see."

It goes on to talk about what happens after 9.30 pm and 10.30 and so on. It says:

> "Violence is not the only reason why a programme may be unsuitable for family viewing. Other factors include bad language, innunedo, blasphemy, explicit sexual behaviour, and scenes of extreme distress."

Those factors go much wider than the Bill and I think that they are absolutely right.

Mr. Cash: Has the hon. Gentleman had the advantage of seeing the news released from IBA of 10 April? It says:

"If it wished, Parliament could extend the Broadcasting Act to include the references to depravity and corruption contained in the 1959 Obscene Publication Act — together with the defence available."

Elsewhere it says:

"If broadcasting were to be included in the proposed Bill the Members of the Authority would be exposed to possible criminal prosecution."

Effectively, it is saying that it does not mind tests of depravity and corruption being included but it does not want to be exposed to criminal prosecution. It is quite clear that a line has to be drawn and that is what we are trying to do in the Bill.

Mr. Dubs: Of course a line has to be drawn. I am saying that we get better protection by the line that can be drawn under the guidelines than the line that can be drawn by the legislation. The quotation that I have read from the "Family Viewing Policy" represents some of the most sensible words that I have heard on the subject.

Of course, the guidelines do work. We know that the IBA has deliberately not shown certain films. In a letter to me the IBA mentions some of the films it declined to transmit. It says:

"the IBA has declined to transmit a number of feature films including, for example, 'Straw Dogs', 'Last Tango in Paris' and 'The Exorcist'.

From my conversations with the IBA it is clear that it is well aware of the difficulties and it is aware that certain films should not be shown. A statement by the IBA says:

"Even if, as some believe, it was a mistake to show one or two particular films—irrespective of the context or timing—the transmission of particular programmes will always be a matter of judgment, and at the margins there will be disagreement. Public—and political—reactions to films such as 'Jubilee' and 'Sebastiane', or to other programmes at the margins of taste, are of course taken into account in the judgment of other programmes offered for transmission in the future."

That seems to be an indication of the sensitivity of the authority to pressure and public opinion.

Mr. Churchill: Would the hon. Gentleman consider that much of that is window dressing? The reason for what I say is a report in *The Stage and Television Today* of 27 March which says:

"Showings of Last Tango in Paris and, it is claimed Mad Max have been postponed indefinitely.

A Channel Four spokesman admitted there was a feeling that Last Tango with its notorious butter scene should not be shown in the current climate without substantial cuts which would mean it was not worth showing at all."

It is clear that if the Bill fails that film will appear on television.

Mr. Dubs: That is most unlikely. If the Bill fails I think that we will all still have a responsibility to keep pressure on the IBA and the BBC. I think that the hon. Gentleman may well have achieved something by drawing more attention to the guidelines and making the broadcasters more sensitive and aware of parliamentary and, above all, public opinion. It is public opinion and public attitudes which we have to take into account.

I do not want to go down the path of saying that because a child may be watching a television programme—by that I mean somebody of 17 — possibly as late as midnight, then every film that is shown on television should be based on the assumption that a handful of children may be watching late at night and we cannot have programmes which are suitable for adult viewing.

As I have said, drawing the line is difficult. Based on the excerpts that I saw from "Jubilee" I would have preferred it not to have been shown on television. Equally, I believe that there was nothing in "Sebastiane" to which anybody should take exception and which would make it unsuitable for child viewing. That view is based upon the excerpts that the hon. Member for Davyhulme arranged during the Committee stage. Those are subjective judgments based, as the IBA says, at the margins.

I think that the sensitivity of the broadcasters and their ability to take note of feeling and public taste is greater than the blunt instrument of a court of law. Indeed, if one of those films were to be taken to the court under the arrangement in the Bill and the prosecution were to fail, I suspect that the effects would be very damaging because it would open up the floodgates. By having the guidelines we can keep constant pressure on the authority.

There is one other point of detail which bothers me. I understand why an amendment in my name and that of my hon. Friends was not selected. However, I think that it is appropriate to mention it in the context of the responsibility of the broadcasting authority. Scotland and Northern Ireland are excluded from the Bill. I understand the technical reasons for that. However, many of the programmes we see on television are networked to Scotland and Northern Ireland. Indeed, I think with the exception of the main ITV channel the norm is that all programmes are networked. Even on the main ITV channel I believe that many programmes are networked throughout the United Kingdom.

I find it difficult to see how the broadcasting authorities can act on one set of legislations for England and Wales and a different set of legislations for Scotland and Northern Ireland. That seems illogical and a bit of a nonsense. That is another reason why the normal responsibilities of the BBC and the IBA have to be the main safeguard rather than this measure.

I agree with the aims of the hon. Member for Davyhulme. We all agree that children should be protected. However, it is not worthwhile to say "we must protect our children and, even if the method is defective, never mind we will have made our gesture." The needs of our children and our responsibilities to them are too important for futile gestures.

Mr. Tim Brinton (Gravesham): I shall not refer to the remarks of the hon. Member for Battersea (Mr. Dubs) too much because that might incur your wrath, Mr. Deputy Speaker, but is is absurd that the Bill will apply only to England and not to Scotland. If any of the IBA or BBC people wanted to transmit a programme they could easily take it up to Scotland and transmit it without being caught by the Bill.

I welcome the amendment because it illustrates vividly the main problem in the Bill. As the Minister said, the obligations or responsibilities of the governors and duties of the members of the IBA cannot be preserved in exactly the same way if the Bill becomes law. The Director of Public Prosecutions would become the editor-in-chief of broadcasting.

The argument was put lucidly in a letter to *The Times* today by the noble Lord, Lord Goodman. He is particularly nervous about the Bill's effects, although a good friend of my hon. Friend the Member for Davyhulme (Mr. Churchill). He said:

"I have over the years been actively engaged in considering the efficacy of legal censorship, particularly in relation to

[Mr. Tim Brinton]

literature and films. I have arrived at the firm conclusion that these are not matters that can be effectively dealt with in the dock at the Old Bailey."

As the hon. Member for Battersea said, we are talking about individual taste. Over the years—nearly 60 years —we have set up a system of regulated broadcasting which by and large, with a few mistakes here and there, has stood the test of time and should not be pushed aside lightly. The Bill will substantially transfer the end responsibility for broadcasting to someone versed in the law from the members of the IBA and governors of the BBC who, through contacts with the boards of management and others in the programme companies, have built up an expertise in programme making, in audience reaction and in assessing public opinion at any given time.

If the problem were as simple as making sweets it would be easy because the law would be clear. This Bill, as it has emerged, is, as the hon. Member for Bow and Poplar (Mr. Mikardo) said, not the Bill that we discussed on Second Reading when I attempted to be called. I read the Committee proceedings carefully and the rapid changes made have changed the emphasis. That is not unreasonable. I was more against the original Bill than this Bill. The laundry list is now accepted as an absurdity.

The Bill makes it clear in its preamble that the presumption is that under 18-year-olds in their masses will be watching television at any time of the day or night and that the ultimate decision for prosecution is to be left to one man — the DPP — in spite of all the duties and obligations of the members of the IBA and the governors of the BBC.

If that were so, hon. Members who support the Bill would be gravely disappointed because the emphasis of all their speeches on Second Reading, in Committee, and now today, is that they want to stop the drip, drip, drip of constant violence. They want to stop those things which are affecting children. The Bill does not go near that. This is a Bill to deal with obscenity.

11.15 am

My personal and subjective judgment is that the extracts that I saw from "Jubilee" make me think that it should not be shown on television. I am more doubtful about "Sebastiane". There must be a subjective judgment at the margin. That attitude gives the Bill a fair wind. I am trying to interpret my hon. Friend's intentions as kindly as I can, but I see more sinister connotations in the Bill, especially when I look back to the proceedings on the Video Recordings Act introduced by my hon. Friend the Member for Luton, South (Mr. Bright).

We should be worried about the slow drip, drip, drip of censorship. The optimism of some of my hon. Friends that we are going to do something about the Starskies and Hutches and "The A Team" worry me intensely. That should be left to the BBC governors and to the IBA members. If we do not like their decisions they should be told in forceful terms. The Home Secretary has the power to sack the members of those organisations. If their decisions are so unsatisfactory he should take that action.

I am not here to support obscenity, pornography or violence in any form. I hope that none of us are here for that. We all have different subjective judgments about what we mean by those words. That is the problem. Therefore, great and good bodies must, if we are to keep regulated broadcasting organised, look at the problems for us objectively.

My hon Friend the Member for Surrey, South-West (Mrs. Bottomley) asked the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) what she would do. I believe that many things can be done. The responsibilities and duties of the members of the IBA and BBC could be considerably enhanced as a result of my hon. Friend's Bill because it brings the problem to their attention.

The principle of screening more adult programmes as the evening goes on is vital if we are to protect quality and standards in British broadcasting. Is there not a case for suggesting to the BBC and IBA that there might be a more efficient way of warning parents that the more adult programming is coming up? I should not be averse to a form of certification at the beginning of a programme. If we want to become really puritanical we could take as an example the clock at the corner of the screen during breakfast television. Instead of a clock why not put a programme designation there? That would not disturb the drama too much.

Mr. Stuart Randall (Kingston upon Hull): Unless such information is provided it is impossible for parents to operate any form of self-censorship.

Mr. Brinton: Since I am a supporter of a Government interested in giving independence and freedom of choice to the individual, I believe that that is where the responsibility lies, with the help of the bodies that I have mentioned. If parents are given an idea of a programme's content by a simple symbol and by a symbol in the newspaper programme schedules they could say, "Johnny, you watch that and you're in trouble." If that is not enough we can go further. Some form of electronic lock could be installed easily and cheaply so that if parents are not in they can lock up their television—as opposed to their daughters.

Mrs. Dunwoody: Such locks exist and are used by people who pay to watch a particular channel.

Mr. Brinton: Such locking devices could be easily and cheaply installed.

There are many ways to tackle the problem which the majority of my hon. Friends want to cure. They are shocked by obscenity, but I seriously challenge them to name one programme—and I include the two films of which my hon. Friend the Member for Davyhulme is so fond—the case against which would succeed if brought before a jury.

My hon. Friend the Member for Davyhulme mentioned the letters that he had received about a schools programme. He made a marvellous case for my view that the responsibility for education on television and radio should rest with the Department of Education and Science and not with the BBC and the IBA. I do not know what audience was being aimed at in the Saturday morning programme that he was so shocked to hear about. Perhaps it was a sociology programme. I certainly do not approve of the contents of that programme, but there are other forms of protection that do not involve putting responsibility on the Director of Public Prosecutions.

The amendment may be flawed, but it is an insurance policy. If the Bill becomes law the amendment will at least remind everyone who interprets what we say that there

were institutions known as the BBC and the IBA and that they did not do too badly although occasionally they made horrid howlers.

Mr. Randall (Kingston upon Hull, West): I sense from the speeches made so far that every hon. Member in the Chamber accepts that there are problems about television broadcasting and films that are being made available to young children under the existing arrangements.

The IBA has a 9 o'clock rule. It deems itself to be responsible for films and programmes shown before 9 pm. I am sure that all hon. Members received the 10 April letter from the IBA which describes its policy as being

"as far as possible not to broadcast material unsuitable for children at times when large numbers of children are viewing."

The letter says that there are constraints on that policy, one of which is that there is no time of the evening when there are not some children, perhaps even quite substantial numbers, watching television.

I have been in correspondence with the chairman of the IBA, Lord Thomson. I received a letter from him yesterday in which he said:

"Family Viewing Policy, as you know, assumes a gradual progression after 9.00 p.m. towards programmes likely to be unsuitabl for young children."

That is clear. The IBA says that it has control before 9 o'clock and that thereafter parents have the responsibility. Hon. Members who, like me, have young teenage children, know that 9 pm cannot be regarded as a sensible time for the IBA to decide to relinquish its responsibility. That is an absurd decision and not related to reality.

I accept that the existing policy is complicated and that there is no universal solution to the problem. The hon. Member for Surrey, South-West (Mrs. Bottomley) said that she wants to see some action, but there is not one solution to the problem. A number of elements will have to be taken into account, some of which will offer greater scope for improvement than others.

A major problem is the difficulty of reconciling the interests of young children and of adults. It would be illiberal to prevent parents from seeing the films that they like to watch. I should like to tighten standards, but it would be morally wrong for me to say that I am able to make decisions for other people. They have to make decisions for themselves.

The key responsibilities for introducing improvements rest with parents and the broadcasting authorities, particularly the IBA. Some may say that I am unfair, but my intuitive judgment is that the IBA churns out much more of the unacceptable stuff. The BBC's standards are generally higher, though I accept the drip, drip, drip argument.

Mr. Greg Knight (Derby, North): The hon. Gentleman makes a strong statement when he claims that the IBA is not maintaining standards. Can he give us a few examples? Can he give us a list of programmes, with transmission dates and times?

Mrs. Dunwoody: Evidence? We do not worry about evidence on this Bill.

Mr. Randall: I will try to answer the hon. Gentleman's question.

Mrs. Dunwoody: Will my hon. Friend give way?

Mr. Randall: In a moment. I shall be giving a specific example later.

Mr. Hayes: I agree with what the hon. Gentleman said about standards, particularly in the IBA and on Channel 4, but does he accept that, whether the Bill is passed or not, it has performed a tremendous service, because it has brought matters to public attention? As a result of our debates, I do not believe that the IBA would dare show films such as "Sebastiane" and "Jubilee" ever again.

Mr. Randall: The Bill is a sledgehammer and is impractical, but I concede that it has brought out the arguments, and that is healthy.

As for the proposed changes in the Bill, I am sceptical——

Mr. Deputy Speaker: Order. The hon. Gentleman must address himself to the amendment. Hon. Members are tending to debate the whole Bill again.

Mr. Randall: The IBA is muddled about what its existing policy and the Bill can achieve. In his letter to me, the chairman of the IBA said that he felt that the Bill would bite only at the extremes of pornography and unacceptable films. He said:

"Although the precise parameters of what may be obscene may be altered, the Bill will at the end of the day only bite upon the extremes. It will not bear upon the kind of quite legitimate mainstream programming for grown-up people with which our discussions have been concerned."

Those are the discussions that I have had with the chairman.

"It will most certainly not provide the 'form of protection' you quite properly advocate. That is part of the function of the IBA and I am determined that we will despatch it effectively."

The press release of 10 April, which all hon. Members have received states that, with the introduction of the Bill,

"all programmes would have to be suitable for children since the Bill makes no distinction between viewing at different times of the day".

In addressing its responsibilities, the IBA seems to be rather muddled about the effects of the Bill.

11.30 am

Mr. Brinton: Far from being muddled, is not the IBA trying to echo rather more clearly the argument that I was trying to present, that the Bill will cause the IBA and BBC either to release their responsibilities and leave it to the ultimate—the Director of Public Prosecutions—which we would all consider to be very bad news, or to go for 18 and under-18 programming for the 24 hours? There are two alternatives. That is one of the difficulties with the Bill.

Mr. Randall: That is absolutely right. I will not go far down this path, in case, Mr. Deputy Speaker, you rule me out of order again. However, I would like the companies and the parents to deal with the problem rather than the courts, and I sense that many people share that view.

As for responsibility, I submitted some proposals to the chairman of the IBA just over a year ago after seeing on television a film called "The Squeeze". I frankly found that film offensive. I am reluctant to sound priggish, but I was not prepared to have such stuff shown in my house. I went to Lord Thomson's office and we discussed the matter. He told me that the IBA had reviewed the film again and found that it fell below standard. He gave me an assurance that it would not be shown in Britain again. The IBA had made a mistake.

Lord Thomson told me that very few people write to complain. When we consider the role of the IBA in these

[Mr. Randall]

matters, hon. Members should make sure that they complain to the authorities, and should encourage the public to do so too.

Essentially we need to provide parents with the means of imposing their own controls and influence on young people. I remember the occasion when I saw "The Squeeze". I had had a very busy day. When I reached home I sat down with a drink to watch a film. According to the newspaper, Edward Fox was to appear in the film, and he is an actor whom I admire. I sat down to watch it. Unknown to me, pornography—that is all it was—was about to be shown.

I had no information on which to decide whether or not that film would be acceptable. I subsequently looked at various newspapers to see whether there were any critiques of the film or any information about it. There was no information at all.

I made the same point to Alasdair Milne, the Director-General of the BBC, and to Bill Cotton, who runs the television side of the business, as I made to Lord Thomson. I said that if they could provide such information, that would be a big step forward.

This is not just a whimsical idea. I propose that we adopt a scheme such as has already been implemented by at least one of the cable television companies. I have met Mr. Burchall, the chief executive of Premiere Television. He told me that his company has taken the responsibility into its own hands by providing viewers with information so that they can decide for themselves.

We do not want mere gestures. We are addressing a specific amendment, and we are doing so because we want some action to ensue. Should we enable parents to decide on such matters themselves, or do we prevent them from doing so? In my view, we should provide parents with appropriate information. We could use little codes in the newspapers. A film containing bad language would be given an exclamation mark. For a horror film there would be a little axe dripping blood; for a family film, a profile of a family. Such a scheme is in operation, and Mr. Burchall told me that a very high proportion of viewers find it acceptable. The codes could also appear on trailers. We would go some way towards overcoming the problem that we face if we gave people the choice and the information on which to decide for themselves and their families.

Mr. Churchill *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 76, Noes 18.

Division No. 157] **[11.36 am**

AYES

Alison, Rt Hon Michael	Cash, William
Amess, David	Chapman, Sydney
Atkins, Rt Hon Sir H.	Churchill, W. S.
Banks, Robert *(Harrogate)*	Cocks, Rt Hon M. *(Bristol S)*
Beith, A. J.	Cope, John
Bendall, Vivian	Dickens, Geoffrey
Bennett, Rt Hon Sir Frederic	Dicks, Terry
Benyon, William	Dover, Den
Boscawen, Hon Robert	Durant, Tony
Bowden, Gerald *(Dulwich)*	Fallon, Michael
Braine, Rt Hon Sir Bernard	Favell, Anthony
Bright, Graham	Freeman, Roger
Butler, Rt Hon Sir Adam	Gardiner, George *(Reigate)*
Carlisle, Kenneth *(Lincoln)*	Garel-Jones, Tristan
Gilbert, Rt Hon Dr John	Nicholls, Patrick
Goodhart, Sir Philip	Normanton, Tom
Gow, Ian	Pawsey, James
Greenway, Harry	Peacock, Mrs Elizabeth
Hargreaves, Kenneth	Prentice, Rt Hon Reg
Harrison, Rt Hon Walter	Ridsdale, Sir Julian
Hawkins, C. *(High Peak)*	Rippon, Rt Hon Geoffrey
Hayhoe, Rt Hon Barney	Roe, Mrs Marion
Hogg, Hon Douglas *(Gr'th'm)*	Sainsbury, Hon Timothy
Hordern, Sir Peter	Shelton, William *(Streatham)*
Howard, Michael	Shepherd, Richard *(Aldridge)*
Howarth, Gerald *(Cannock)*	Sims, Roger
Jackson, Robert	Stanbrook, Ivor
Johnson Smith, Sir Geoffrey	Stanley, Rt Hon John
Key, Robert	Stewart, Rt Hon D. *(W Isles)*
Lilley, Peter	Sumberg, David
Lloyd, Peter *(Fareham)*	Thompson, Donald *(Calder V)*
Maclean, David John	Thorne, Neil *(Ilford S)*
McNamara, Kevin	Thornton, Malcolm
Marlow, Antony	Viggers, Peter
Mates, Michael	Wheeler, John
Mather, Carol	Winterton, Mrs Ann
Mawhinney, Dr Brian	
Maxwell-Hyslop, Robin	Tellers for the Ayes
Mellor, David	Sir Nicholas Bonsor and
Newton, Tony	Mrs. Virginia Bottomley.

NOES

Brown, N. *(N'c'tle-u-Tyne E)*	Pavitt, Laurie
Foot, Rt Hon Michael	Prescott, John
Hamilton, W. W. *(Fife Central)*	Randall, Stuart
Holland, Stuart *(Vauxhall)*	Roberts, Ernest *(Hackney N)*
Jenkins, Rt Hon Roy *(Hillh'd)*	Sedgemore, Brian
Kinnock, Rt Hon Neil	Skinner, Dennis
McCartney, Hugh	Wareing, Robert
McKay, Allen *(Penistone)*	
Madden, Max	Tellers for the Noes:
Mikardo, Ian	Mrs. Gwyneth Dunwoody and
Mitchell, Austin *(G't Grimsby)*	Mr. Chris Smith.

Whereupon MR. DEPUTY SPEAKER *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No. 32 (Majority for Closure).*

Question again proposed, That the Bill, as amended, be now considered.

11.45 am

Mr. Geoffrey Dickens (Littleborough and Saddleworth): It is sad that this Bill will fail because of lack of parliamentary time. Nevertheless, my hon. Friend the Member for Davyhulme (Mr. Churchill) has blazed a trail and one day in the near future we shall probably see an improved Bill. I should like to thank him for drawing the attention of the public to a pressing need.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who proposed the amendment, laid great emphasis on the fact that there was little evidence to justify this legislation. The hon. Lady alleged that she received more letters about Sunday trading than she received about the Bill. She sought to imply that that showed a lack of support from the general public for the Bill. I must record that I have received over 20,000 letters in support of child protection. That shows how deeply the general public feel about these matter.

Mrs. Dunwoody: I did not seek to show anything of the sort. I was trying to make it clear that Members of Parliament traditionally receive large numbers of letters about many pieces of legislation. The suggestion that, because the hon. Member for Davyhulme (Mr. Churchill) has received a large number of letters, that represents a unique occasion, is misrepresenting the normal situation.

Mr. Dickens *rose*——

Mr. Deputy Speaker (Mr. Armstrong): Order. I have allowed the hon. Gentleman to stray a bit, but he must come back to the amendment.

Mr. Dickens: I shall return to the amendment and answer the points made by the proposer. The 1985-86 television season got off to a chilling start. One in three programmes shown after 6.30 pm on all four channels during the first week in September contained scenes of physical violence. "Jubilee" and "Sebastiane" have been well cited, but setting those aside, we saw, for example, a man having his throat cut with a kitchen knife and a close-up of the victim's throat. A man hit a woman with his fist and then battered her to the ground with a stick while the camera focused on her bloodied face. There was a sheriff with a pickaxe in his chest. Two men and a woman were portrayed beating a victim to the floor with wooden clubs, with blood seeping into the carpet. There was also a villian holding a pistol to his victim's head and then injecting him with a hypodermic needle thrust into his nose.

Today, young people watch about 23 hours of television each week. Experts believe that, by a child's late teens, he could have witnessed 16,000 violent deaths.

Let us consider the evidence. Since the ratings battle began, when commercial television arrived in 1955, violence has emerged as a crucial ingredient in television entertainment. During that same period, the number of reported crimes of violence against the person rose from 7,884 to 114,187 per year, and the number of rapes known to the police rose from 340 each year to 1,433.

Many studies have cited television as a significant factor in that increase. Back in 1969, President Johnson's National Commission on the Causes and Prevention of Violence ansserted:

"Violence on television encourages violent forms of behaviour".

More recently, in 1982, a major report by America's National Institute of Mental Health recognised:

"Violence on television does lead to aggresive behaviour by children and teenagers who watch the programmes."

A research project in Newhaven, Connecticut, observed three and four-year-olds at eight day-care centres over a full year. It was found that the children who watched the highest number of violent television programmes clearly showed the most aggressive behaviour. Canadian researchers in Manitoba came to the same conclusion.

Some of the most detailed research has been conducted in the United Kingdom. From 1972 until 1978, Doctor William Belson of the North-East London polytechnic studied the behaviour of 1,563 London boys aged between 13 and 16. His conclusion was:

"Television violence has a slow drip-drip effect on a young person, gradually eroding the training of parents and society against using violence".

Dr. Belson found that the heavy television viewing boys had committed 50 per cent. more violent acts. For example, they had used knives or broken bottles, and had vandalised cars and public conveniences.

Since 1975, the average age for the onset of disruptive behaviour in primary schools has dropped to between three and five years. That was revealed after a study by Dr. Jean Lawrence and David Steed of London's Goldsmith college, which was published in the journal of the Assistant Masters and Mistresses Association. Only last summer the study charted a four-year-old who had injured his classmates, a five-year-old who had forced a friend's face onto a cloakroom peg and an eight-year-old who had been wrenched away from kicking and punching a teacher by two adults.

Television is a major contributor to violence. That is as clearly and scientifically established as the relationship between cigarette smoking and lung cancer. The Bill's provisions provide protection against the rapidly escalating instances of violent, sadistic and sexual crimes, as shown on television. If the hon. Member for Crewe and Nantwich feels that the Bill is such an irrelevance, why are the IBA and the BBC so excited about what we wish to do? The reason is that there are producers who are not following the guidelines, and who are inflicting the most dreadful material on our young people. One day the House will pass the necessary legislation, and we will protect our children from such filth.

Mr. Austin Mitchell (Great Grimsby): The Bill has emerged significantly improved from its Committee stage. Indeed, it has been changed out of all recognition, and perhaps that is why it has been improved. I share the widespread public concern over some of the things covered by the Bill. Like the hon. Member for Littleborough and Saddleworth (Mr. Dickens), I believe that the real problem is violence. I am not sure why the hon. Gentleman concentrated on violence rather than on sexual matters, as the Bill seems to cover the latter. Perhaps it was because of his significant contribution a few weeks ago to *The Sun*. The article in *The Sun* said:

"political heavyweight Geoffrey who represents Littleborough and Saddleworth is one of those red-blooded members confident of killing Labour kill-joy Clare Short . . . The jolly MP said 'girls would give their right arm for a figure like Tracey's'. Another cracker tomorrow."

Perhaps that is why the hon. Gentleman concentrated on violence today.

Mr. Dickens: As the hon. Gentleman mentioned me by name, I am grateful to him for giving way. Contrary to the view put about by the Opposition, that article illustrates that I am not a prude or so obsessed with sexual matters that I have to support such a Bill. I am certainly not a prude. But the protection of children and shielding them from obscene and explicit material is a quite different matter.

Mr. Mitchell: I wholeheartedly accept the hon. Gentleman's assurance that he is not a prude. However, we at least agree that violence rather than sex is a problem. But that violence comes not so much from British programmes, although it is creeping into them, as from imported American programmes, which place an emphasis on violence. Indeed, Americans lead a much more violent way of life, which is reflected in their programmes. But the problem is that the Bill does not do anything about the violence that the hon. Gentleman and I complain about. That is why I want to amend the clause.

If the Bill makes protest noises about violence but does nothing about it, it is merely dealing in gesture politics. I do not see such politics as necessary. There is great intellectual confusion among the Bill's advocates. They create a climate of fear and alarm and then introduce this Bill as a solution to it. Yet it is irrelevant to most of those fears and alarms. Some years ago the report of the Williams committee said that to regard

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"pornography as having a crucial or even a significant effect on essential social values is to get the problem of pornography out of proportion with the many other problems that face our society today."

There is a climate of fear and alarm. Yet to concentrate, as the Bill does, solely on sexual matters is to ignore the problem of violence, and the other factors that create that kind of fear and alarm.

The teeth have been taken out of the Bill, but it has been left with enough gums to chomp and chew at the institution of broadcasting. That is why I support the amendment. It takes effective steps to protect broadcasting from the dangers inherent in the haphazard interventions that the Bill would generate.

Self-discipline on the part of broadcasting institutions and the audience is the solution to the problem, if there is one. That would be better than allowing unpredictable interventions, as the Bill does, and then allowing broadcasting to be subject to the criteria of its effects on 13 and 14-year-olds, who might be viewing at any time of the day. To reduce everything to the level of what is acceptable to them, particularly late at night, is to create a television of wall-to-wall Blue Peter rather than a television of entertainment, interest, involvement and information about the world as it is. We cannot subject tastes on such matters to that level of intervention and discrimination.

People who do not take the trouble to discipline their children and the viewing habits of children who should not be watching television very late at night or watching the programmes which cause complaints, are effectively asking the State to discipline their children for them through legislation. They are imposing the consequences of their indiscipline on the rest of society. That approach is out of proportion to the problem.

The problem concerns those children who are not controlled or subject to parental discipline, who are viewing programmes which they should not late at night. I accept the point made by my hon. Friend the Member for Kingston upon Hull, West (Mr. Randall). He said that nine o'clock in the evening was not an appropriate cut-off time for the IBA to hand the discipline of viewing back to parents. That cut-off point should come later.

12 noon

My hon. Friend the Member for Kingston upon Hull, West also made the point about the need for information. More information leads to informed choice and that is what society is about. We need to know what is in the programmes and what the consequence of those programmes will be. That information should be freely available.

The real problem is that such information will not reach the young people who are watching at times when they should not be watching and whose viewing taste is being made the dominant factor in the approach of the Bill. The information would not reach that crucial group of people.

Mr. Randall: Would my hon. Friend agree that the information must reach the parents? It is impossible for parents to impose any form of parental control without that information being fully available in a form that will describe precisely what the film may contain.

Mr. Mitchell: I hope that I was making that point. I agree that that information should be available to parents and to young people. We should know what problems exist. The information would assist in making the viewing choice and help the assertion of parental discipline. The key problem is, however, parental discipline imposed on children. The rest of society should not be censored as a result of programmes being made acceptable and suitable for 13 or 14-year-olds. The universe is very different and adults' appreciation of it differs from that of children. The information should be available.

The essence of freedom is the freedom to make mistakes and choices. That is the freedom of a free society and the approach to that is through self-discipline and discipline by the broadcasting authorities rather than an imposed framework of state discipline subject to totally unpredictable interventions by the Director of Public Prosecutions acting at the behest of moral groups or through the pressures and panics of others.

I would like to stress that cable television offers the possibility of a universal choice of viewing with up to 40 channels. It offers a much wider choice of viewing. It should not therefore, be subject to the same controls and that is why the amendment does not deal with authority in that area. The essence of cable television is the freedom to choose what one wants to see. We must have the information, as my hon. Friend the Member for Kingston upon Hull, West stressed. Choice is the essence of cable, and not the lowest common denominator programmes on the on-air channels at present.

Freedom means the freedom to experiment and to state one's view of the world as an artist and producer or as someone making a television programme. The broadcasting authorities must then decide at what time it is appropriate for that programme to be broadcast.

I would, frankly, prefer to leave the clause out of the Bill. The amendment expresses my only real objection to the Bill. I oppose the extension of the obscene publications legislation to the broadcasting institutions and I believe that the rest of the Bill, as drafted, deserves my support. However, I believe that the extension of the obscene publications legislation through this clause to the broadcasting institutions creates a dangerous situation in which the authorities will be subject to unpredictable interferences. The self-discipline that is so essential will be weakened because the authorities will become less responsible. I would have preferred the amendment to have been left out of the Bill. I am sure that if the amendment is dropped the Opposition would allow the Bill to pass without any other difficulties.

However, the amendment is before us and the Report stage of this House functions in such a way that we cannot deal with clause stand part, we can proceed only by amendment and that is what we are doing now. We are seeking to offset the dangers created by the extension of the obscene publications legislation to the broadcasting institutions.

Other amendments have not been selected. I would have like the amendment of my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) to have been selected and I am sure that it would have been selected had she withdrawn her Bill on that matter. It is difficult to select an amendment that relates to another Bill before the House. I would have liked the House to have dealt with that problem as it would have exposed the hypocrisy whereby Tory Members of Parliament appear day after day

in *The Sun* newspaper to endorse its nudes and then pose as the advocates of the moral majority, censorship and discipline—as the new puritans against excess.

We have not been privileged to deal with that matter as amendment No. 25 was not selected. Mrs. Mary Whitehouse is a strong advocate of the Bill and I do not criticise her. Indeed, in my view, she has performed a valuable service. She is a populist and I have great affinities with populism. She has demonstrated to the House, to the country and to the broadcasting organisations the degree of public concern about these issues. We tend to live in an ivory tower in this House and we are sometimes out of touch with public opinion.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Before my hon. Friend becomes completely ecstatic about the virtues of Mrs. Mary Whitehouse, does he agree with her condemnation of radio and television broadcasts and films which she has not seen?

Mr. Mitchell: I cannot answer for Mrs. Mary Whitehouse. She has, however, reminded us about a level of concern which all too often we forgot in the House. We must use our judgment on what Mrs. Whitehouse said, on her arguments and the views expressed through her organisation. Those matters are still subject to our judgment. The danger is that in revealing the extent of that opinion she creates a panic reaction in which people are forced, through panic and public pressure, to make changes which are undesirable and which are put forward as solutions to the problems Mrs. Whitehouse articulates.

Mr. Harry Greenway (Ealing, North) *rose——*

Mr. Mitchell: In other words, emption drives out rationality in these argument. It is right that concerns should be expressed.

Mr. Greenway: The hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) came a little nearer than he would have wanted to slurring Mrs. Whitehouse. This week, Mrs. Whitehouse sent to various hon. Members including myself, detailed researches into BBC television programmes detailing precisely, line by line, her objections against them. It is not really fair to pretend that she does not see what she is criticising.

Mr. Mitchell: I am not seeking to praise Mrs. Whitehouse with faint damns. Rather, I believe that she has performed a valuable service in articulating a substratum of opinion, an element of opinion that exists, of which we should be aware. She has also performed valuable work in providing that information and I accept that implicitly. However, arising from such concerns and pre-occupations put forward by Mrs. Whitehouse and others, there is an obsession with matters sexual rather than what I believe is the larger side of the problem, violence.

Secondly, because of the pressure that is created by those opinions, we are prone to knee-jerk, gesture reactions that are designed to passify and to show that the House is doing something. These reactions are dangerous, because they do not deal with the problems that is the source of the complaints.

It is important that we as Members of Parliament exercise our rationality and our judgment. We must be aware of concerns and seek to deal with them realistically. We must not be stampeded into taking actions that are possibly more harmful than the disease. In dealing with issues to which the Bill addresses itself the House can be stampeded into panic reactions. It can be caused to rush in to show that it is doing something in response to public concern. When that happens we express our concern but we do not solve the problem itself.

The real problem is violence. Those who accept violence on television justify their opinions by saying that violence is a part of life. Violence is not a part of my life, not even when I am involved in internal relationships within the Labour party. Violence is not a part of life of the great majority of our constituents. We are exposing people, especially young people, to a level of violence that they will not see in their own life. Violence might have been seen 40 or 50 years ago when life itself was far more violent but now it is not. Yet we are being exposed to a steady drip of violence, and I agree with the hon. Member for Littleborough and Saddleworth that people become innured to it. There is an accumulation—a sedimentation — of violence. Where I disagree with the hon. Gentleman is on the effect that the Bill will have. In my opinion the Bill will do nothing to reduce the amount of violence that is shown on television. That is the essence of the problem.

The IBA code recognises the reality of violence and how to deal with it. It addresses itself to the problems that arise when people are exposed to violence. I do not think that the code is satisfactory.

Sir Geoffrey Johnson Smith: I agree wholeheartedly with what the hon. Gentleman has been saying. I understand his reasons for opposing the Bill and I recognise that it has an enormous defect in that it does not deal with the problem of violence. What does the hon. Gentleman think that the authorities should do that they are not already doing?

Mr. Mitchell: I shall attempt to answer the hon. Gentleman's question in a moment. I have found a copy of the code to which I was hoping to refer, which deals with violence in a rather academic fashion. It states:

> "It may be asked why violence has to be portrayed at all on the screen. The answers are clear. First, conflict is the essence of drama, and conflict often leads to violence. Second, the real world contains much violence in many forms, and when television seeks to reflect the world in fact or in fiction it would be unrealistic and untrue to ignore its violent aspects."

It continues:

> "The regular and recurrent spectacle of violence might lead viewers to think that violence in one form or another is being given the stamp of approval. Once violence is thus accepted and tolerated people will, it is believed, tend to become more callous, and more indifferent to suffering imposed on the victims of violence."

That reservation is right for I think that that is what happens. Violence is being shown almost for the sake of violence, and that is especially true of American productions. It may be that life in America is much more violent than it is here, but it seems that imported American productions contain violence as an element of production, as though it must be present. It seems that those who produce them take the view that there must be an element of humour, a handsome hero, a malevolent villain and a quota of violence.

Mr. Chris Smith: Does my hon. Friend agree that the issue of imported programmes is even more unclear because of the operation of the Customs Consolidation Act 1876? I tabled a new clause that was designed to deal with the problem and, regretfully, it has not been selected.

Mr. Mitchell: I agree that the Bill does not deal with that problem. It is unfortunate that it does not deal with other problems as well.

I was addressing myself to the way in which we should deal with the problem of violence. We shall not deal with it effectively by introducing Bills of this sort. In doing so, we are pursuing a hare down another alley, a hare which is irrelevant to what I, the hon. Member for Littleborough and Saddleworth and others see as the main problem. The only effective way to deal with the matter is by directing the pressure of opinion within the House and outside on the broadcasting authorities and causing them to recognise reality, which is that a steady accumulation of violence shown on television innures viewers to violence and creates an expectation in the minds of young people that violence is a part of life when it is not. This makes people behave in a violent fashion. They have seen it on television and they are innured to it. That is the danger. We must recognise the nature of the problem, focus on it and deal with it by putting pressure on the broadcasting institutions, which are very much open to pressure.

12.15 pm

Mr. Cash: In the video working party's report, which came out in 1983, there was a specific reference to the problem of violence on television. It stated clearly that

"on grounds of social responsibility, broadcast television has also avoided giving the details of drug use".

The programme "East Enders" is a good example of the broadcasting authorities ignoring their social responsibility despite understanding it. Against that background I should like to know what the hon. Gentleman thinks could be done to solve the problem.

Mr. Mitchell: There is not much purpose in putting that question to me. The question should be put to the hon. Member for Davyhulme, the author of the Bill. We should ask ourselves what the Bill does to resolve the problem, and the answer is nothing.

It is important that concern is being expressed about the portrayal of violence on television screens. It is important also that it is not channelled into a blind alley where it will thrash around impotently. It should not be thought that something will be achieved by enacting the Bill, when it will not, so that the heat is taken off the broadcasting authorities and necessary changes are not made.

Mr. Cash: The hon. Gentleman is suggesting that "obscenity" does not include violence. There have been court cases since 1982 in which it has been stated that violence is included in obscenity. That is the answer to the hon. Gentleman's question.

Mr. Mitchell: If the hon. Gentleman is asking me to trust his expertise as a lawyer and to accept that violence will be dealt with by the Bill, I must decline to do so. Violence is not dealt with explicitly in the Bill and I see no way in which the clause, even as we hope to amend it, will deal with it. The more effective course is to frame a code of practice which recognises the problem and deals with it directly. At present we are running down blind alleys and talking about sex, indecency and human sexual relations when the real problem is the changed attitude to violence which is implicit in the constant deluge of violence from television screens.

In general, self-discipline is the answer. In general, I think that proper guidelines are the right approach. That is the way in which the industry should go. We should not seek to interfere, especially when our interference is unpredictable. The codes on violence need strengthening because there is a problem, which has concerned many of us for a long time, which they do not deal with satisfactorily. The Bill would not deal with the problem satisfactorily, either. I refer to trailers of programmes which show scenes of violence in programmes that are to be shown later in the evening, which are put out at peak viewing time. Violence is used as something of production value.

Mrs. Dunwoody: Is my hon. Friend aware that changes in EEC legislation will mean that the amount of American material shown on our television screens may increase considerably? With the introduction of new satellites we shall find ourselves with very few means of controlling the material in the way in which we can at present. Does my hon. Friend agree that it would be a good idea to consider that problem as well?

Mr. Mitchell: My hon. Friend must not tempt me to talk about Brussels, from whence all blessings flow. I should like to cut down the number of imported American programmes. Such programmes go out at peak viewing times and have a steady build-up effect.

I have been slightly diverted, for which I apologise. I conclude that the case for the Bill is not proven and, indeed, that the Bill is counter-productive. The real approach must be to make the IBA and the BBC aware of the strong public concern about violence. They should tighten up their codes of conduct. This clause does not tighten up those codes. Such controls will not be effected by chasing off down the blind alley of this clause but through pressure from this House and outside.

Mr. Key: I support the Bill. I have listened to the arguments of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) in support of her amendment but I hope to illustrate why I cannot support it.

I am not quite as impervious to the opinions of my constituents as the hon. Lady appears to be on this issue. Sometimes legislation is ahead of public opinion—one could cite the Shops Bill—but usually it is behind public opinion. This is the case with the Bill. We must seek a balance between reflecting public opinion and forming it. Legislation sets the tone for everyone in the community, not just those who break the law. The point is not that all programmes should be suitable for children. There is also the effect of the programes on adults especially the weaker adults in our society. Television often reinforced taboos, it reinforces male chauvenism and sexism.

I have received a great deal of representation on this matter. The director of the Diocescan Board for Social Responsibility summed it up when he said:

"We must start making connections on crucial issues which affect the moral and social well-being of our citizens and especially for our young people."

For that reason, it is important to address ourselves to the responsibilities of the IBA and the BBC. I notice that there is only one hon. Lady present, although there were three from time to time. Those responsible in the BBC and the IBA are not responsive to women's views on this issue. Women are sick and tired of seeing their bodies used for men's sexual gratification wherever they look on films, TV, video nasties, magazines, advertising, sex shops, art, entertainment and so on.

Mrs. Dunwoody: Will the hon. Gentleman also agree that women are sick of not having equal representation in this House and that that is one reason why there are so few of us here?

Mr. Key: I am delighted to hear the hon. Lady say that, because there are more hon. Ladies in the Conservative party than there are in her party.

Mrs. Dunwoody: That is because there are more Conservative Members.

Mr. Key: I have always supported the need for equal representation in the House and we would discuss this matter in a more rational manner if there were more hon. Ladies in the House.

The Salisbury Women's Media Watch Committee has been constructive in its attitude to women. It states:

"The underlying attitude of society is that sex and women should be available for men on their terms and when they require it."

The committee believes that men must learn to be responsible and control their sexuality as women have always done. I agree with that, but what is the IBA and the BBC doing about it?

Most civilisations and nations measure their success in terms of the pursuit of the peace, beauty and culture which they bequeath to future generations. What will we be remembered for? There are more musicals in London than on Broadway — both in the west end and in the provinces—and our theatre is better than anywhere else in the world, but why do we under-value our international success by obscenity on television?

Recently, *The Sun* newspaper had a go at me because I was not prepared to vote against the Shops Bill. In its leader "The Sun Says" it claimed that a number of us did not have the guts to vote at all. I wish *The Sun* would not see all the issues in black and white terms. Sometimes its judgments appear to be upside down, but perhaps that is natural in view of the nationality of the proprietor. *The Sun* implied that those of us who did not vote somehow let the side down; it asked how much freedom of choice we favoured. I shall attempt to illustrate how much freedom I would favour with regard to the Bill and where I draw the line.

On the day on which *The Sun* castigated me, many incidences of sex and violence were recorded in that newspaper—on pages 3, 7, 11, 13, 15, 16, 22 and 24. I believe that *The Sun* and other newspapers could be an immense force for good if they seriously consider the issues involved.

I believe that a culture of violence is being actively created not just by the makers of video nasties but by the makers of violently aggressive pop music. That in its turn spawns punk fashion and anti-social behaviour. The men with the money behind the video makers must share the blame.

Mr. Greg Knight: I am very interested in what my hon. Friend says but can he give me an example of violently aggressive pop music?

Mr. Deputy Speaker: Order. I do not think that that relates to the duties of the IBA or the BBC.

Mr. Key: I am aware of my hon. Friend's professional interest—and expertise in the pop world, and I shall have a word with him afterwards about it.

Those who finance, write, produce or sanction television programmes tend to portray explicit sex and violence as normal and acceptable. The hon. Member for Great Grimsby (Mr. Mitchell) said that there is concern about such violence, but I rather doubt it.

I utterly condemn the irresponsibility of the National Campaign for the Reform of the Obscene Publications Acts, affiliated to the National Council of Civil Liberties, which is urging us to defeat this Bill. It has written to a number of Members of Parliament that it regards the Bill as a

"monstrously authoritarian measure, quite unnecessary and totally unacceptable in a society in which freedom of choice and freedom of expression are supposed to be paramount."

I do not believe that freedom of choice and freedom of expression are paramount and I believe that the BBC and the IBA should take that into account. The NCROPA also believes that the Bill represents

"an outrageous incursion on free artistic and cultural creativity."

It suggests:

"even if there were any justification in the need to take some action 'protect' children from possible exposure to sexual and/or violently explicit material (they are not inseparebly intertwined, as many seem to assume), Parliament has seen fit to legislate in a much less rigid and prohibitive fashion with regard to many other products."

Mr. Brinton: Does not the hon. Gentleman concede that the NCROPA has one point: that the Obscene Publications Act urgently needs reform before any new amendments can be added to it?

Mr. Key: That may be so, but it does not detract from the fact that it is trying to persuade hon. Members to squash the Bill for what I believe are fundamentally misguided reasons. We are discussing the matter because of the failure of the IBA and BBC guidelines.

The hon. Member for Crewe and Nantwich talked of the need for evidence. The connection between violence on television and the increase in violent crime is self-evident. We have also found that children can repeat the details of the last crime that they saw on television, when asked or in play. Crime and fear are thus increased.

Judgments at the Old Bailey regularly accept the defendant's statement that he has been influenced by what he has seen or read. It is accepted that defendants copy acts of indecency and violence. Such behaviour is well researched and was quoted at length in the study, "Video Violence and Children" in 1985, which was edited by Geoffrey Barlow and Alison Hill for the parliamentary group video inquiry. The organisation Kidscape has produced a mass of similar evidence.

12.30 pm

Mr. Austin Mitchell: The hon. Gentleman has picked on the same argument as me and the hon. Member for Littleborough and Saddleworth (Mr. Dickens). The central question, however, is what the Bill has to do with the evidence on violence and what it does to check the deluge of violence from the screens and its influence.

Mr. Key: My hon. Friend the Member for Davyhulme (Mr. Churchill) has addressed those arguments adequately and I shall not repeat them. I am convinced by those arguments and I am sorry that the hon. Gentleman is not.

The nation's opinion on the issue is slow to crystallise but, as with the link between smoking and cancer, the link between pornography, violence and sex abuse is accepted. Those who support the amendment have not addressed the fact that one in 10 British adults are sexually abused as children and that 75 per cent. of sex assaults on children are committed by people they know.

[Mr. Key]

I should like to give some examples of the IBA's and the BBC's irresponsibility. I understand that, on 30 April, Thames Television is to screen an explicit programme on incest immediately after "Playschool." The IBA rescheduled the programme, but changed its mind. Why? We are asked to trust broadcasting authorities' judgment and then that happens.

Mrs. Dunwoody: I do not take it upon myself to defend the IBA—I have my arguments with it—but the hon. Gentleman cannot have it both ways. He cannot say that many people are sexually abused as children and then complain if television addresses itself to that real and frightening problem. I have not seen the programme, so I do not know what it shows or says but we shall never break out of the horrifying cycle—the crime has gone on for thousands of years—unless children, especially, are taught to realise that they have no involvement in the guilt attached to incest and told what support is available to those who are subjected to it.

Mr. Key: I entirely agree that we must break out of the cycle, but I believe that the cycle is being reinforced and aggravated.

The hon. Member for Bow and Poplar (Mr. Mikardo) mentioned the news. Recently, the first item on the news, whether breakfast television, midday news, the 6 pm news or the late night news, has been a horrific rape case. There is no time for a mother to rush to the set and switch it off when the news comes on after children's television. News producers and editors have a responsibility to take account of the time at which the news bulletin appears, and its substance.

Like others present, I have read the guidelines. They are woefully inadequate. They refer to not dwelling on the heartache of parents or victims, but how often do we see that? I do not want to talk about censorship in terms of cutting out news items, but I want much greater sensitivity in their presentation. There is no need to censor the news, but there is every need to ensure that it is presented in the least offensive way possible, while retaining the facts.

Mr. Mikardo: The hon. Gentleman is making a false point. He is advocating qualitative censorship. Censorship in totalitarian countries begins by influencing the content, and eventually it cuts it out altogether. The hon. Gentleman cannot get away from his dilemma. He is advocating the censorship of news programmes. Does he want to censor the *News of the World* and the other lascivious stuff that appears in newspapers?

Mr. Key: The hon. Gentleman is tempting me to stray from the amendment and to say more about *The Sun* than I have already said about its reporting of events.

Mr. Brinton: My hon. Friend has raised a very important point about television news. I have here a letter from the editor of Independent Television News that was written to Michael Grade on 19 February. It takes his point entirely and it should be put on the record. It says:

"We at ITN are acutely aware of our responsibility to avoid the transmission of gratuitously offensive material, and are sensitive to the need for restraint during those hours when large numbers of children are likely to be watching."

What is wrong with that?

Mr. Key: Because they have utterly failed. I was watching "Breakfast Time" this week with my small children. The first item was an explicit description of rape and murder. That is why that letter is worthless.

I introduce another point that I hope the Opposition will not take in a party political sense. A Labour party political broadcast used a child actor to portray a horrific scene in which a little girl left home, went through an underpass, heard footsteps and ran. It was meant to illustrate a perfectly respectable political point about law and order. This broadcast was drawn to my attention by a children's organisation. My worry is that that broadcast did not portray a law and order issue. Children need to be educated about how to cope with that kind of situation, but the broadcast showed that that child was afraid of the police. I am sure that that was not the intention of the broadcast, but it showed that the broadcasters do not perceive the problem from the child's point of view.

No research that I have seen supports the view that there is no link between sex and violence on television. The BBC and the IBA are largely responsible for that. I applaud the ITV code of October 1971. It says:

"This Code cannot provide universal rules. The programme maker must carry responsibility for his own decisions. In so sensitive an area, risks require special justification. If in doubt, cut."

That is extremely good advice.

The onus is upon those who oppose the Bill to provide a constructive solution. It is not, as the hon. Member for Great Grimsby (Mr. Mitchell) suggested, the media who need to be protected. It is our children who need to be protected. We teach children to cross the road safely and to be able to go near to water without being harmed. We do not find this difficult, because these are accepted risks. Not to teach children road safety and water safety would be considered foolish by most adults. Children are also warned about the dangers of talking to or going with strangers, not because the vast majority of adults would harm children but because a few deviants might. The vast majority of children are assaulted by those they know.

Children must not just be warned about strangers. That is similar to warning them when they cross the road to watch out only for red cars. We must break through the taboos that prevent parents from discussing these issues and try to persuade the IBA, the BBC and all programme producers that they must adopt a responsible attitude. If we get no further than that with this Bill, we shall have achieved something.

Mr. Chris Smith: I should say at the outset that I have an interest to declare in that I have a close working relationship with the Association of Cinematograph, Television and Allied Technicians, the film technicians trade union. That means that I have a particular interest in the impact of clause 1 and the amendment that we are discussing.

The debate on this amendment has been characterised so far by almost universal agreement from both sides of the Chamber on two points—first, that there is a lot of genuine concern about the impact of television particularly of the portrayal of violence and, secondly, that there is a need to protect children. Those points are held in common by both sides of the House and by both proponents and opponents of the Bill.

The key question that has arisen, and which I fear has not really been answered by anybody who has spoken against the amendment and in favour of the clause as it

stands, is whether the Bill will bring us any nearer to those goals which we all share. I fear that my answer is that it will not. In some ways, it takes us a bit further away from those goals.

Conservative Members have strongly and genuinely made the point that in the face of what is happening in television, particularly the portrayal of violence on television, there is a need for Parliament, in the words of the hon. Member for Surrey, South-West (Mrs. Bottomley), to do something about it.

Justified as that response may be, it is no sensible basis for legislation. It has been said that it is the duty of the House to remind broadcasters of their responsibilities. I agree. It is the duty of all of us as Members of Parliament to reflect public concerns, to speak out about them and to remind broadcasters of what the public are concerned about.

However, it is not the job of the House to put on the statute book legislation which is defective simply because we wish to carry out by that process that business of reminding broadcasters of their responsibilities. There are other ways of doing that.

Let me refer Conservative Members to the debate that we had on a Friday morning many months ago in the House, before the Bill even had its Second Reading, on the impact of violence on young people and the rising tide of violent crime among young people. I spoke out then about my anxiety about a number of types of programme which are shown on television. That is the way in which we should be getting the message across, not by putting on the statute book legislation which will not tackle the problem about which we are all concerned.

Mr. Cash: In a letter in *The Times* today, which I think has been quoted, Lord Goodman says that at the end of the day it is up to the people who are running the programmes to exercise a degree of social responsibility and that that is the way to solve the problem. That is really what the hon. Gentleman is saying. The video working party, in its report on violence on television, says that drug use should not be shown on television because of the problem of social responsibility. Will the hon. Gentleman accept that MIND has said that the drugs scene in "East Enders" has an adverse effect upon young people resulting in more suicides and that that is a sign of the failure of all the interconnecting alternative suggestions? That demonstrates that what the hon. Gentleman is saying has failed and that something else must be put in its place in order to prevent those young people from committing suicide.

12.45 pm

Mr. Smith: I am at something of a disadvantage in replying to the hon. Gentleman specifically. At present I do not read *The Times* so I have not seen Lord Goodman's letter. That is an act of self-censorship. It is an active choice that I am exercising as a Member of the public and which parents can exercise when they turn off the television set. It is precisely the point which my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) was making some time ago.

Mr. Churchill *rose*——

Mr. Smith: I shall finish replying to the hon. Member for Stafford (Mr. Cash) then I will give way.

I did not see the specific episode of "East Enders" to which much reference has been made. Of course, if there is concern of the kind which the hon. Gentleman has identified, that is precisely the sort of issue which must be considered extremely carefully by the governors of the BBC, the board of the IBA and to which the guidelines which they issue must address themselves. If there are such failures the House should be bringing pressure upon the governors of the BBC and the board of the IBA to consider those matters much more carefully than they may hitherto have done. That is a responsibility of the House.

When the hon. Member for Stafford says that something else must be done he is identifying precisely the problem about which I have been speaking. This Bill will do nothing to stop incidents of the sort shown on "East Enders". It will have no impact on such incidents. To claim, as he appears to by implication, that the Bill will in some way do what he believes should be done is not seeing the content of the Bill and what it will achieve.

Mr. Churchill: The hon. Gentleman admitted that he is not able to see *The Times* at present. Can he say whether that is a matter of self-regulation or is he bowing to the dictates of censorship by his own party machine?

Mr. Smith: It is purely an act of choice on my part. As someone who only two evenings ago was standing with striking print workers outside the plant at Wapping to identify my support for their struggle, it is clearly a choice that I have made and would have made, whatever decision might have been made——

Mr. Deputy Speaker (Sir Paul Dean): Order. I hope that the hon. Gentleman will not be tempted further down that road. We must get back to the amendment.

Mr. Austin Mitchell *rose*——

Mr. Smith : I will give way as long as we are not trespassing on Mr. Deputy Speaker's ruling.

Mr. Mitchell: We are not trespassing on it. I have an agreement with the News International reporters. They do not report a word I say, just like before.

I agree with the point that my hon. Friend is making about the Bill. I wonder whether he agrees with my point that this amendment is the nub of our problem. If the hon. Member for Davyhulme (Mr. Churchill) will accept this amendment, since I understand that he is to accept all the other amendments in order to get the Bill through, he can almost certainly have his Bill. This amendment is the sticking point for the Opposition. If the amendment is accepted the Bill is acceptable.

Mr. Smith: I am not sure that I would go along with my hon. Friend entirely. Although the amendment would improve the Bill it would still leave a number of defects. I might perhaps say in passing, had new clauses 1 and 2 been accepted for debate, and had the hon. Member for Davyhulme sought to include them within the Bill, that my attitude may conceivably have been different. However, I am afraid that that has not been possible.

I accept the motives of the hon. Member for Davyhulme. Even if the Bill does not reach the statute book he will have achieved a considerable amount by bringing issues before the House. Evidence of that can be found in the IBA's spring 1986 quarterly journal, *Airwaves*, which contains an article by Robin Duval, the chief assistant of television, who says:

"But all this activity is, at the least, a very healthy reminder that it would be a good idea to remind ourselves"—

that is the IBA—

"and everybody else of just what it is we do about section

[Mr. Smith]

4(1)*(a)*. We have had a few shocks recently and we are publicising our case. But perhaps we should do it not just now, but again. And again."

Mr. Duval is saying that the IBA has picked up from the activity around the Bill the message that there is concern and a need to examine carefully its own activities, not just now but in the future, on a regular basis. That is an achievement. That means that pressure is receiving a response.

Mr. Nicholas Baker (Dorset, North): We have discussed the subject on a number of occasions over the past seven years. We can agree about the boards and governors and codes of conduct, but we are worried that productions do not always conform with the guidelines. The producers of programmes do not seem to conform to the guidelines. How are we to tackle that problem?

Mr. Smith: I am not sure that I agree with the hon. Gentleman. On the whole the guidelines are admirable. However, some areas are not covered in the guidelines. I glanced rapidly this morning through the IBA guidelines to see what they say about the taking of drugs and overdoses. That problem is not adequately covered in the guidelines and it might be sensible to draw that to the attention of the governors and the board.

The hon. Member for Dorset, North (Mr. Baker) refers to the use of the guidelines by the producers. I had a long discussion only last week with a programme writer who made a programme which went out on 1 April. It was a spoof produced specifically for April fools' day. It was about Hitler's activities during the war. He told me that in making the programme he examined the guidelines closely because he was worried in case any material in the programme was offensive to anyone in the Jewish community in Britain. Having checked the guidelines, he amended his programme. The programme was then watched by high-level management in the broadcasting authority to check whether the guidelines were being observed. The guidelines are frequently operated in that way. It is a careful process and, on the whole, it seems to work effectively.

Mr. Cash: Does the hon. Gentleman recall the recent court case in which the Director General of the BBC, Mr. Bill Whitney and Mr. Shaw, who is now with the Independent Televison Contractors Association, were involved? They made it clear that it was extremely difficult for the line of command to which the hon. Gentleman is referring to produce the results that he would like to see the guidelines produce.

Will the hon. Gentleman also accept that the process of taking action under the Broadcasting Act to enforce the guidelines is ineffective because it involves judicial review under order 53, which no one can use to any significant extent? In other words, self-regulation does not work. Therefore, there is an obligation on Parliament to ensure that a criminal line is drawn at the bottom.

Mr. Smith: I do not agree with the hon. Gentleman for a number of reasons, principally because the operation of the guidelines is inevitably a subjective process. There are guidelines on a number of sensitive issues on which clear-cut, black and white, easy decisions cannot be made. Difficult and delicate matters are involved and they vary according to the context of the programme and so on.

For example, the IBA has television programme guidelines on bad language. They say:

"There is no absolute ban on the use of bad language. But when used it must be defensible in terms of context and authenticity. It is one thing, for example, when such language occurs in a documentary programme, and quite another when it is introduced for its own sake in a studio production. Many people who would not be unduly shocked by swearing are offended when it is used to excess and without justification."

The key issues are the frequency of use and the context in which bad language is used. It is not easy to decide on such matters. It is difficult for a court or a judge, let alone for the DPP, to make such decisions. It is easier to make the decisions during the careful process of considering guidelines for overwhelmingly responsible programme making.

Imported broadcasting material must be considered under the guidelines, but there is a problem. Imported material is subject to the discredited Customs Consolidation Act 1876, which should be wiped off the statute book and be replaced by a new definition of obscene and indecent which relates to the definition for material produced in Britain. There are different standards, and there should be the same standard. I hope that the Government will consider legislation in the forthcoming Session to eliminate that absurd anomaly in the law, which increases the difficulty in the case of imported broadcast material or material intended for broadcasting. I am very sorry that my new clause designed to clear up that anomaly was not accepted.

1 pm

If the clause is not amended, the major problem will be that the criminal law will effectively be brought into a field where at the moment we have the guidelines and the layers of responsibility that end ultimately with the governors of the BBC and the board of the IBA. The climate for producers and programme-makers will not be improved by that process.

A number of hon. Members have referred to letters that they have received from constituents. I have received more letters from constituents opposing the Bill than from people who are in favour of it. One of my constituents wrote to me in February, saying:

"I have five children of my own, all under 20. My wife and I regard the kind of society this . . . could lead to as more objectionable, in its intolerance, philistinism and authoritarianism, than the one it is designed to rescue them from. . . . No one in his senses wants children exposed to degrading representations of sex or, even more pictorially available, violence. . . . But this bizarre . . . bill simply won't do. It can be sure of years of tiresome and implacable resistance if it becomes law. If there is anything useful any of us can do at this late stage, please let us know."

That letter graphically illustrates the problem. There is undoubtedly public concern in this area. Although in Committee the hon. Member for Davyhulme admitted that there is no evidence at all of any problem connected with radio, there is a general concern that the impact of television and radio may be deleterious to children. However, I do not believe that the clause, unamended, is the way to protect children and to make those concerns known forcibly to the programme-makers. I do not believe that legal restraint is the way to deal with such difficult, complex and subjective issues. There should be pressure, but the clause, unamended, is not one that I can support.

Question put, That the amendment be made:—

The House divided: Ayes 23, Noes 76.

Division No. 158] **[1.05 pm**

AYES

Banks, Robert *(Harrogate)*
Barnett, Guy
Brinton, Tim
Brown, N. *(N'c'tle-u-Tyne E)*
Corbyn, Jeremy
Dubs, Alfred
Dunwoody, Hon Mrs G.
Foot, Rt Hon Michael
Hargreaves, Kenneth
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Jenkins, Rt Hon Roy *(Hillh'd)*
Knight, Greg *(Derby N)*
Litherland, Robert
Madden, Max
Marlow, Antony
Mitchell, Austin *(G't Grimsby)*
Randall, Stuart
Roberts, Ernest *(Hackney N)*
Short, Ms Clare *(Ladywood)*
Skinner, Dennis
Wareing, Robert
Wheeler, John

Tellers for the Ayes:
Mr. Ian Mikardo and
Mr. Chris Smith.

NOES

Amess, David
Atkins, Rt Hon Sir H.
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Bendall, Vivian
Benyon, William
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Bright, Graham
Browne, John
Carlisle, Kenneth *(Lincoln)*
Cash, William
Chapman, Sydney
Churchill, W. S.
Clark, Dr Michael *(Rochford)*
Cope, John
Dicks, Terry
Dover, Den
Durant, Tony
Eyre, Sir Reginald
Favell, Anthony
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Grant, Sir Anthony
Greenway, Harry
Hamilton, Hon A. *(Epsom)*
Harrison, Rt Hon Walter
Hawkins, C. *(High Peak)*
Hayhoe, Rt Hon Barney
Howard, Michael
Howarth, Gerald *(Cannock)*
Jackson, Robert
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Lewis, Sir Kenneth *(Stamf'd)*
Lloyd, Peter *(Fareham)*
MacGregor, Rt Hon John
Maclean, David John
Major, John
Marlow, Antony
Mates, Michael
Mather, Carol
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mellor, David
Merchant, Piers
Neubert, Michael
Nicholls, Patrick
Normanton, Tom
Pawsey, James
Prentice, Rt Hon Reg
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Rippon, Rt Hon Geoffrey
Roe, Mrs Marion
Shelton, William *(Streatham)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Stanbrook, Ivor
Stanley, Rt Hon John
Stewart, Rt Hon D. *(W Isles)*
Sumberg, David
Tebbit, Rt Hon Norman
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
van Straubenzee, Sir W.
Viggers, Peter
Wilkinson, John
Winterton, Mrs Ann
Wolfson, Mark

Tellers for the Noes:
Mr. Robert Keys and
Mr. Geoffrey Dickens.

Question accordingly negatived.

Mr. Mikardo: I beg to move amendment No. 4, in page 2, line 10, leave out subsection (4).

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 5, in page 2, line 11, after 'article', insert

'which has been edited and is otherwise completed for transmission'.

Mr. Mikardo: Subsection (4) is very disturbing——

Mr. Churchill: Before the hon. Gentleman goes any further, may I say to those whose amendments have been selected for debate that I am willing to accept all the remaining amendments, including that of the hon. Gentleman.

1.15 pm

Mr. Mikardo: I am deighted to hear that. The effect of the hon. Gentleman's comments will be seriously to curtail the observations I was about to make. I do not now need to persuade the hon. Gentleman or the House of the validity of the amendment and of the dangers that lie within clause 2(4).

I would like, nevertheless, to say a word or two about something that may affect some subsequent amendments. The first line of clause 1(4) of the Bill, contains one of the 12 instances in the Bill in which the word "obscene" occurs. That word occurs in all the clauses in the Bill.

I would like to say a few words about that as I believe it will affect our attitude to the Bill, and perhaps relieve me of the obligation of making these points on Third Reading.

We all agree that the present law is defective in these matters, and the Bill is intended to amend the law. The evidence for the law being defective lies in the huge amount of litigation that the present law has occasioned. There have been a number of cause célèore trials which have aroused much feeling, which has cost an awful lot of money and which have taken up a great deal of time.

It was for that reason that I was absolutely delighted when I heard that the hon. Member for Davyhulme (Mr. Churchill) was bringing in a Bill to amend the present law. When I saw the Bill, I realised, as we have all realised, that his laundry list made the Bill very defective. Nevertheless, I had hoped that in the course of the Bill's proceedings, in Committee and on Report, we would manage to find a definition of "obscenity" which would enable us to amend the law in a sensible way.

I voted for the Second Reading on those grounds. I did not like the Bill as it was, but I thought that we should have the chance to amend it and perhaps have a good Bill in the end. The great problem with the present law, which has not been avoided but made worse by the Bill, is that we are required to put ourselves into someone else's mind and decide whether there is a tendency to deprave and corrupt somebody. A judge must therefore decide what went on in the mind of the reader of a book or of the viewer of a television film. It is never easy to put oneself into someone else's mind.

In one respect, obscenity is like beauty, it lies in the eye of the beholder. The line between prudery and prurience is very narrow and wobbly. We saw some evidence of that a few weeks ago when my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) moved a motion to introduce a Bill on a subject very much cognate with the Bill before us. On that occasion a number of Conservative Members behaved disgracefully and those hon. Members are supporters of today's Bill. They behaved in such a way as perfectly to illustrate the narrow boundary between prudery and prurience. They giggled in lascivious recall of what they had seen on page three of *The Sun* that morning. They reminded me very much—especially the hon. Members for Leicester, East (Mr. Bruinvels) and for Christchurch (Mr. Adley), and the hon. and highly temporary Member for Littleborough and Saddleworth (Mr. Dickens) — of a 12-year-old boy in class, lasciviously looking through his first batch of dirty pictures, peeping at them surreptitiously because they are interleaved in the pages of his algebra textbook. They were totally immature. These hon. Members support this Bill

[Mr. Mikardo]

because they believe in a high moral tone, yet when my hon. Friend the Member for Ladywood introduced her Bill they behaved in almost a lecherous fashion.

We must now—I shall be brief in view of what the hon. Member for Davyhulme has said—ask ourselves whether we have managed in the Bill to put right the defect in the present law which arises from the fact that a person making a judgment is required to put himself into the mind of a different person. I am required at my age—most judges are nearer my age than that of most other hon. Members—to put myself in the mind of a child.

Mr. Churchill: On a point of order, Mr. Deputy Speaker. Would it be in order for the hon. Member for Bowand Poplar (Mr. Mikardo) to address himself to the amendment?

Mr. Deputy Speaker: I am listening carefully to the hon. Member for Bow and Poplar (Mr. Mikardo). Nothing which he has said so far has been out of order.

Mr. Mikardo: I am obliged, Mr. Deputy Speaker. I am addressing myself to the key word, which is "obscene." I promise the hon. Member for Davyhulme that I shall not be long. If it is difficult for a judge to put himself into the mind of another adult, it is virtually impossible to put himself into the mind of a young teenager. I know that that is so. I find it difficult to understand the moves of my grandchildren and I sometimes find it difficult even to understand their language. The generation gap is widening all the time, and when it is a double generation gap it is extremely wide.

I do not know what will tend to deprave and corrupt a 15-year-old. I do know that many 12, 14 or 15-year-olds know a great deal more about life than I did when I was 12, 14 or 15 years old. The attitudes of young people these days are different from those which obtained when I was young. Young people are very informed and they receive a wider education in many areas than we did. They read much more widely and the situation is entirely different now from what it was previously.

We are not living in a Victorian world although there is much talk these days about returning to Victorian values. It should be understood that there was far more prurience in Victorian times than there is now. The mixture of prudery and prurience in Victorian times is illustrated by the fact that they put cloth round the legs of grand pianos because they thought that the legs could deprave and corrupt. What rubbish it all was.

I am grateful to the hon. Member for Davyhulme for his willingness to accept the amendment. With all respect to him, I think that the Bill still remains gravely defective. I do not blame him for not having found the magic formula which would make good law instead of the present law. One day there may be Members of this place who are cleverer than we are—things may become easier with a change in the climate of the times 10 or 15 years hence—and the stage may be reached when we can make an improving amendment to the present law. To my deep regret, I do not think that the Bill is an improvement.

In view of the observations of the hon. Member for Davyhulme, I beg to ask leave to withdraw the amendment.

Mr. Deputy Speaker: Is the hon. Member telling me that he is not moving the amendment?

Mr. Mikardo: I cannot tell you that, because I have moved it, but I also observe that the hon. Member for Gravesham (Mr. Brinton) is seeking to speak and I do not want to prevent him from doing so.

Mr. Deputy Speaker: The Question is, That the amendment be made.

Mr. Greg Knight: On a point of order, Mr. Deputy Speaker. My hon. Friend the Member for Davyhulme (Mr. Churchill) said that he was prepared to accept all the amendments on the Order Paper which were to be called. I wonder whether the House could receive some clarification from my hon. Friend regarding what he has said. With regard to this bunch of amendments, the amendment which has just been moved seeks to omit subsection (4) from the Bill and the amendment in my name, amendment No. 5, seeks to amend subsection (4). What is my hon. Friend the Member for Davyhulme actually offering the House?

Mr. Deputy Speaker: Perhaps the hon. Member for Davyhulme would like to clarify the position?

Mr. Churchill: When I said that I was prepared to accept all the amendments that had been selected, the effect of accepting amendment No. 4 would mean that amendment No. 5 would fall.

Mr. Mikardo: Further to that point of order, I apologise to you, Mr. Deputy Speaker and to the House. I was in error. The hon. Member for Davyhulme cannot accept the amendment unless it has been moved and he cannot accept it if it is withdrawn. Therefore I was wrong in suggesting that I should seek leave to withdraw the amendment. If there are hon. Members who wish to speak I do not wish to interfere.

Mr. Deputy Speaker: In case the House is confused, we have now reached the position where amendment No. 4 has been moved and we are therefore discussing amendment No. 4 together with amendment No. 5, and if any hon. Members rise I shall call them.

Mr. Austin Mitchell: Further to that point of order, Mr. Deputy Speaker. Thank you for the clarification. However, I still have a problem because I do not understand the distinction. Amendment No. 4 leaves out subsection (4) but amendment No. 5, which will presumably be selected and will presumably be moved if we are to discuss it, leaves out a part of the subsection. I still do not understand what we are actually leaving out.

Mr. Deputy Speaker: This is a well-known procedure in the House. The discussion is taking place on amendment No. 4. We are discussing amendment No. 5 with that. It is perfectly in order to discuss both of them in this debate. When the debate concludes I will, of course, put the Question on amendment No. 4, which is the substantive amendment being discussed. The House will then have an opportunity to come to a conclusion on that, unless it is withdrawn.

Mr. Brinton: I will console my hon. Friend the Member for Davyhulme (Mr. Churchill) by being brief. I rise, if I have understood the technicalities correctly, to speak in favour of amendment No. 4 which my hon. Friend the Member for Davyhulme has already accepted, so I will withdraw my own amendment. It is my understanding of subsection (4) that anyone found in possession of what is defined in the Bill as an "obscene

article" would be assumed to have it in his or her possession for gain. That needed clearer definition hence my amendment No. 5.

The editor has to edit the film and the cameraman has to shoot it, but if either of them are found to be in possession of the shots that went the wrong way at the wrong time, they could be found to be in possession of film or tape for gain.

Gain poses another problem. As far as I am aware, the BBC does not try to make a profit out of its normal operations in Britain—it uses licence payers' money. Who is considered to gain? I can understand the idea if any individual uses material for criminal gain on the black market, but will the staff producer or staff cameraman on a salary be considered to gain? I could have hoped that my hon. Friend the Member for Davyhulme would have defined more clearly who is responsible.

1.30 pm

Mr. Mikardo: I take the hon. Gentleman's point, but there is an even worse element. Clause 1(4) weakens, if it does not break, the principle that a person is presumed innocent until proven guilty. There is such a thing as an offence of possessing goods knowing them to have been stolen. If anybody proposed that the law should provide that anybody who possesses stolen goods should be presumed to know that they have been stolen, every lawyer in the country would scream his head off in protest.

Mr. Brinton: I am grateful to the hon. Gentleman. I was about to argue that point, but will no longer do so as he has put it much more fluently than I could. I hope that my hon. Friend the Member for Davyhulme will realise that there should have been a definition of who is responsible. It might be the governors of the BBC, the members of the IBA or the director-general.

Mr. Austin Mitchell: I want to speak to the amendment, not to bury it—which seems to have been the original assumption—but to praise it. I am still puzzled about the distinction between amendment No. 4 and amendment No. 5 and the effect on the Obscene Publications Act 1959, as amendment No. 5 would appear to narrow the scope more satisfactorily.

Mr. Brinton: I have been a bit confused by the procedure, but my understanding is that, if amendment No. 4 is accepted, amendment No. 5 will fall. I rashly said that I proposed to withdraw my amendment. Perhaps I had better wait and see as the debate might change hon. Member's minds and my amendment might be accepted.

Mr. Mitchell *rose*——

Mr. Deputy Speaker: Order. Perhaps I can help with the procedural point. The hon. Member for Gravesham (Mr. Brinton) is right. If amendment No. 4 is agreed to, amendment No. 5 falls, but if amendment No. 4 is not agreed to and the hon. Gentleman wishes the House to make a decision on amendent No. 5, I shall be preapred to allow a Division on it.

Mr. Mitchell: I am most grateful, Mr. Deputy Speaker. That clarifies matters in regard to the withdrawal or pursuance of the amendment. I should now like to ask about the effect on the Obscene Publications Act 1959. By defeating amendment No. 1, the hon. Member for Davyhulme (Mr. Churchill) has made the Bill unacceptable to me. I support the Bill in practice and principle, but I cannot accept the interference with broadcasting institutions that is implicit in clause 1. Our amendment was a satisfactory way of dealing with that problem, by removing the broadcasting organisations—

Mr. Deputy Speaker: Order. The hon. Gentleman is now harking back to an amendment that has already been dealt with. He must deal with this amendment, which is concerned with publication for gain.

Mr. Mitchell: I am most grateful to you, Mr. Deputy Speaker. That is absolutely correct. However, the failure of the amendment means that the Bill is now unacceptable. I wanted to support the Bill, but because of the failure of that amendment I am now unable to do so.

Subsection (4) demonstrates the difficulties involved in interfering with the broadcasting institutions by means of legislation. Who is to say at what point the interference shall stop, or at what point the material becomes ready for transmission, or at what point it becomes subject to control? The broadcasting organisations have in their possession parts of programmes that might be considered to be obscene but which form a contributory element to the overall programme. They are there as part of the editing and stitching together of a programme in the process of building it up. However, part of that material could be regarded as obscene.

Mr. Chris Smith: Does my hon. Friend accept that unless subsection (4) is removed from clause 1 the whole purpose of the Bill is likely to be negated? In the very act of looking at what might be deemed to be obscene and indecent, the programme producer is bound to have in his or her possession material that he or she is considering. The object of the Bill is to encourage that process.

Mr. Mitchell: I am most grateful to my hon. Friend, who is correct. However, my point is that the fact that subsection (4) ought to have been included in the Bill illustrates the extreme difficulty about legislating to remove the television and broadcasting exemption. When that principle is accepted, which is what the Bill does, it is difficult to know at what point the interference will stop and at what point it will begin.

I recall examples of such material. They were not included in the nightly magazine type of programme with which I was concerned. That material was suitable and, indeed, compulsory for family viewing in Yorkshire. It was an extremely important and entertaining current affairs programme. However, material for other programmes that were intended to be broadcast late at night could, at different stages of its production, have been regarded as obscene. Had this clause not been removed it would have made the assembly of such a programme extremely difficult. That illustrates the difficulty of legislating to cover broadcasting material.

What will be the effect of removing this subsection upon the existing legislation? I presume that we shall return to the status quo ante and that the Obscene Publications Act 1959 will apply. We shall have to consider at what stage the broadcasting exemption is to be applied. Somebody who makes a programme for transmission is making it for gain. The gain may be to the cameraman, whose wages will be paid, or the independent producer may gain, in the sense that his contract may depend upon the programme. Under the obscene publications legislation, the possession of obscene material for gain is an offence.

[Mr. Mitchell]

We have to ask at what stage the broadcasting exemption will be introduced if this subsection is removed. One therefore has to consider whether the definition that is included in amendment No. 5 will deal with this problem more satisfactorily than the removal of the subsection, which is the intention of amendment No. 4. It is important that the Minister should tell us the effect of removing that subsection.

Mr. Brinton: Perhaps the amendment is too indirect and I should have written it more carefully. I was trying to achieve the position that once a programme has been edited, is ready for transmission and has become in every sense the property of the BBC or the programme company, the poor old DPP will know exactly who to go for, whereas earlier the BBC or programme company might be able to deny responsibility.

Mr. Mitchell: That makes the point clear and I can accept that. He is saying that the exemption of broadcasting material from the Obscene Publications Act 1959 becomes effective at the point when an edited programme is ready for transmission. That is a clear and satisfactory definition which is workable.

The problem is what happens to the material before that. We are now making that material subject to the Obscene Publications Act 1959. We all know that putting together a television programme is in some senses like building a Meccano—there is a collection of bits to put together. Those bits, some of them individually, could be indecent or obscene and all of them have been produced for gain in the sense that the people employed on them are either paid wages to produce them or are working on a contract to produce them and so make a gain from the production of that material. Therefore, they come under the 1959 Act. Any one bit, construed on its own could be indecent. Each is part of an entity which must be judged as a whole rather than in bits, but possession of the particular bits creates a danger. That is the difficulty in which we find ourselves as soon as we start trying to extend the legislation in this kind of way. Problems are created for the individual possessing particular bits.

I hope that the Minister will be able to set my mind at rest on that. I would rather not be in this position. I would rather not have extended the legislation to broadcasting and television but that is what we have decided to do and that is the position that we must now face.

I can remember people working in television who have taken material home or have put it out to production units, and where a programme has been put together bit by bit, Indeed, I can remember occasions where particularlysalubrious bits have been strung together in a Christmas film at which everybody giggles, nudges and winks and which is a great social occasion and a bit of fun. Nothing is seriously intended for publication but the material has been produced for gain, and is part—perhaps a discarded part—of a programme which needs to be viewed as a whole.

What happens to such material and what happens to the material which is used in the programme in its incomplete state? What happens in the labs and in the editing? What happens if any pieces are taken out of the studio by those working on the programme? What happens if material is sent out to an independent unit? Large numbers of editors up and down the country are working on material under their own steam at home, using their own video facilities. They may have facilities built on to the house. What will happen to them and the material under the Bill? That is the nightmare which we are facing.

Mr. Brinton: The hon. Gentleman has forced out of me an admission that I had hoped to withold. In 1962 I was the first newscaster on television to be seen nude fully frontal on the screen. That happened on a recorded programme before the days of editing. I was doing a programme about Turkish baths, the logical end to which was that I whipped off my towel, jumped into the pool and swam across. The programme's director promised me faithfully that he would cut from camera one to camera two at the appropriate moment. His finger slipped, he was a little late and there I was for a second or so in all my splendour. Had my hon. Friend's Bill or any sort of Bill against nudity been in operation I might have been sued, the director might have been sued or, should it have been the managing director of the company? That is the problem.

1.45 pm

Mr. Mitchell: I suppose it depends upon whether that was regarded as a news flash or a shock horror probe. If the material is rescreened, I hope that the hon. Gentleman will not ask me to endorse it publicly in the way in which so many of his colleagues endorsed the nudes in *The Sun* recently. That illustrates the problem.

I have featured in Christmas films in the intimacy and privacy of the BBC or ITV studios in which material has been put together, much of it harmless, to make it humorous and, in some cases it was indecent. All of that material has been produced for gain, I submit, under the definition of the Obscene Publications Act 1959.

Mr. Dickens: Does the hon. Gentleman accept that the rug has been pulled out from under his feet and from under the feet of my hon. Friend the Member for Gravesham (Mr. Brinton)—two hon. Members who have had close connections with the television industry for most of their lives—when the sponsor of the Bill has accepted every amendment tabled thus far through to the end of the debate? Now, the hon. Member for Great Grimsby is struggling and throwing foolish reasons forward. Judges and jurors are sensible people. They can decide where the blame for material lies and if it is inadvertently put into the wrong hands. Do you accept that he has been embarrassed and that he is now clutching at straws to try to sink the Bill which has satisfied every amendment thus far?

Mr. Mitchell: I am sure that you are not struggling, Mr. Deputy Speaker. I am not struggling. I can see that the hon. Member for Littleborough and Saddleworth is struggling to reconcile his endorsement of nudes on page three of *The Sun* with his stand on other matters of public decency. I wonder what position his constituency party took on that endorsement.

Mr. Hayes: I hesitate to disagree with my hon. Friend the Member for Littleborough and Saddleworth. However, I prosecute and defend obscene publications cases—I have probably seen more pornographic films than most hon. Members—and I do not think that I am depraved or corrupted. One of the reasons why the Obscene Publications Act 1959 has failed is that jurors differ from

county to county and from court to court. That is one of the difficulties, and often jurors are not the best people to decide. There is no consistency.

Mr. Mitchell: That is exactly the point I am making. There is no consistency. When one accepts the general principle of interference, one opens up a Pandora's box which it is difficult to regulate or control because the pattern becomes haphazard.

As for having the rug pulled from under me, my understanding of the speech of the hon. Member for Gravesham is that the rug was pulled from off him. I do not accept that the rug has been pulled from under me. I made clear my support for the general principle of this Bill. I cannot accept the interference in the broadcasting organisations and in the principle of self-discipline and self regulation, which is implicit. I asked the hon. Member for Davyhulme (Mr. Churchill) to withdraw amendment No. 1 and the rest of the Bill could go through without any particular problems. He did not do so. We are left with a Bill, the centre and dangerous part of which, is to allow interference in broadcasting institutions. The rest of the amendments to the Bill are acceptable and satisfactory. I am prepared to support them and there is strong public demand for them. However, under the guise of concern about violence we are creating a situation of unpredictable interference in the broadcasting organisations.

Mr. Deputy Speaker: Order. The hon. Gentleman is again harping back to a previous amendment. We must talk about subsection (4), which relates to publications for gain.

Mr. Mitchell: I apologise. That is correct and I am sorry that I was drawn to that area. I have to explain my position.

Subsection (4) is straightforward. What are we opening up by removing the section? Once we accept the principle of interference, what scope will be left for inference with the broadcasting organisations, not just on the general principle of the programmes but on bits of the programmes before they are put together? Is this an attempt to hamstring the broadcasting organisations by acting on particular sections of programmes because they can be construed as coming within the context of the Obscene Publications Act 1959?

Those bits might be intended for a different whole, but as bits they might be indecent or obscene because they have been created for gain. Gain is implicit in the making of a programme.

It is wrong of the hon. Member for Littleborough and Saddleworth to get up in a flush of moral indignation and denounce me for expressing a realistic anxiety. We must be rational about legislation. It is no use making emotional gestures and rushing into spasms of activity. Our job is to use our reason, to evaluate legislation and to ask whether it is the most effective way of dealing with a problem.

I think that the measure is inadequate and fails in this instance. I am right to express my concern, I hope that the Minister can set our minds at rest and tell us what will happen to bits under the 1959 legislation.

Mr. Chris Smith: The hon. Member for Littleborough and Saddleworth (Mr. Dickens) in his intervention seemed to say that by the sweeping acceptance by the hon. Member for Davyhulme (Mr. Churchill) of all the amendments, the House has been relieved of a problem. It has not. Accepting the amendments in such a rush is proof of the problems that the legislation presents. The hon. Gentleman has said that he wishes to accept amendment No. 4, tabled by my hon. Friends and that, automatically, amendment No. 5, tabled by the hon. Member for Gravesham (Mr. Brinton), will fall as a consequence.

I have considered the two amendments carefully and in spite of all the respect that I have for my hon. Friends I believe that amendment No. 5 addresses itself better to the problem than amendment No. 4. I am faced with a considerable problem.

The key principle with which the amendments attempt to deal is whether a programme maker, when assembling the bits of a programme, will be liable under the Obscene Publications Act for the content of all those bits, whether or not they are to be shown on public television. It cannot be right that a programme-maker when putting together a programme, when assessing all the bits of footage shot for that programme and when examining archive material, should be liable under the Obscene Publications Act. It cannot be right that he should be liable for every single bit in his possession, even if it is not to be shown. The principle is clear. The measure should cover only items which are actually shown or on the point of being shown on television. That seems to be the fair way.

Mr. Austin Mitchell: I cannot understand my hon. Friend's reasoning. Why should that be the point at which material becomes immune? The component parts are as important as the whole and the threat to broadcasting can come from attempts to prosecute before the parts become a coherent, developed programme. Is not there a threat to the material before it is assembled?

Mr. Smith: My hon. Friend misunderstands me. My anxiety is that in the putting together of all the parts of the programme, the programme maker should have as wide a range of material as possible available to him. The material that he is considering should not automatically be liable for action under the Obscene Publications Act. Only when the material has been put together and is about to be shown should such considerations arise.

The removal of subsection (4) would leave us with subsection (5) which refers to publication of material that "was to take place in the course of a television or sound broadcast".
That presents the same problems as subsection (4). That is why I prefer amendment No. 5, which makes it clear that articles for broadcast that are to be subject to the Obscene Publications Act should be those that have been edited and are complete for transmission.

Inadequate as subsection (4) is, its removal will still leave us with a problem, because of the wording of subsection (5). However, if subsection (4) were amended by amendment No. 5 the intention of the House would be made clear.

Mr. Greg Knight: The hon. Gentleman is making heavy weather of this point. I hope that he will accept the offer of my hon. Friend the Member for Davyhulme (Mr. Churchill) to accept amendment No. 4. Subsection (5) says:

"Proceedings . . . shall not be instituted except by and with the consent of the Director of Public Prosecutions"

and it refers to publication that

"was to take place in the course of a television or sound broadcast".

[Mr. Greg Knight]

Therefore, could not it be validly argued that an unedited film was not

"to take place in the course of a television . . . broadcast"

because some scenes would be edited out?

Mr. Smith: The problem lies in being able to prove such matters to the court or to the Director of Public Prosecutions. The burden of proof placed on the programme makers would be considerable. That is why I think that amendment No. 5 would be preferable to the deletion of subsection (4). I must therefore express my concern at the way in which the hon. Member for Davyhulme has simply grasped at one amendment, although the other, which would be preferable, would be effectively ruled out of consideration if it were accepted.

2 pm

Mr. Mellor: I share with my hon. Friend the Member for Derby, North (Mr. Knight) a slight sensation that rather heavy weather was made of the amendment in the Mutt and Jeff act between the hon. Member for Great Grimsby (Mr. Mitchell) and the hon. Member for Islington, South and Finsbury (Mr. Smith). Frankly, not much turns on subsection (4), and I am not sure that we should get very excited about whether it is included in the Bill. It states only that someone

"who has an obscene article in his ownership, possession or control with a view to its being shown"

shall be deemed to have that article for publication or gain.

If the subsection is removed, the fact that he has that article in his possession for publication or gain will have to be proved; it will not be assumed.

I am well aware that parts of the 1959 Act have caused difficulties and are much criticised. However, there is a similar provision in the 1959 Act in relation to books, magazines and cinematograph film, and it has not caused any difficulty. Perhaps a somewhat disingenuous attempt is being made to hoist my hon. Friend the Member for Davyhulme (Mr. Churchill) on Morton's fork. He thought that it would be sensible to include subsection (4) on the basis that it reproduces for television the precise provisions of the 1959 Act that already apply elsewhere. He was told by those who seem to want to stop the progress of the Bill that he should remove subsection (4). Having agreed with them, he is then criticised for doing so. For whatever reasons people may oppose the Bill, no one believes that much turns on subsection (4), because it does not.

Mr. Dubs: The Minister's brief speech has not clarified matters. I have one or two doubts about what he has said. At this late stage in the debate, we owe it to ourselves and those whom we represent to be clear about what the amendment will do. When I first read subsection (4), I thought that what it sought to do was to overcome a defect which is in the Bill but not in the guidelines, and catch people at an early stage before an item has been shown. The danger of the Obscene Publications Act is that it tends to catch people retrospectively. I understood that subsection (4) was intended to overcome that and to ensure that if there was any belief that an obscene film or obscene footage for a film was in the possession of a television company, that would be an offence. Action could then be taken before the film was shown.

That was a worthy aim, but it seemed to me that the consequences of the measure might extend well beyond that simple intention. I have therefore listened carefully to the relative merits of amendments Nos. 4 and 5 in order to decide which of the two was more satisfactory. I am not very knowledgable about how television companies work, but I believe that there may be dangers in holding them liable to have committed a criminal offence when the procedures and the safeguards within the television company have not yet been brought into play. As the hon. Member for Gravesham (Mr. Brinton) has said, they might inadvertently have some footage that could be deemed to be obscene and which the television contractors, if not the producers or the authority, would not have allowed to be shown. However, it might be possible for someone to be found guilty before those procedures and safeguards had been implemented—or at least for them to be brought to court. That is a difficulty and that is why the deletion of subsection (4) might be the sensible way to prevent this happening.

The parallel with printed material is not a good one, and that is because of the complexities of the procedures within television companies, for which there is no equivalent in the case of publication of a book, where there are only two decision-makers, the author and the publisher. With television material there might be several sets of decision-makers. In the earlier debate, I said that the IBA had prevented the showing of certain films and on that point I shall turn to the possible effect of section 5. Let us suppose that the IBA is considering the showing of a feature film which has come to the IBA with a view to it being shown. I suspect this means it would come within the provisions of amendment No. 5 because it would have been edited and ready for transmission. At that point the IBA would still be about to go through the stage of looking at the film to see whether it was suitable.

Mr. Brinton: My view is that amendment No. 5 could be invoked, but it is much more interesting to cast one's eyes ahead to amendment No. 7. It covers the position about feature films.

Mr. Dubs: I thank the hon. Gentleman for clarifying that point. At any rate those are my reasons for thinking that the inclusion of subsection (4) in its entireity poses undersirable dangers and is unnecessary. In relation to subsections (4) and (5) I am not totally convinced either way. Either of them would be acceptable and preferable to leaving subsection (4) in as it stands.

Amendment agreed to.

Mr. Greg Knight: I beg to move, Amendment No. 7, in page 3, line 6 at end insert—

'(7A) No order for the forfeiture of the said article shall be made if the owner can show that the said article is capable of being shown, played or broadcast in an edited form with the offending scene or scenes removed.'.

In the light of the comments made by my hon. Friend the Member for Davyhulme (Mr. Churchill) I intend to be brief. I am pleased that my hon. Friend has given an undertaking to the House that he is prepared to accept this amendment. The essence of the amendment is to limit forfeiture and some of the points that I had proposed to make were made in the previous debate. Film can be edited but obscene magazines can not.

My next point is that even if a film, when edited, is obscene, if the obscenity is not the central theme but is incidental to the film why should the whole article be forfeited? Why should we not allow those in possession of the film to use an edited version that is still a saleable

product? If the obscenity takes up 10 minutes and the running time of the film is perhaps one to one and a half hours, it is reasonable to allow that film to be retained and not to be forfeited. I am grateful that my hon. Friend has accepted that. The earlier point made by the hon. Member for Battersea (Mr. Dubs) is valid here. If, for example, the BBC buys a film for broadcasting and decides that some scenes in the film are not suitable for transmission, I should not like to see the BBC having to forfeit that film even though no scenes of obscenity were to be broadcast.

Mr. Austin Mitchell: I doubt whether this threat can be used as a means of forcing re-editing or censorship of existing films. If the amendment is accepted does the hon. Gentleman see a possibility of it being used in that way?

Mr. Knight: No. I see the amendment only as a limit on the right of forfeiture. That is all that it is intended to be. It would prevent films from being seized that could be re-edited, or that are perhaps intended to be re-edited before being shown to the public.

With those brief comments, I commend the amendment to the House.

Amendment agreed to.

Clause 2

SPECIAL TEST OF OBSCENITY IN RELATION TO PERSONS UNDER THE AGE OF 18

Mr. Dubs: I beg to move amendment No. 12, in page 3, line 17, leave out '18' and insert '16'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 15, in page 3, line 32, leave out '18' and insert '16'.

No. 16, in page 3, line 40, leave out '18' and insert '16'.

No. 17, in page 3, line 42, at end add

'; except that this provision shall not apply in circumstances where the visibility or access is available solely by reason of a person's employment at a place of publication.'.

No. 18, in page 4, line 2, leave out '18' and insert '16'.

No. 24, in title, line 4, leave out '18' and insert '16'.

Mr. Dubs: All the amendments seek to make one change to clause 2. We wish to change the age of 18 to 16 throughout. Of course, clause 2 deals with printed material and specifically with pictures. Its intention is to have a more rigorous test for those age under 18 for material that might be obscene or that might have a tendency to deprave or corrupt. A difficulty arises if the cut-off comes at the age of 18, because a jury would have to look differently at material seen by those aged under 18. It is particularly difficult to draw the line at the age of 18. We would all be very reluctant to allow children to see certain printed material and pictures, but the maturity of teenagers and the responsibilities that come to them both legally and in fact from the age of 16 onwards, make it difficult for any jury to decide that some material is unsuitable for viewing by those aged under 18 — for example, by a 17-year-old—but all right for those aged 18 or over. If I was a juror and had to make that decision, I would not know how to react.

Of course, there is some material that should not be published, but we are talking about material that is deemed to be all right for adults but not for children. If the cut-off line was drawn at the age of 16, it would be much more sensible.

Mr. Cash: The hon. Gentleman had a simple argument to put. Now that he has put it, will he be good enough to allow us to proceed with the rest of the Bill?

Mr. Dubs: I have been on my feet for only two or two and a half minutes. It is not always obvious that I have been so quickly persuasive as the hon. Gentleman now suggests.

Mr. Austin Mitchell: Unlike the hon. Member for Stafford (Mr. Cash), I cannot follow the logic of the argument. If a jury was asked to assess the effects of such material on a juvenile, it would have to undertake a mind-boggling feat of imagination that would be difficult for any jury, whether the age involved was 15, 16, 17 or 18. Is it not more logical to accept the conventional age of majority, 18, and to say that adulthood begins there? I see no point in splitting hairs or in lowering the age to 16 or 17. What is the logic in inserting the age of 16, when we all now know that the age of majority is 18?

Mr. Dubs: I understand my hon. Friend's point, but I do not agree with it. Ultimately, one must take a subjective view of the issue. If I had to serve on a jury, I would find it almost impossible to draw any distinction between the suitability of material for 18-year-olds and the suitability of material for 17-year-olds. The younger the age at which one has to make the distinction, the easier, in some ways, it becomes. That is the purpose of the amendment. After all, the age of consent for heterosexual behaviour is 16. That assumes a certain maturity, and I am applying that criterion to this set of amendments. That is why, on balance—it is a difficult balance to draw—I prefer the age of 16 for the purposes of clause 2

2.15 pm

Ms. Clare Short: I support these amendments for the simple reason that it is crazy to allow people to marry at 16 but to prevent them from buying at their local newsagents whatever porny magazines we unfortunately produce in this country.

I have very little patience for the Bill or for those who support it. I do not believe that it will deal with the major problem in society which is worrying people. The Bill's first clause, applying the Obscene Publications Act 1959 to television, will not do much to change anything broadcast on television. It will simply create great uncertainty for the makers of television programmes. We all know that things that are found to be obscene are so extreme that nothing produced on television would be caught within that definition.

The second part of the Bill provides that if porny magazines are supplied, if the amendment is accepted, to anyone under 16, or displayed in a place to which under 16-year-olds have access, there will be a test as to whether these magazines will deprave or corrupt an under 16-year-old.

The likely effect of that is that the porny magazines that are displayed in newsagents will be put in packages. I believe that that would be welcomed, but it is a minor thing. In the meantime, every day of every week, of every year, more than 10 million pictures of naked women deliberately posed in sexually provocative ways are circulated up and down the land to men, women and children. These pictures are seen by at least double that number of adults and by many children. They have a really damaging effect on the population. That is the view of thousands of women.

[Ms. Clare Short]

The hon. Member for Davyhulme (Mr. Churchill) said that he had received nearly 1,000 letters. I have received 3,052 letters and messages of support. Of those, 2,000 were from women and 1,000 from what I would call decent men. Of these letters, 1,241 came from a wide range of organisations — Tory organisations, church organisations, Labour party organisations and trade unions. Spontaneous petitions were collected in towns, cities and villages by women, and these were often supported by men.

Mr. Austin Mitchell *rose——*

Ms. Short: These petitions were supported by men. I shall give way briefly to my hon. Friend, but I wish to complete my point.

Mr. Mitchell: I would like to inquire whether I would come within my hon. Friend's category of decent men? My hon. Friend might like to know that one Conservative Member who did express support for the page 3 girls was criticised by a group of Conservative associations. That was the hon. Member for Littleborough and Saddleworth (Mr. Dickens).

Mr. Deputy Speaker: Order. I realise that the hon. Lady is completing her preamble, but we must deal with the amendment. It covers a fairly narrow point — whether the age should be 18 or 16.

Mr. Dickens: On a point of order, Mr. Deputy Speaker. I have been named by the hon. Member for Great Grimsby (Mr. Mitchell). Whatever views I might have about *The Sun* newspaper, which I deplore the hon. Gentleman bringing into this debate——

Mr. Mitchell: I bet you do.

Mr. Dickens: —I would like you to know, Mr. Deputy Speaker, that *The Sun* newspaper——

Mr. Deputy Speaker: Order. I have allowed both the hon. Gentlemen to get that matter off their chests. We must now return to the amendments.

Ms. Short: I am discussing the effect of the amendment and what it will allow under 16 year olds to see or prevent them seeing, and what will be and what will not be prosecuted. That is a very important consideration of the Bill as amended.

I received a little more than 50 letters of opposition, 36 of which were obscene. These letters were interestingly obscene in that they followed a pattern. They tended to say "Get lost with your silly proposal," or "You only want to get rid of page 3 because you are jealous".

Mr. Deputy Speaker : Order. The hon. Lady must be fair to the House and to the sponsor of the amendment. She must not discuss another Bill. She must discuss the Bill under consideration and the amendment.

Ms. Short: I shall explain the way in which I am seeking to discuss the amendment, Mr. Deputy Speaker. I am trying to discuss what the amended Bill will provide and what will be allowed to be circulated to those under 16 years of age and what will not. I believe strongly that the distortion of attitudes towards women and towards sex throughout society stems from the mass circulation of pictures of naked women posed deliberately in provocative ways. These pictures are circulated in schools and in homes and are commonly to be found on kitchen tables, for example. The problem is glaring and massive. Conservative Members claim to support the Bill, a measure that will have only a marginal effect if it is enacted, yet they are opposed to what I am trying to do. I asked the Government Chief Whip not to oppose my proposal and I received a letter from the Under-Secretary of State for the Home Department——

Mr. Deputy Speaker: Order. I must ask the hon. Member for Birmingham, Ladywood (Ms. Short) to pay attention to what I am saying. She is being unfair to the House. The amendment before us is a narrow one and the hon. Lady is trying to discuss another Bill, which is grossly out of order. I ask the hon. Lady to take notice of what I am saying.

Ms. Short: Of course I take notice of what you are saying, Mr. Deputy Speaker. You are saying that I must discuss the Bill that is before the House.

Mr. Dickens: The amendment.

Ms. Short: Very well, the amendment to the Bill. The clause provides that certain kinds of porny material cannot be supplied to young people. If the amendment is agreed to, it will be illegal to supply this material to those under 16 years of age, or made available in places where they can obtain it. If it is made available, the test of whether it is obscene will be whether it is likely to deprave and corrupt those under 16 years rather than adults.

Mr. Chris Smith: Does my hon. Friend agree that much of the material about which she is speaking is available through daily newspapers with mass circulations to those who are between 16 and 18 years of age, to which the amendment specifically relates?

Ms. Short: I agree with my hon. Friend. Surely it is in order to say that the ill that the clause is trying to remedy will not be dealt with fully by the clause as amended. Surely I can argue that the amendment will improve the clause. I have sat in my place since this morning because I wanted to comment on this part of the Bill. I had views on the earlier amendments but I did not intervene because I felt more strongly about the latter part of the Bill and did not want to take the time of the House by making constant speeches. I am now attempting to make a serious contribution and I am not trying to detain the House. I intend to conclude my remarks before 2.30 pm. Bearing in mind the sort of speeches that have been made, it is surely reasonable for me to ask to be allowed to make my speech.

The Bill's approach, and especially that of the clause, even as amended, is mistaken. There is a problem throughout the country, and women especially are agreed that it exists. There is a decadent attitude to sexuality that is spreading and growing. It is fed by the soft porn that appears in newspapers, which are distributed throughout the country. The definition of "deprave and corrupt" is a bad one. Hon. Members on both sides of the House have said that the present obscene publications law does not work well. If we add to it through the Bill, it is still not likely to work well. We need to move in another direction. We must move against material that degrades women and human sexuality. That might be a healthier concept.

The Bill will make no difference to the obscenity law. It is not good enough for the hon. Member for Surrey, South-West (Mrs. Bottomley) to say that there is a

problem, that people are worried about the mounting tide of sexual crime, that we must do something about it and so we shall agree to any inefficient piece of legislation that is introduced and throw it at the problem to try to pretend to the public that the problem is being dealt with. That is how I see the Bill and the provisions contained within it.

The hon. Member for Davyhulme was not prepared to act on the mass circulation of pictures of naked women in newspapers. It makes me——

Mr. Jeremy Corbyn (Islington, North) *rose——*

Mr. Deputy Speaker: Order. The hon. Member for Ladywood was back on track until a moment ago. I invite her to return to the amendment.

Ms. Short: I give way to my hon. Friend the Member for Islington, North (Mr. Corbyn).

Mr. Corbyn: Is my hon. Friend aware that many of those who write to Members of Parliament are far more concerned about the degradation of women in popular newspapers, which make a great deal of money from so doing, than about other issues that have been raised by the hon. Member for Davyhulme?

Mr. Deputy Speaker: Order. I am sure the hon. Lady will not be tempted to answer that. It is not in order on this amendment.

Ms. Short: My hon. Friend the Member for Islington, North makes his own point and I agree with him. As it is out of order I shall not go down that road.

I asked the hon. Member for Davyhulme to incorporate in the Bill my concern about women's degradation—it is a fight I have been trying to wage—but the hon. Member refused to do so. Many Conservative Members who support the Bill have refused to embrace this issue. We are left with a fairly useless Bill which does not deal with the major problems which we face and, indeed, it looks as if the Bill will not be passed. That is regrettable.

Mr. Churchill: I am obliged to the hon. Lady. I understand her strength of feeling and her grounds for concern. What I find difficult is that, on one hand, the hon. Lady wishes to deal with a much milder form of offensiveness, namely, female nudity, but is not prepared to vote against the explicit pornographic magazines which are made readily available to children and young persons.

Ms. Short: The hon. Gentleman is wrong. I support clause 2, as amended. I regret that the hon. Gentleman did not take the opportunity of his success in the ballot to deal with the most glaring problem, which is distorting attitudes in society. Instead, he has acted against pornographic magazines which are seen by only a small proportion of the population. However, I did support clause 2, as amended.

I have been unable to say all that I wanted to say today. I had hoped that we would reach the Third Reading and then I would have been able to make the speech I had intended to make. Today, the hon. Member for Davyhulme and many of his colleagues have been exposed by the contrary positions they have taken on of the issues in the Bill. They claim to be against pornography and obscenity, yet they will not act against the worst element of it in our society. That is regrettable and it is regrettable that the hon. Member for Davyhulme did not introduce a better Bill.

Mr. Mikardo: My hon. Friend the Member for Battersea (Mr. Dubs) was in error in one respect when he moved the amendment. My hon. Friend said that amendment No. 12 and the other amendments in the group are concerned with the reduction of the relevant age from 18 years to 16 years. That is not quite right.

Amendment No. 17 makes a separate point. The clause as it stands provides that if a picture available is in a place where a young person may be which may deprave or corrupt that young person, an offence is committed. In general, I agree with that. Amendment No. 17 has become less important with the change from 18 years to 16 years. Many 16 and 17-year-olds may have left school and be working in places where such pictures are available.

It would be absolutely wrong for anybody to be guilty of an offence merely because such a picture is available, not for the purpose of selling it to young people, but because the young person was around that place in the course of his employment. It is true that, by reducing the age to 16, we have cut out the 16 and 17-year-olds working in a particular place.

Mr. Dickens: On a point of order, Mr. Deputy Speaker. I have just received a voting list and would like your guidance. The right hon. Member for Glasgow, Hillhead (Mr. Jenkins) and the Leader of the Opposition have joined in the filibustering on this Bill, which seeks to protect children. Last week, they were both telling the House that Sunday trading——

Mr. Deputy Speaker: Order.

Mr. Dickens: Can I finish my point of order?

Mr. Deputy Speaker: What is the point of order?

Mr. Dickens: Last week they were telling the House that the shops issue was the greatest moral issue that the country had known.

Mr. Mikardo: You know very well, Mr. Deputy Speaker, that that is not a point of order. It was not relevant to the discussion but, apart from that, it was a very good intervention.

Mr. Churchill *rose in his place, and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—
The House proceeded to a Division:

Mr. Chris Smith (*seated and covered*): On a point of order, Mr. Deputy Speaker. Is it in order for the Chair to accept a closure motion after only a limited debate?

Mr. Deputy Speaker: Yes. I have accepted the closure motion and the House is now coming to a decision on it.

Ms. Clare Short (*seated and covered*): On a point of order, Mr. Deputy Speaker. I should like to clarify what we are voting on. I understand that we are voting on whether to end discussion on this group of amendments and that, if we do, we will move on to the next group.

Mr. Deputy Speaker: That is correct.

Mr. Greenway (*seated and covered*): On a point of order, Mr. Deputy Speaker. Can you clarify the Bill's future following this Division and any later one? Am I not right in thinking that it will return to the House?

Mr. Deputy Speaker: I cannot anticipate that. We are voting on the closure. If the motion is carried, we shall proceed at once to a conclusion on the amendment under discussion.

Mr. Greenway *(seated and covered)*: I am grateful, Mr. Deputy Speaker.

The House having divided: Ayes 79, Noes 11.

Division No. 159] **[2.30 pm**

AYES

Amess, David
Atkins, Rt Hon Sir H.
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Bendall, Vivian
Benyon, William
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Braine, Rt Hon Sir Bernard
Bright, Graham
Brooke, Hon Peter
Browne, John
Cash, William
Chapman, Sydney
Churchill, W. S.
Dicks, Terry
Dover, Den
du Cann, Rt Hon Sir Edward
Durant, Tony
Eyre, Sir Reginald
Favell, Anthony
Freeman, Roger
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Gow, Ian
Grant, Sir Anthony
Greenway, Harry
Hamilton, Hon A. *(Epsom)*
Hargreaves, Kenneth
Harrison, Rt Hon Walter
Hawkins, C. *(High Peak)*
Hayes, J.
Heseltine, Rt Hon Michael
Howard, Michael
Howarth, Gerald *(Cannock)*
Hughes, Simon *(Southwark)*
Hunt, John *(Ravensbourne)*
Jackson, Robert
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Key, Robert
Lewis, Sir Kenneth *(Stamf'd)*
Lloyd, Peter *(Fareham)*
Maclean, David John
Major, John
Marlow, Antony
Mather, Carol
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Neubert, Michael
Nicholls, Patrick
Normanton, Tom
Onslow, Cranley
Pawsey, James
Prentice, Rt Hon Reg
Proctor, K. Harvey
Rees, Rt Hon Peter *(Dover)*
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Sir Hugh
Sainsbury, Hon Timothy
Shelton, William *(Streatham)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Stanbrook, Ivor
Stanley, Rt Hon John
Stewart, Rt Hon D. *(W Isles)*
Sumberg, David
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
van Straubenzee, Sir W.
Viggers, Peter
Wilkinson, John
Williams, Rt Hon A.
Wolfson, Mark

Tellers for the Ayes:
Mr. Geoffrey Dickens and
Mrs. Virginia Bottomley.

NOES

Atkinson, N. *(Tottenham)*
Banks, Tony *(Newham NW)*
Corbyn, Jeremy
Foot, Rt Hon Michael
Jenkins, Rt Hon Roy *(Hillh'd)*
McKay, Allen *(Penistone)*
Madden, Max
Mikardo, Ian
Roberts, Ernest *(Hackney N)*
Wareing, Robert
Wrigglesworth, Ian

Tellers for the Noes:
Mr. Chris Smith and
Mrs. Gwyneth Dunwoody.

Whereupon Mr. DEPUTY SPEAKER *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No. 32 (Majority for Closure).*

It being after half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday next.

Private Members' Bills

DOG FIGHTING (PENALTIES) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker (Sir Paul Dean): Second Reading what day? No day named.

PENSIONERS' RIGHT TO HEAT, LIGHT AND COMMUNICATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 June.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Deputy Speker. You may know which hon. Member makes an objection and from whom you accepted the objection in this matter but others do not. This is of great importance. The Bill affects millions of people in Britain and they have a right to know for what reason the Bill has been opposed yet again in the House.

Mr. Deputy Speaker: The hon. Gentleman will know that that matter has been raised many times before. The procedure is that, if I hear an objection, I take that objection. It does not matter from what source it comes. It is the hearing of the objection which matters. That is the procedure.

Mr. Corbyn: Further to that point of order, Mr. Deputy Speaker. I understand and accept what you say, but the problem is that hon. Members are not aware who made the objection in this case. It is a matter of public record that an objection has been received. All other entries in *Hansard* are ascribed to an hon. Member and are so recorded. Why is it different in this case?

Mr. Deputy Speaker: I understand the hon. Gentleman's point. It is my job to carry out the rules of the House as they exist. If he wishes to have them changed, the correct procedure is for him to suggest that the Select Committee on Procedure should look at this point.

Mr. Norman Hogg (Cumbernauld and Kilsyth): Further to that point of order, Mr. Deputy Speaker. Is it not the case that "Erskine May" lays down that the hon. Member who objects to a Bill is required to rise in his or her place when making an objection?

Mr. Deputy Speaker: No, that is not the position. As long as the objection is clearly made, the Chair is obliged to take it.

Mr. Robert N. Wareing (Liverpool, West Derby): Further to that point of order, Mr. Deputy Speaker. I should like your guidance on how that ruling has come about. As you rightly said, it has been raised before. Indeed, I have raised it myself in relation to a private Member's Bill to which I put my name some years ago. Since, for many people in Britian, there is no greater obscenity than that old people should go without fuel and light, which it is the object of this Bill to eradicate, we need an answer to the question whether people have a right to object or whether it is only by convention——

Mr. Deputy Speaker: Order. I understand the hon. Gentleman's point. He has raised it before when I have been in the Chair. As I have said to the House, this is a

well-established procedure and it is the job of the chair to carry out the procedures of the House. If hon. Members want to have those procedures changed, there is a course open to them. But it would be wholly wrong for me to, as it were, do a private enterprise operation and alter the procedures of the House. I must abide by the procedures which have been laid down by the House and that is exactly what I am doing.

Mr. Corbyn: Further to that point of order, Mr. Deputy Speaker.

Mr. Tony Banks (Newham, North-West): Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. Is the hon. Member for Newham, North-West making a different point of order? I have dealt fully with that point of order.

Mr. Banks: Yes, Sir. That ——

Mr. Deputy Speaker: Order. Does the hon. Gentleman have a different point of order? If he does not, I am not prepared to rule a third time.

Mr. Banks: It is related, Sir, but it is different. The point that was made by my hon. Friend the Member for Islington, North (Mr.Corbyn) was that hon. Members are entitled, for their own information, to know who has raised an objection. That is the point.

Mr. Deputy Speaker: I have already dealt with that. If hon. Members do not like the existing procedures, I have explained the correct course which is open for them to follow.

Mr. Corbyn: Further to that point of order, Mr. Deputy Speaker. I do not seek to challenge your ruling, but I wonder if any Conservative Members ought to catch your eye to identify themselves as being opposed to this progressive Bill.

Mr. Deputy Speaker: We are on the same point. I have given my ruling and there is nothing further I can add. I do understand the points which hon. Members are making and I have given a clear outline of the way in which they can proceed.

IMMIGRATION ACT 1971 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 June.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Deputy Speaker. Notwithstanding your earlier rulings, which I fully understand and appreciate, may I ask for your guidance in circumstances where a Bill is not opposed when leave was sought to introduce it? That was the case with this Bill of mine, which seeks to give a right of appeal to visitors who are refused entry to this country. When there was no opposition to a Bill when it was introduced, do you believe that the ruling that you have given should still apply? Surely, if there was opposition to the Bill it should have been demonstrated by the person who has today objected to it, so that the arguments of that person could have been deployed and the House could have been given the opportunity of voting on this important measure.

Mr. Deputy Speaker: I am sorry to disappoint the hon. Gentleman, but the rule still applies.

INDECENT DISPLAYS (NEWSPAPERS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

TOBACCO PRODUCTS (SPORTS SPONSORSHIP) BILL

Order read for resuming adjourned debate on Second Reading [21 February].

Hon. Members: Object.

Ms. Clare Short: On a point of order——

Mr. Deputy Speaker: Order. We must complete proceedings on this Bill first.

Second Reading deferred till Friday 2 May.

Ms. Clare Short: On a point of order, Mr. Deputy Speaker. It is relevant to the points of order raised before. Obviously, any of us who have gone to the trouble to introduce a Bill are interested in who objects to it from the Conservative Benches. You moved so fast that, as I simply moved around to try to see who objected, you had moved on and not allowed me to name a day. The day I wanted to give was 13 June and I am grateful to you for accepting it.

Mr. Deputy Speaker: I accept the hon. Lady's date of 13 June.

Mr. Corbyn: On a point of order, Mr. Deputy Speaker. Am I right in thinking that the hon. Member for Derby, North (Mr. Knight) was the one who opposed that Bill?

Mr. Deputy Speaker: Order. It is not in order for hon. Members to try to have a debate on this. I have told hon. Members the procedures which we follow and I have given a clear indication of the course of action that is open to them if they object to the procedures.

REDUNDANT CHURCHES AND OTHER RELIGIOUS BUILDINGS (AMENDMENT) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

POLICE COMPLAINTS PROCEDURE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

Mr. Norman Hogg: I am trying to make that very point, Sir. With the leave of the hon. Member in charge of the Bill, Friday 9 May.

Mr. Deputy Speaker: I beg the hon. Member's pardon.

Second Reading deferred till Friday 9 May.

MARRIAGE (PROHIBITED DEGREES OF RELATIONSHIP) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 May.

COMPANY POLITICAL DONATIONS (GOVERNMENT CONTRACTORS) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

Prosecution Policy

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

2.48 pm

Mr. Graham Bright (Luton, South): I am grateful for this opportunity to bring to the attention of the House the tragic death of my constituent, Mr. John Williams. He was one of the many young men and women whose lives and careers have been cut short by the criminals who exploit the spread of drugs in Britain. It is impossible to measure the harm that has been caused to the families of such victims. Their suffering, which I know is understood throughout the House, makes deterrent action by the police, the prosecuting authorities and the courts essential.

Had it not been for the remarkable courage of John Williams's family and, in particular, of his mother, in bringing a private prosecution for manslaughter, the criminal justice system would have failed completely. The role of the Director of Public Prosecutions in these events has to be clearly justified and explained.

The circumstances of John Williams's death were particularly distressing. During a visit with friends to a flat in Dumfries court, Luton on the evening of 2 September, 1982, he was persuaded by the occupant, Gary Austin, to try an injection of a drug called Palfium, which is usually given in tablet form to relieve the pain of cancer sufferers. Austin gave him this injection at about 7 pm, John Williams collapsed almost at once and, according to the medical evidence, died shortly thereafter.

For the rest of that evening, Austin prevented any expert help being sought by those present in the flat. Some of them even went out to local bars and an off-licence. It was not until 11 pm, that Austin decided to have the body removed. It was left in the street outside propped against a wall, where it was found at about 11.15 pm by the ambulancemen Austin had summoned under a fals. name.

On arrival at the Luton and Dunstable Hospital, John Williams was found to be dead.

The subsequent police inquiries revealed that the drugs given to him had been stolen from a chemist's shop in Crewe by a man called Peter Panko. Both Panko and Austin were arrested and charged. The post-mortem conducted by Dr. Tan, the pathologist, revealed the presence of Palfium in John Williams's blood, admittedly at a relatively low level compared to that of patients taking the drug therapeutically.

This evidence, it is worth stating, was sufficiently convincing for the jury at the inquest held in June 1983 to bring in a unanimous verdict of unlawful killing. But although Panko was convicted of theft and of supplying the drugs at Bedford Crown court in March 1983, Austin was charged only with possessing dangerous drugs and with theft. The two men were sentenced to terms of five and three years' imprisonment, respectively. To the surprise of the Bedfordshire police and to the amazement of Mr. and Mrs. Williams, the Director of Public Prosecutions decided that no other charge could be brought. It was a decision to which he was to adhere throughout until he was forced to change his mind.

I have set out the facts as clearly and as objectively as I can. Of course, I accept that criminal prosecution can take place only when there is sufficient evidence to make conviction likely. No one's interests are served by poorly mounted prosecutions resulting in inevitable acquittals.

The disquieting feature of this case is that no public action was taken until new evidence had been privately assembled and leave obtained from the magistrates' court to bring a rare private prosecution for manslaughter. There are, therefore, some extremely serious questions about the conduct of this case which have to be answered if public concern is to be satisfied.

First, there is the issue of the evidence from the post-mortem conducted by Dr. Tan. Presumably, what he told the inquest jury—that John Williams's death was due to heart failure and that this did not occur spontaneously in a healthy person — was also told to the police. Logically, to use his own words, there had to have been an unnatural cause of death. He was perfectly clear about the presence of Palfium in John Williams's blood. No other possible cause of death was mentioned.

Mr. Peter Corderoy, the senior scientific officer from the Home Office laboratory at Aldermaston, testified that deaths had been recorded from the injection of relatively small amounts of the drug. There was some published evidence already available from the work of Dr. Patrick Toseland, the specialist at Guy's hospital, to show that deaths had occurred with levels of Palfium in the blood even lower than that recorded in John Williams's case.

I am bound to ask my hon. and learned Friend the Solicitor-General to explain what happened when the DPP and his officials first looked at the medical evidence. Which experts, apart from Dr. Tan and Dr. Toseland, were consulted and what was their view of the reason for the death? Was it ever suggested to or by them that John Williams had taken Palfium on the morning of his death? If such a suggestion was made, who put it forward? The police's inquiries and the evidence at the inquest, so far as I am aware, revealed nothing of the sort. Were they aware of the distinction between the oral method of administering the drug which, due to its slower passage into the blood stream, permits higher levels to be tolerated and the more dramatic effects of injecting it?

There is a further point that I must raise here. In a letter to me on the 12 December 1984, my hon. and learned Friend the Solicitor-General, explained that the DPP reached his decision not to prosecute Gary Austin in 1982. The police officers dealing with the case at Luton did not learn of this until 11 March, 1983. Austin had been remanded in custody since his arrest because it was thought more serious charges might be preferred. This delay in informing the police has to be explained.

I have been equally concerned to learn that Austin was informed by the DPP then — and again in September 1983 — that no prosecution for manslaughter would occur. The failure, moreover, of the DPP to offer any rationale for his decision to John Williams's parents at that time was quite mystifying. It left them without hope of justice. Their anguish and distress was inevitably increased by the inquest proceedings in June, 1983. The verdict of "unlawful killing" returned by the jury convinced them that criminal proceedings against Austin were possible.

I know that the DPP looked at the case again, that he took further advice from counsel and that he adhered to his original view, that, without better scientific evidence, no prosecution could succeed. But simply informing Mr. and Mrs. Williams and their solicitor that his unexplained decision stood was hardly satisfactory. No explanation of the need for a more specific link betwen the injection of the drug and John Williams's death was offered until December, 1983, six months after the inquest and at least a year after the DPP's original decision. Once again, I find that delay exceptionally difficult to understand.

Every parent will know why Mrs. Williams refused to accept the DPP's decision. In fact, she was prepared to go out and pay for the necessary inquiries to be conducted by medical researchers. One expert had already informed her that he was convinced that Palfium had killed her son and that Austin should have been charged. By July, 1984, more specific evidence was available. Dr. Toseland had been able to analyse how the injection of the drug paralysed the brain centres controlling the heart very shortly after it entered the bloodstream. Taken in tablet form, it opperated much more slowly and much higher levels could be tolerated. That was the key piece of work which ultimately unlocked the case.

Naturally, that analysis and the supporting views of Professor Spector, the head of the department of pharmacology at Guy's hospital, were forwarded to the DPP. Both men were prepared to state their views in public. I know that the Luton police and the DPP's representatives heard the new evidence directly from Dr. Toseland at a conference in the town on 2 Ooctober, 1984. What is more, Dr. Tan, the pathologist who had conducted the post-mortem, had been contacted by Dr. Toseland and was prepared to state that, in the light of his research, there could have been no other cause of death than the injection of Palfium. Professor Spector himself expressed the identical view in a further conference at Guy's hospital on 22 October 1984. Both Dr. Toseland and Professor Spector were sure that the possibility of John Williams having taken Palfium on the morning of his death was irrelevant.

The DPP's subsequent observations that no proceedings could be brought against Austin because the new evidence was not good enough to link the injection of the drug to the victim's death make remarkable reading. What or who was his authority for this view? Even when Dr. Tan's letter to the Luton coroner in April 1985 with its explicit statement that it was now his oponion that

"the death of John Williams was the direct effect of an intravenous injection of Palfium"

came into the DPP's hands, nothing was done. If his opinion was sound enough for the DPP to rely on in not bringing a prosecution in late 1982 or early 1983, why was his revised view not valid enough to start one in 1985? I cannot accept that an undertaking given on the basis of medical knowledge in 1983 not to prosecute was still binding when new medical evidence was available.

It is extremely difficult, if not impossible, to understand why the professional judgments of the pathologist who conducted the post-mortem and of two of the country's leading experts in this field of medicine were rejected by the DPP and his colleagues. I have no doubt that they were afraid that a prosecution would fail. Why this was their view has to be explained.

There is equally no doubt that they were wrong. It is greatly to the credit of Mrs. Pauline Williams that she has the courage, after all the setbacks that she had suffered in her struggle for justice, to bring her private prosecution against Gary Austin. The Magistrates before whom she made her application were convinced that there was a case to answer. It was her largely unaided efforts and the testimony of her expert witnesses that resulted in the case going to trail at the Crown court. The jury there brought in a unanimous verdict of guilt against Austin. I cannot

[Mr. Graham Bright]

think of a more complete vindication of one person's determination to see justice done, however inadequate the sentence passed.

The struggle that Mr. and Mrs. Williams have endured to ensure that the criminal justice system worked has won them great respect, but they have had to pay a high price for it. They have sacrificed their time and money and a great deal of effort to get it. Mrs. Williams has been attacked and threatened. It is a matter of absolute principle that these costs—for legal representation at the inquest and in the magistrates' court, for the costs of transcripts, photographs, telephone bills and scientific tests, for the cost of letters, envelopes and stationery—should be met from public funds. So, too, should the charges of her solicitor. Is there any possibility of some compensation for Mrs. Williams for the thousands of hours that she has spent in marshalling the evidence. Whatever charges are incurred in altering the terms in which the coroner's inquisition recorded her son's cause of death ought also to be met from public funds. This is a matter on which her judgment was not only better than the DPP's but on which she was proved absolutely right.

Unfortunately, this tragic case has revealed the weaknesses of our system more clearly than its strengths. As long as drugs are available from criminal sources, other families are in danger of suffering similar tragedies. That is why it is so important that those who have the responsibility for initiating prosecutions exercise it correctly. There were grounds enough for questioning whether the right decision was made by the DPP in the autumn of 1982. It is alarming that nothing—not the verdict of the inquest jury, not the new medical evidence supplied by Dr. Toseland and his colleagues, not even the pathologist's explicit change of view, could persuade the DPP to change his mind. The outcome shows that his judgment was mistaken. Had it not been for the existence of the right to bring a criminal prosecution, justice would never have been done to John Williams or his family. The failure of the responsible public authorities to act must be fully explained and justified if our confidence is to be sustained. That is the fundamental issue that the death of John Williams raises.

3.2 pm

The Solicitor-General (Sir Patrick Mayhew): I congratulate my hon. Friend the Member for Luton, South (Mr. Bright) on securing this opportunity to raise an important matter in the House. Although my hon. Friend has very properly been concerned with the matter over a long period, in the interest of his constituents, it raises wider considerations. My hon. Friend's presentation of the matter today has again been a model of fairness and care.

I agree strongly with my hon. Friend's opening remarks in which he condemned the evil nature and consequences of the criminal exploitation of drug abuse in this country. The death of his young constituent John Williams in 1982 constituted a tragic addition to the grim toll. Parliament has provided stern penalties for those convicted of offences of such a nature. The strict enforcement of the law by means of prosecution in every proper case is a policy to which the Director of Public Prosecutions rightly attaches the highest importance. That is a policy to which the Director of Public Prosecutions rightly attaches the highest importance. In that approach he has the full concurrence of my right hon. and learned Friend the Attorney-General. The public would rightly expect nothing less. No one need expect a lenient attitude on the part of the DPP. I shall come in a moment to the evidence in this case that was available at material times to the Director to place before a court, including the expert medical evidence bearing on the crucial question of the cause of John Williams's death.

I shall, of course, answer my hon. Friend's question, but, first, I must acknowledge gratefully what my hon. Friend fairly said in an early passage in his speech. He said:

> "Of course, I accept that criminal prosecution can take place only when there is sufficient evidence to make conviction likely."

That is correct, and it forms an important part of the guidelines for prosecutors published by the Attorney-General in February 1982 and deposited in the Library.

Justice must be even handed and it would be a cause for complaint if the formidable prosecuting power of the State were to be exercised against a citizen where, to take a purely hypothetical example, it was thought useful to clear the air by means of a public trial. In all criminal proceedings arising from an unlawful killing, the onus rests on the prosecution to prove guilt. The standard of proof required is that guilt shall be proved beyond a reasonable doubt. Therefore, the prosecutor has initially to assess the likely outcome of a prosecution by reference to this high standard. In the case of John Williams's death, a finding of guilt against Gary Austin demanded that the prosecution should prove beyond reasonable doubt that death was caused by Austin injecting him with Palfium. I have already described this as the crucial factor, and from the outset the prosecutor's difficulties centred here.

My hon. Friend asked when the Director's officials first looked at the medical evidence. The professional officer assigned to the case had three meetings with Dr. Tan, the pathologist who carried out the post-mortem examination, the last of which was also attended by counsel. These meetings took place on 23 November 1982 and on 26 January and 23 February 1983. On each of those occasions Dr. Tan was pressed as to whether he could say that the cause of John Williams's death was the injection with Palfium. He repeatedly replied that he was unable to say what the cause of death was. He could only affirm that the mode of John Williams's death was pulmonary oedema.

The Director consulted a further expert, a question asked by my hon. Friend, additional to Dr. Tan and Dr. Toseland and that was Mr. Neville Dunnett, an expert in toxicology and drugs at Aldermaston. On the basis of the expert evidence available to him at that time, the Director concluded that a prosecution was likely to fail for lack of the necessary proof of causation.

My hon. Friend referred to Mr. Peter Corderoy, the senior scientific officer at Aldermaston. I have seen a transcript of his evidence at the inquest. He said:

> It is impossible to say whether the amount of drug in a 5 or 10 mg tablet if taken by intravenous injection would prove fatal or not. I cannot say that it would or would not prove fatal.".

He did however say, after dealing with the ill-effects to be expected, that a person could acquire a tolerance to Palfium, and that factor too had relevance to the Director's decision. It brings in a further question asked by my honourable friend: was it suggested that John Williams had previously taken Palfium on the day of his death?

Statements had been made to the police by Mark Clews and Anthony Denton providing strong evidence that that indeed had been the case.

The Director concluded, on a review of all the circumstances that a prosecution would be likely to fail and he so informed the police. There was no delay in informing the police of the Director's first decision. There was a final meeting with Dr. Tan, which counsel attended on 23 February 1983, and after that counsel advised. His advice is dated 2 March 1983. The Director then considered the advice, and informed the police of his decision by letter, dated 14 March. I apologise to my hon. Friend that a letter to him from me gave a misleading impression in this respect.

My hon. Friend has asked why Mrs. Williams was not informed of the reason for the Director's decision. The Director, in a letter to the chief constable of Bedfordshire, who had reported the facts of the case to him, gave his reasons for concluding that a prosecution for any offence relating to the death of John Williams would not succeed and advised the chief constable against such proceedings. That letter was not confidential, but it is the Director's policy not to publish reasons for his decisions, especially where he has decided not to prosecute. I think that for reasons of fairness, that policy is correct. I can very well appreciate, however, the feelings experienced by Mrs. Williams and her family, which my hon. Friend has described, and I much regret them.

I can understand only too readily how those feelings would have been exacerbated after the inquest's verdict in July 1983. The coroner's jury was evidently satisfied as to causation. That, however, did not relieve the Director of the responsibility of applying the standard of proof that would be required in a criminal court. The transcript records Dr. Tan as having been asked:

"As far as your post mortem is concerned, is it possible for you to bridge the gap between the administration of an injection and the death as a result of pulmonaryoedema?"

Dr. Tan replied: "It is not possible". The Director's opinion, having further consulted experienced counsel after the inquest's verdict, accordingly remained unchanged.

It was not until 1984 that any significant advance was made—to the knowledge of the Director—in the state of medical knowledge about the actions of Palfium. My hon. Friend has asked whether the Director was aware of any difference between the effects of oral and intravenous administration of that drug. In 1983 no such information was available to him.

It was not until after Dr. Toseland's letter to Mrs. Williams, dated 16 July 1984, reached the DPP in September of that year that he became aware of any difference. Dr. Toseland's views, expressed in that letter, were far from firm conclusions. He said:

"If it can be shown that this was the first time your son had been injected with Palfium then it can be stated he would have no protection from a first administered dose, and that the amount injected is only as important as the speed of the injection."

I have already referred to the evidence in that regard.

Dr. Toseland conferred with a member of the Director's staff on 2 October 1984, but at a conference with Professor Spector on 24 October much stronger views as to causation were put forward. I believe that it is fair to say that from 24 October 1984 onwards —that is, two years after John Williams's death— there was a prima facie case against Austin. Why, then, were proceedings not begun?

I must here refer to another factor that was now faced by the Director. When the decision has been taken not to prosecute a suspect, it is normal for the suspect to be so informed. I believe that to be fair. The Director has taken the view—I believe it to be generally fair—that once a suspect has been so informed, that decision should not remain open for reappraisal and possible reversal, however long a period may elapse. In very rare cases where there is still a practical possibility that further facts sufficient to incriminate the suspect may be uncovered, the decision is expressed to have been taken only on the present state of the evidence. I can tell my hon. Friend that the Director has agreed to revise his practice in this regard. If, on a review of each relevant case, it appears that the public interest would be served by a prosecution in all the circumstances, this policy will be overriden. However, I must emphasise that that action will be taken only in exceptional circumstances and I think that my hon. Friend would understand that.

In the case of Austin, the suspect had twice been informed that he would not be prosecuted—the second time being after the inquest verdict in 1983. The Director considered that his policy as to double jeopardy should be observed in the case of Austin after a careful review of the circumstances.

No one can fail to salute the determination of Mrs. Williams to secure a criminal trial and the courage with which she pursued that aim. Once the magistrates' court had found that there was a case to answer and had committed Austin to trial, the Director stepped in and took over the case. The outcome is well known.

I would now like to consider the question of Mrs. Williams's costs. The matters outlined by my hon. Friend have formed the subject of a claim for costs which was taxed by the clerk at Luton magistrate's court. It is fair to say that Mrs. Williams's costs, as claimed in the magistrates' court; either have been paid in full or will be paid in full. It is also fair to say that I know that there is an outstanding claim for costs in relation to the time which Mrs. Williams has spent on preparing the case. Apparently, some 6,000 hours was spent on that. The courts have ruled that a private prosecutor cannot be reimbursed out of central funds for time spent on the preparation of a case. The Director has no funds for the making of such payments, nor is there any precedent for doing so. I regret that I can accordingly offer no prospect of reimbursement.

However, with regard to the question of the costs of the application to the High Court, in connection with the amendment to the death certificate which Mrs. Williams has also requested, I am able to say that the Attorney-General has agreed to act for Mrs. Williams ex officio and therefore no costs will be incurred by her in respect of that application.

I have referred to the change in the Director of Public Prosecution's future policy. I only wish to add that, as a safeguard, no reversal of a decision not to prosecute will take place without the express authority of the Director or Deputy Director of Public Prosecutions.

In conclusion, these decisions are always exceptionally difficult for the Director and his staff to take. In this case, the decisions were taken after the most careful and conscientious deliberation and they were taken for the reasons that I have given. I am extremely grateful for this opportunity to explain the

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background to the Director's decisions in this most painful case, which has caused Mrs. Williams and her family such understandable anguish.

Question put and agreed to.

Adjourned accordingly at seventeen minutes past Three o'clock.

House of Commons

Monday 28 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Transport Infrastructure

1. **Dr. Marek** asked the Secretary of State for Wales what further proposals he has for improving transport infrastructure in Wales in general and in Clwyd in particular.

The Parliamentary Under-Secretary of State for Wales (Mr. Wyn Roberts): My proposals for the motorway and trunk road network in Wales, including Clwyd, are in set out in "Roads in Wales 1985"—a copy of which is in the Library of the House—and I have also published a consultation document "Roads for Wales, the 1990's and beyond". I shall also continue to encourage and assist where appropriate those bodies responsible for the provision of other elements of the transport infrastructure in Wales.

Dr. Marek: Is the Minister aware of my early-day motions on British Rail management, Nos. 2 to 5 inclusive, and Nos. 7 to 16 inclusive, which illustrate merely some of the horrors being perpetrated on the people of Wrexham following the singling of the line between Wrexham and Chester? As the Minister did not take my advice that he should try to stop British Rail from singling the line, now that the evidence of incompetence and dreadful services is before his eyes, will he encourage British Rail to reinstate double track as soon as possible?

Mr. Roberts: I had noticed the early-day motions tabled by the hon. Gentleman, which appear to be rather more regular than the services that they describe. I must emphasise to the hon. Gentleman that the Wrexham-Chester line is an operational matter for British Rail. I understand that British Rail remains firmly of the view that when the singling work is complete this, together with other measures — for example, new signalling at Chester, automatic level crossings and new rolling stock —will greatly improve the services.

Mr. Best: Bearing in mind the tremendous increase in traffic that has been occasioned by the A55, and particularly the traffic going along the A5 on Anglesey, will my hon. Friend look carefully at the possibility of a bypass around Holyhead and instruct a survey to be undertaken? Will he also accelerate the provision of bypasses around the five villages on Anglesey?

Mr. Roberts: I am aware of the pressure that my hon. Friend is bringing on my Department about traffic on Anglesey, and particularly on the A5. We have been studying the situation in various villages on Anglesey and we shall look at the Holyhead position as well.

Mr. Wigley: Will the Minister convey to the Secretary of State our best wishes for a speedy recovery and return to the House? As the Cabinet has been considering grave transport matters, particularly airports, and as no Welsh Office Minister has been in Cabinet, is this a reflection on the Welsh Office, or of the indifference of the Prime Minister towards Wales in general?

Mr. Roberts: I shall gladly convey the hon. Gentleman's good wishes to my right hon. Friend the Secretary of State, and I am pleased to tell the House that he is making a good recovery. As to Wales's interest in airports, I assure him and the House that the interests of Wales have not been neglected in any way.

Mr. Raffan: During the last Welsh Grand Committee my hon. Friend said that the Mold bypass was scheduled for the latter end of the orginal time band, in other words, no later than December 1988, but my right hon. Friend the Secretary of State said that it was planned for the early part of the new band, in other words, soon after January 1988. Will my hon. Friend confirm that the Mold bypass will be started during 1988? Will it be started early or late that year?

Mr. Roberts: The timing of the Mold bypass was discussed in the last Welsh Grand Committee, and I have nothing to add to what I said about it then. I assure my hon. Friend that we shall use our best endeavours to make sure that the bypass is started on time.

Mr. Roy Hughes: May I express my good wishes to the Secretary of State, and express the wish that he will make a speedy recovery? Does the Minister appreciate that, far from improving the transport infrastructure in Wales, British Rail has proposals completely to decimate the rail-freight netword in south Wales. Therefore, will he intercede with British Rail management to prevent that ill-conceived plan coming to fruition?

Mr. Roberts: Although that is a matter for British Rail, I assure the hon. Gentleman that British Rail does not intend to decimate the freight service. Indeed, it is quite the reverse — British Rail wishes to strengthen the service. Although one can be critical of British Rail's activities in Wales, one must not neglect the fact that it is to invest some £55 million in improving Welsh services during the next four years.

Planning Appeals

2. **Mr. Wigley** asked the Secretary of State for Wales how many planning appeals have been made to his Department during the last year for which figures are available.

The Parliamentary Under-Secretary of State for Wales (Mr. Mark Robinson): In 1985 my Department received 912 planning appeals, 239 enforcement appeals and 11 other miscellaneous appeals.

Mr. Wigley: Is the Minister aware of the grave misgivings in many parts of Wales, particularly in Gwynedd, at the way in which the Welsh Office upholds appeals about second homes in sensitive areas? As, in a project for 700 second homes in the village of Morfa

Bychan, which will become a town as large as Porthmadog if the project is implemented, an application going back to 1964 is now in dispute, will he give an assurance that the Welsh Office—in view of its acceptance of the local infrastructure plan and its designation of an SSSI on that exact spot in 1971 — will stand up with the local community against such an outrageous development?

Mr. Robinson: Our view on the general use of occupancy conditions has not changed. As the hon. Gentleman is aware, all planning appeals go to the Secretary of State's inspectors, who take the decision. They have not been given any recent or fresh instructions. It is open to local authorities to purchase homes which they fear may be used for secondary purposes. In that event, they may use their in-year receipts, and it is always open to them to come to the Secretary of State with proposals if their in-year receipts have already been utilised. We have a recent example of a local authority where that has been done. The Morfa Bychan case is a matter for the local planning authority, Dwyfor district council, not for my right hon. Friend.

Mr. Gwilym Jones: As my right hon. Friend will know, this week his Department is holding a public inquiry into two planning appeals for Tongwynlais in my constituency. What provisions are possible for last minute representations, in view of the present postal strike in Cardiff in south Wales?

Mr. Robinson: Obviously I cannot comment on individual cases. However, if my hon. Friend is aware of people wishing to make such representations, and can get them to send their representations to the Welsh Office, we shall ensure that they are delivered to the inspector. Where planning appeals have not come to the Welsh Office because they have been affected by the postal dispute, we shall make arrangements for them to be taken into account.

Dr. Marek: Is the Minister aware of the ground rules for these appeals, that inspectors, in deciding these appeals, are influenced by his Department, and that there have been many decisions within the Principality which have been resented by the community, including in Wrexham, where appeals have been allowed for supermarkets on completely unsuitable sites and for cramped housing in areas where it should not have been built? Will the Minister see whether he can pay more attention to the expressed wishes of the community in deciding appeals when they come before him?

Mr. Robinson: The Government regard the right of appeal as extremely valuable in the planning process. The inspectors must take into account all material and relevant factors, including the wishes of the local community. The Secretary of State relies on the inspectors' reports.

Opencast Mining

4. **Mr. Raffan** asked the Secretary of State of Wales when he will next meet the chairman of the National Coal Board to discuss opencast mining in Wales.

Mr. Wyn Roberts: No meeting has been arranged at present.

Mr. Raffan: Will my hon. Friend seek a meeting to dissuade the NCB from again applying to start opencast mining at Pont Einion Northop, on high-quality land in an attractive rural area? Will he take the opportunity to remind the chairman of the NCB that the last application was rejected on the gound that need had not been demonstrated? Does my hon. Friend agree that one would be hard put to prove that need now that coal stocks are higher and oil prices have collapsed?

Mr. Roberts: It is for the NCB to decide whether there has been sufficient change in circumstances since the earlier decision on the Pont Einion site to warrant its making a fresh application. I cannot comment on the merits of the case, because the matter may eventually come before my right hon. Friend the Secretary of State for decision. The procedure on applications for opencast mining has changed since March 1984. Such applications are now dealt with as part of the normal planning procedures.

Mr. Coleman: Will the hon. Gentleman be careful in handling the applications, especially in view of the sensitivity in many areas of south Wales about opencast mining? Will the hon. Gentleman take care in granting applications by the NCB, in the face of often strong local opposition?

Mr. Roberts: I am well aware of that position. That was part of the purpose of changing the procedure, to which I referred in my previous reply. The Housing and Planning Bill provides for a simplification of the opencast procedures by abolishing the need for ministerial authorisation. Planning permission will still be required. We shall ensure that any proposals that come before us for decision are publicised and that full opportunity is given for representations to be made by interested persons. That is, in any event, our current practice.

Mr. Livsey: Will the hon. Gentleman do all that he can to encourage the NCB to become involved in deep mining, which is labour intensive, instead of opencast mining, which tends to be capital intensive and is highly destructive of the environment and the community in south Wales?

Mr. Roberts: Again I must stress that that is a matter for the NCB. Obviously opencast coal is not only cheaper but has a much lower ash and chlorine content than deep-mined coal, but the health of many deep mines depends on opencast coal for blending to provide an acceptable product for customers. Opencast mining and deep mining are complementary rather than competitive.

Mr. Barry Jones: We look to the Under-Secretary of State to assist the House, especially with the position in Wales as described by hon. Members. Does the hon. Gentleman know that in my constituency, in the Ewloe area, there is widespread condemnation of proposals to undertake opencast mining close to a primary school and housing development? The hon. Gentleman said that deep mining and opencast mining are complementary. Will he therefore tell the chairman of the NCB that, if the Bersham colliery in north-east Wales closes, the economy of north-east Wales will rock on its heels following the Courtaulds closure? Will the hon. Gentleman assure the House that, in spite of the steep drop in oil prices, there will be no new proposals for pit closures throughout the south Wales coalfields? I remind the hon. Gentleman that one in four men in the Welsh valleys is unemployed? That is far too high.

Mr. Roberts: The hon. Gentleman has asked a number of questions. I think I have said sufficient to show that

opencast mining is complementary rather than necessarily an alternative. The hon. Gentleman mentioned Bersham colliery. Of course, it is always a matter of great concern when a pit has to be closed. If such an agreement is reached on Bersham, the board is confident that it can offer alternative jobs to those wishing to remain in the industry. There are generous redundancy terms for those who choose to leave. It is too soon to judge the longer-term effect of the current movement in oil prices, but lower oil prices obviously emphasise the need for the NCB to be competitive and make every effort to improve productivity.

Housing Stock

6. **Mr. Best** asked the Secretary of State for Wales what provision he has made in the current financial year for improvement of the housing stock and a reduction in the backlog of renovation grants.

Mr. Mark Robinson: Housing allocations for this year total £141·3 million, which is an increase of almost 30 per cent. over last year. Within this total we have made specially targeted supplements of £53 million for improvement of the housing stock and reduction of the grants backlog.

Mr. Best: Does that welcome and generous announcement not show that the Welsh Office is more than playing its part in providing better housing for Wales and that it is now a matter for the local authorities to complement it?

Mr. Robinson: I agree entirely with my hon. Friend. It is now important that local authorities fully spend the allocations which have been made available to them, as it will strengthen their case when we decide resources next year.

Mr. Anderson: Does the Minister agree that it is not only proper to compare this year against last year, but to compare the current allocation with the actual need of our housing stock in the Principality? Given that, is the Minister seriously telling the House that his expert's advice to him is that our housing stock is staying about the same, is it, as people tell us, declining into obsolescence?

Mr. Robinson: We are this year in the process of embarking on the biggest and most extensive house condition survey ever undertaken by the Welsh Office. We shall consider the results of that. I should also point out that the figure of spending of allocations this year compares with the equivalent figure in 1978-79, which was only £51 million at 1986-87 prices. Therefore, I think that it is a favourable improvement.

Sir Raymond Gower: In future consideration of this matter, will my hon. Friend and his right hon. Friend take account of the age of the Welsh housing stock? Does my hon. Friend anticipate a reduction in the great backlog in the various housing authority areas?

Mr. Robinson: That is specifically why we have decided to target certain parts of this year's allocation on the backlog of home improvement grants. Local authorities are aware of that.

Mr. D. E. Thomas: Will the Minister explain to the House and to his hon. Friend the Member for Ynys Môn (Mr. Best) the reason for the very low level of capital allocation for that authority, which stands as low as £29 per head for 1984-85?

Mr. Robinson: The hon. Gentleman should know that we have also made available to Ynys Môn a special allocation to tackle the backlog, and it is aware of that.

Mr. Roy Hughes: Will the Minister realise that during the seven-year period of office of this Government the housing problem throughout Wales has got dramatically worse? When will the Government launch a real major housing drive to build the new dwellings that are required to tackle the massive problem of the huge stock of pre-1919 dwellings which lack even basic amenities? Surely, with this period of heavy unemployment, now is the time for action.

Mr. Robinson: That comes well from the hon. Gentleman. When the Labour party was in power between 1974 and 1979 it spent a mere £57 million on restoring the older housing stock, whereas we have spent £275 million. The Labour party also talks much about the public sector. It spent £86 million in Wales, while we have spent £208 million in the public sector. Therefore, our record stands comparison.

Assisted Areas

7. **Mr. Gareth Wardell** asked the Secretary of State for Wales what was the percentage of the working population residing in assisted areas qualifying for regional development grant in Wales *(a)* March 1984 and *(b)* March 1986.

Mr. Wyn Roberts: Almost 90 per cent. of the economically active population of Wales reside in an assisted area. Those residing in areas qualifying for regional development grant were 79·6 per cent. in March 1984 and 38·2 per cent. in March 1986 because of the Government's decision to focus that particular scheme on the areas of greatest need.

Mr. Wardell: Is the Minister not ashamed of himself? The percentages he has just given mean that the Government have reduced the percentage of the working population of Wales who qualify for regional development grant from almost 80 per cent. to 35 per cent. Does that not mean that the Government are using regional policy in a far less effective a way now and are contributing to Wales being one of the poorest regions within the European Economic Community?

Mr. Roberts: I completely disagree with the hon. Gentleman. He underestimates the value of regional selective assistance, which is available throughout the assisted areas. He is also underestimating the activities of the Welsh Development Agency, which has built over 1,100 advance factories in Wales since May 1979. There have been 1,153 offers of regional selective assistance since May 1979, giving 57,000 new jobs and safeguarding 31,000.

Mr. Abse: Will the Minister note that the anxieties in Wales over the administration and lack of monitoring of grants for selective assistance increased on Friday when it was made clear by the Attorney-General that investigations into fraud in the Parrot Corporation were being extended, and apparently will include members or past members of the WDA? As the Parrot Corporation now has

writs issued against it for more than £15 million, and its latest report showed that it had lost £500,000, will the Secretary of State make a full statement to the House and relieve the anxieties of the work force in my constituency in Gwent, who believe that there is something amiss in the administration, structure and relationship of the WDA with the Minister and the Parrot Corporation?

Mr. Roberts: The hon. Gentleman is right to say that the police are investigating the circumstances of the original investment in the Parrot Corporation. It is, as he understands, a matter for the Director of Public Prosecutions. I have no intention of making comments that might prejudice that matter.

Writs have been issued in the United States of America against the Welsh Development Agency and others, although the agency has not yet had such a writ served upon it. It is well known to the House that the Public Accounts Committee has made known its intention to look into the WDA's investment in the Parrot Corporation.

Mr. Best: Does my hon. Friend accept that resources should be concentrated on the areas of highest unemployment, such as the Holyhead travel-to-work area? Can he assure the House that the welcome initiative of enterprise in rural areas that was announced recently will be able to assist the small business sector in gaining finance and developing, which is so critical to overcoming unemployment in areas such as Anglesey?

Mr. Roberts: I am grateful to my hon. Friend. Of course, assisted area status has helped many parts of Wales, including Ynys Môn, which my hon. Friend represents. Unemployment was a significant factor in the review, but account was taken, too, of many other factors, such as the likely relative need for current and future employment. Account was also taken of long-term unemployment, occupational and other structures, economic activity rates and so on. The rural enterprise package will help rural areas—in other words, areas outside centres of population of 10,000 people or more.

Mr. Barry Jones: My hon. Friend the Member for Torfaen (Mr. Abse) made an important request for a full statement. When will the Minister make the statement for which my hon. Friend has been asking for many months?

Mr. Roberts: I understand that, in addition to the Public Accounts Committee, the Select Committee on Welsh Affairs will consider the affairs of the Welsh Development Agency. While police investigations are continuing and the matter is still with the Director of Public Prosecutions, it would not be advisable for me to make any further comment.

Mr. Gareth Wardell: On a point of order, Mr. Speaker.

Mr. Speaker: The hon. Gentleman should raise his point of order after Question Time.

Later——

Mr. Wardell On a point of order, Mr. Speaker. I raise this point of order in my capacity as Chairman of the Select Committee on Welsh Affairs. Earlier this afternoon, the Minister, I am sure inadvertently, said that the Select Committee on Welsh Affairs was undertaking an investigation into the Welsh Development Agency. It is not so doing. Even if it were, can you confirm, Mr. Speaker, that this would in no way prejudice the Minister's making a statement about the Parrot Corporation?

Mr. Wyn Roberts: Further to that point of order, Mr. Speaker. I am happy to confirm that it is the Welsh Grand Committee, rather than the Select Committee which is to discuss the Welsh Development Agency.

Rhondda

8. **Mr. Rogers** asked the Secretary of State for Wales if he will pay an official visit to Rhondda.

Mr. Mark Robinson: My right hon. Friend had intended to visit the Rhondda last Friday, but had to cancel his engagement. I undertook the visit on his behalf.

Mr. Rogers: I commiserate with the Secretary of State on his unfortunate illness. At the same time, I welcome back my hon. Friend the Member for Neath (Mr. Colman) after his recent illness.

I welcomed the Minister's visit last Friday as an interesting development in the Rhondda valley. Will he make the Secretary of State aware of the fact that male unemployment in the Rhondda valley is now almost 27 per cent., and that on the Penrhys housing estate, where more than 4,000 people live, male unemployment is more than 80 per cent.? An injection of capital and expertise are desperately needed to relieve the enormous problems that arise from those horrific unemployment figures.

Mr. Robinson: I join the hon. Gentleman in welcoming the hon. Member for Neath (Mr. Coleman) back to the Chamber after his recent illness.

In this financial year, £732,000 has been allocated from the urban programme to Rhondda borough council, and since 1982 £1·37 million in urban development grants has been allocated to Mid Glamorgan, promising 345 permanent jobs and 229 temporary jobs. As the hon. Gentleman is aware, six projects have been approved for Rhondda borough council at a cost of more than £1 million, promising 310 permanent and 142 temporary jobs.

NHS (Medical Staff)

9. **Mr. Grist** asked the Secretary of State for Wales what has been the increase in medical staff serving the National Health Service in Wales since 1979.

Mr. Mark Robinson: There was a 13·2 per cent. increase in total whole-time equivalent HNS medical staff in Wales between 1979 and 1985. The whole-time equivalent increased from 2,001 to 2,266 over the period.

Mr. Grist: I should have liked my hon. Friend to give a clearer answer than that slightly jargonised one. Nevertheless, does not those figures give the lie to those who say that the Government are trying to run down and abolish the Health Service? Could he give the figure for centrally-funded operations for heart disease, which is, after all, one of the most dangerous aspects for the Health Service in Wales?

Mr. Robinson: I entirely agree with my hon. Friend's latter sentiments. South Glamorgan district health authority has been provided with funds to achieve a target of 600 cardiac operations a year, and in 1985 605 such operations were performed. In addition, a new cardiac unit capable of carrying out 1,100 operations a year is being planned and will be funded by the Welsh Office.

Mr. Wigley: Is the Minister aware of the crisis in Bangor with the lack of psychiatric beds in Ysbyty

Gwynedd hospital and a lack of staff to serve them? Is he aware that, compared with the standard 0·5 beds per 1,000 population, which should give 80 beds, there are now only 40, and that, to bring that up to a more acceptable level of 46, there would have to be 10 extra staff? Will he ensure that the resources are available to recruit those staff?

Mr. Robinson: There are new beds in Gwynnedd precisely for that purpose. The management of psychiatric beds is a matter for the health authority.

Employment Statistics

10. **Mr. Roy Hughes** asked the Secretary of State for Wales what are the latest unadjusted figures for unemployment in *(a)* Newport, *(b)* Gwent and *(c)* Wales; what were the equivalent figures in May 1979; and what was the percentage increase in each case.

Mr. Wyn Roberts: The unadjusted March 1986 figures of unemployment for Newport, Gwent and Wales are, respectively, 10,047; 30,219; and 184,247. Unadjusted figures for 1979 were produced on a different basis and cannot properly be compared with this year's figures.

Mr. Hughes: Does the Minister recognise that seven years is a milestone in the life of any Government and that throughout that period we have had more or less catastrophic unemployment in Wales? The trend is still upwards and Welsh Office Ministers seem to have no answer to the problem. Therefore, is it not time for them to consider their position, or are they determined to con the people of Wales right to the very end?

Mr. Roberts: We are doing our utmost to help employment in Wales. A few moments ago I referred to the number of advance factories that have been built by the Welsh Development Agency, and it is now embarking on a further programme of factory building involving an outlay of £27 million. I can also safely refer to the special employment measures, which give help to 43,850 people, and there are welcome developments in the hon. Gentleman's constituency. I am always astonished that we never hear about those good developments from the hon. Gentleman.

Mrs. Clwyd: In that case, will the Minister act on the advice given by the coalfield communities campaign to the Select Committee on Energy last week, when it suggested that a package was needed for coalfield communities similar to that which the Government have put aside for the inner city areas? Will he also tell us how many jobs for ex-miners NCB (Enterprise) Ltd. has produced in south Wales?

Mr. Roberts: The entire purpose of the valleys initiative announced by my right hon. Friend the Secretary of State is to focus support on the valleys of south Wales, and, of course, the moneys to be spent under that initiative are additional to the moneys already being spent under the urban programme and other programmes intended to support the valley communities. NCB (Enterprise) Ltd. has £20 million to invest, and I know from my visit to the enterprise train in Cardiff last week that it is doing extremely valuable work.

GCSE Examination

11. **Mr. Gwilym Jones** asked the Secretary of State for Wales if he will make a statement on the latest preparations for the new general certificate of secondary education examination and on the resources that have been made available.

16. **Sir Anthony Meyer** asked the Secretary of State for Wales if he is satisfied with the progress of arrangements for the introduction of the general certificate of secondary education examination in Wales.

18. **Sir Raymond Gower** asked the Secretary of State for Wales if he will make a statement on the extent of preparations for the introduction of the new general certificate of secondary education in Wales.

Mr. Wyn Roberts: Preparation for the introduction of the GCSE is well on course in Wales. We have made significant resources available for the special programme of teacher training, and have offered local education authorities funds to supplement the secondary school capitation allowance during the first two years of the new examination courses.

Mr. Jones: Does my hon. Friend agree that we should not lose sight of the fact that this new examination was generally welcomed as being superior to the existing examinations and therefore of advantage to school children? Accordingly, what reassurances can my hon. Friend give to parents in my constituency and throughout Wales who are gravely concerned that those advantages to their children are being jeopardised, or, at best, severely impaired, as a consequence of the teachers' dispute?

Mr. Roberts: My hon. Friend is right to say that when the GCSE was announced, as long ago as June 1984, it was very much welcomed by all educationists, and there is no doubt that it is superior to the O-level and CSE examinations. Those who desire to delay the start of the course in September this year and the subsequent examination must think seriously about their motives for doing so. The GCSE has had unprecedented support from the Government—far more financial support than any previous examination and course.

Sir Anthony Meyer: In view of the importance of making it clear beyond peradventure that this examination will be introduced on the stated date and that action by the teachers' unions, which could conceivably damage the examination, cannot possibly postpone it, will my hon. Friend none the less consider giving additional weapons to those teachers who are doing their best to introduce the examination on time by considering whether there should be an increase in the capitation grant, particularly for science subjects?

Mr. Roberts: I assure my hon. Friend that the Government do not regard alteration of the timetable as an option. The additional moneys that have been made available, particularly for books and equipment, to supplement the capitation fees amount to about £2,500 per secondary school per annum over the next two years and to about £18 per GCSE pupil.

Sir Raymond Gower: Is my hon. Friend aware that numerous teachers, including some headmasters, insist that they have no knowledge of these preparations? Does that not suggest a lack of communication between my hon.

Friend's Department, the education authorities and the schools? Will he therefore take emergency measures to get this message across?

Mr. Roberts: I do not think that that can be right. In written answers to the hon. Member for Meirionnydd Nant Conwy (Mr. Thomas) I have listed the GCSE inset seminars that took place between 20 January and 7 April this year. Notice of the start of the new examination course was given as far back as June 1984, explanatory leaflets were issued in January 1985, national criteria have been published and a great deal of money has been spent on seminars, training materials, inset funding and books.

Mr. Barry Jones: This is a good examination which is to make a lame start because of a tight-fisted Government. Will the Minister make available additional cash and give more time off to teachers so that they are able to prepare for the examination? There is a morale crisis among teachers and very great worry among parents, who are upset by the shortage of textbooks, equipment and teachers. Headmasters of high schools throughout Wales are anxious and are looking to the Minister for initiatives that will result in additional money and teachers.

Mr. Roberts: A will and a commitment are needed by all concerned to go ahead with the start of this examination course. I was glad to hear the hon. Gentleman commend it. We have spent £45,000 on seminars for teacher preparation and we are to spend an additional £15,000 on further seminars. A sum of £150,000, to be spent on training materials, is under consideration. Inset funding has received £427,000, at a rate of grant of 90 per cent. I have already given details of the amount of money to be spent on books and materials during the next two years. I am entitled to repeat that that kind of financial commitment represents unprecedented expenditure on a course of this kind.

CHURCH COMMISSIONERS

Income and Expenditure

22. **Mr. Chapman** asked the hon. Member for Wokingham, as representing the Church Commissioners, what amount and proportion of the Church Commissioners' total revenue derives from income arising from its assets; and what total amounts and proportion of expenditure goes in support of stipends and pensions.

Sir William van Straubenzee (Second Church Estates Commissioner, Representing Church Commissioners): From total revenue of some £140·7 million in 1985, £93·5 million, or 66·5 per cent., arose from their own assets, the remainder from parish giving and other local sources. From total expenditure of £138 million, £112 million, or 81·2 per cent., was spent on clergy stipends and pensions.

Mr. Chapman: Notwithstanding the welcome increase in recent years in parish contributions towards stipends, does my hon. Friend agree that his answer underlines the simple fact that the improvement of clergy stipends and pensions depends greatly upon the Church's income from its assets? Therefore, it is in the interests of everybody that the Church should be encouraged to invest in land and property, the stock markets, and in all other ways.

Sir William van Straubenzee: That is true. It is immensely important that the investment portfolio should be well managed and that we should have a buoyant agriculture. Like many similar institutions, the Church benefits enormously when inflation is under control.

Mr. Frank Field: Should we not pay attention not so much to the Church Commissioners' portfolio, as to the amount that the laity gives? Is it not a matter of concern that as soon as a clergyman has children the family becomes eligible for family income supplement, and that those children are the largest single group to claim help under the assisted places scheme?

Sir William van Straubenzee: I cannot accept the hon. Gentleman's premise without first inquiring into the matter. However, I agree that there is a continuing duty to increase the laity's giving. That point is given constant attention by the joint committee charged with that task.

Clergy Stipends

23. **Mr. Greenway** asked the hon. Member for Wokingham, as representing the Church Commissioners, what is the total raised towards clergy stipends in Easter offerings; and if he will make a statement.

Sir William van Straubenzee: The answer is approximately £200,000 a year or, on average, £25 per incumbent.

Mr. Greenway: Is my hon. Friend aware that on Easter Sunday I found in my place, just as I have every year of my life, a short note from the church warden saying that the ancient custom of the church is that Easter offerings shall be given as a personal offering to the incumbent? Is it not clear from what my hon. Friend has already said that that is not happening, and that Easter offerings are taxed? Will he join me in tackling our right hon. Friend the Chancellor of the Exchequer on that point and the Church Commissioners, in order to restore that true and traditional custom to its rightful place in the church?

Sir William van Straubenzee: I cannot answer for the tax side of the question, except to say that I have noticed that successive Chancellors of the Exchequer of all political parties have sought to find a method of identifying the source of income so that it need not be taxed. It was the General Synod's decision that the sums raised should be included in the central augmentation, and that is the authority under which we proceed.

24. **Mr. Peter Bruinvels** asked the hon. Member for Wokingham, as representing the Church Commissioners, what was the average stipend for a clergyman on 1 January; how that compares with 1 January 1981 and 1 January 1976; if he will evaluate the benefits in kind, including housing, for each period; and if he will make a statement on the future funding of clergy stipends.

Sir William van Straubenzee: The estimated average stipend of an incumbent on 1 January was £7,197 compared with £5,185 in 1981 and £2,534 in 1976. The equivalent figures for the housing "benefit in kind" are £3,800, £2,800 and £1,700.

In 1985, 82 per cent. of the Church Commissioners' income was applied towards the pay, pensions and housing of the clergy and it is the Church Commissioners' hope to continue that level of support.

Mr. Bruinvels: I welcome the substantial increase in the clergy stipends and I am pleased to note that stipends

are ahead of inflation. Will my hon. Friend note the concern felt by parents, who are deterring their sons from going forward to the Advisory Council for the Church's Ministry as potential ordinants because they consider it to be a not necessarily financially worthwhile career? Will he do all in his power to publicise the new stipends and the fact that the housing part of the stipends is so high?

Sir William van Straubenzee: I am grateful to my hon. Friend for paying tribute to what has been done. Compared with 1985, there has been an increase in the stipend of 7·2 per cent., compared with inflation of 4·2 per cent. I am sure that my hon. Friend's question and my answer will help to publicise the issue. I am also sure that my hon. Friend will agree that a man offers himself for service primarily because of his vocation. The financial reward comes a long way behind that.

PUBLIC ACCOUNTS COMMISSION

National Audit Office

25. **Mr. Dalyell** asked the right hon. Member for Taunton, as representing the Public Accounts Commission, what economy, efficiency and effectiveness examinations of the use of resources by the National Audit Office have been carried out to date by its auditor.

Sir Edward du Cann: It is for the newly-appointed auditors of the National Audit Office, who come from the private sector, to decide whether to carry out such examinations. No reports of any such audits have, however, as yet been made to the commission.

Mr. Dalyell: In the light of the right hon. Gentleman's announcement to the Taunton Conservative Association at the weekend, I express appreciation of what the right hon. Gentleman did in his capacity as Chairman of the 1922 Committee in making facilities available for Back Benchers, and of what he did as Chairman of the Treasury Committee in increasing Parliament's effectiveness on policy matters. Has he had an opportunity to consider the case of Jim Smith, which I raised with him? Has he reflected on the use of whistle blowers and deep throats in saving the public purse vast sums of money?

Sir Edward du Cann: I do not know whether I am in order, but I must express my appreciation of the hon. Gentleman's generous comments, and I am grateful to hon. Members for their kindness.

I am aware of the hon. Gentleman's speech in the House on 25 March and have total sympathy with his objectives. I shall draw what he said to the attention of the Comptroller and Auditor General and our colleagues, the members of the Public Accounts Committee. If the hon. Gentleman wishes to correspond with me in any way about the matter, I shall be happy to go further and accept the responsibility of ensuring that the Departments concerned are made aware of his views.

Mr. Jessel: Is my right hon. Friend aware that the National Audit Office used its resources with great efficiency and effectiveness when last November it examined the proposal to set up a joint services defence school of music? Is he further aware that as a result the Public Accounts Committee also did excellent work and produced a report, which led the Government to reconsider whether the Royal Military School of Music, which produces the finest military bands in the world, should remain at Kneller Hall, Twickenham?

Sir Edward du Cann: I am glad to have the opportunity to associate myself with the tribute that my hon. Friend has rightly paid to the admirable work by the Comptroller and Auditor General. In my opinion, for what it is worth, the whole business of efficiency in Government and the sensible spending of money is markedly assisted by the competence of those who work in the National Audit Office under his leadership. If we please my hon. Friend with his passion for music, I am doubly content.

HOUSE OF COMMONS

Refreshment Department

26. **Mr. Greenway** asked the Lord Privy Seal if he will make a statement on the arrangements authorised by the Catering Sub-Committee of the House of Commons (Services) Committee for the supply of goods to the Refreshment Department without charge and in connection with publicity within the House for the suppliers.

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): The Catering Sub-Committee has not laid down any general policy on this matter. But I understand that the recent display of English apples in the Members' Cafeteria and Tea Room was specifically approved by the Chairman of the Sub-Committee in response to an initiative by the Apple and Pear Development Council.

Mr. Greenway: Will my right hon. Friend convey the thanks of hon. Members to the Apple and Pear Development Council for the excellent free apples and pears provided a fortnight ago? Will he encourage the council to provide more English apples such as Cox's Orange Pippins and Worcester Pearmains as a means of promoting the vigour and health of Members, of keeping the doctor away and of aiding a most important British industry?

Mr. Biffen: I shall certainly convey those thanks to the admirable Apple and Pear Development Council, and draw my hon. Friend's comments to the attention of the Catering Sub-Committee.

Mr. Tony Banks: Does the Leader of the House not find it unacceptable that in the Restaurants hon. Members can still purchase real turtle soup and frogs' legs? Will he instruct the Catering Sub-Committee to stop purchasing such obscene products?

Mr. Biffen: I would not normally buy those products at that price, but I shall convey those comments to the Chairman of the Catering Sub-Committee.

LORD PRIVY SEAL

Mr. Jim Smith

27. **Mr. Dalyell** asked the Lord Privy Seal what consideration he has now given to the case of Jim Smith, pursuant to his answer, *Official Report*, 25 March, column 879.

Mr. Biffen: I confirmed in my letter of 16 April 1986 to the hon. Member that I had asked my hon. Friend the

Minister of State for Defence Procurement to write to him about the issues raised on 25 March. He has now done so. The hon. Member has already approached Her Majesty's Treasury about its policy for payment of compensation and has received a reply.

Mr. Dalyell: Is the right hon. Gentleman aware that that ridiculous letter arrived half an hour ago? As an independent member of the public, what does the Lord Privy Seal think should be done to protect the interests of whistle blowers and deep throats who have saved the Treasury a great deal of money by their actions?

Mr. Biffen: The hon. Gentleman will appreciate that Ministers with departmental responsibilities for these matters can more appropriately answer that question. The hon. Gentleman will also appreciate that in the Easter and May Day Adjournment debate I said that I would contact my right hon. Friend the Secretary of State for Defence which I have done.

Mr. Campbell-Savours: Is the Leader of the House aware that it is now 12 months since I raised this matter, and I have repeatedly raised it. Is he aware that in the past 12 months I have driven much information on this matter into the Public Accounts Committee? That Committee may be about to report on those matters. Does the right hon. Gentleman accept that it is the only Committee in the House which is equipped to establish the truth of what happened in the case of the Aish company and Mr. Jim Smith?

Mr. Biffen: Earlier this afternoon I had the advantage of listening to the exchanges between the hon. Member for Linlithgow (Mr. Dalyell) and my right hon. Friend the Member for Taunton (Sir E. du Cann) on the work of the Public Accounts Committee in this respect. I shall take account of what the hon. Gentleman has said, and I am sure that hon. Members in all parts of the House will be interested in the findings of the Public Accounts Committee, whatever they are.

Mr. Soames: Does my right hon. Friend agree that if the Government were less secretive the House would be able to do its job a great deal better? What steps will he take to ensure that we can have a freedom of information Act?

Mr. Biffen: I think that that goes much wider than this question. In this respect, I point out to my hon. Friend that earlier in the life of the Government, in all good faith, we mounted a freedom of information Bill which encountered so much ambiguity and anxiety that, in the end, the measure ran into the ground.

HOUSE OF COMMONS

Private Notice Questions

28. **Mr. Dubs** asked the Lord Privy Seal if he will move to refer to the Select Committee on Procedure the present arrangements for private notice questions; and if he will make a statement.

Mr. Biffen: The arrangements for private notice questions are already within the general terms of reference of the Procedure Committee.

Mr. Dubs: Does the Leader of the House agree that the House gives Mr. Speaker far too little guidance as regards which questions should be selected for private notice and which questions should be rejected? It is therefore our fault that Mr. Speaker is often subject to a great deal of controversy when he refuses a private notice question, as in the case of the question concerning Libya on 14 April. Would it not be better if, in the interests of this House and of Mr. Speaker, the Procedure Committee reconsidered the limited guidance we now give and considered whether it could be more extensive and helpful to Mr. Speaker?

Mr. Biffen: No, I do not think that I could agree with that proposition. One of the advantages of the present private notice procedure is, first, that it is private and not subject to contention on the Floor of the House, and, secondly, that Mr. Speaker does have a great deal of discretion.

Mr. Winnick: Will the right hon. Gentleman bear in mind that private notice question applications are an extremely important facility for hon. Members and that they should not in any way be undermined? Will the right hon. Gentleman also bear in mind that if the Government were more forthcoming in making statements on important items of business, there would be less need for us to put in applications for private notice questions?

Mr. Biffen: I agree entirely with the hon. Gentleman about the importance of private notice questions to hon. Members. I do not think that any analysis of the practice over the lifetime of this Government would suggest that we have made fewer statements than our predecessors.

Mr. Ryman: I support the submission of my hon. Friend the Member for Walsall, North (Mr. Winnick). I am always putting down private notice questions, and they are invariably refused.

Mr. Faulds: Mr. Speaker is a good judge.

Mr. Ryman: Is the Leader of the House aware that I put down a question on the prison officers' dispute——

Mr. Speaker: Order. Please do not say that.

Mr. Ryman: There is a need for the Government to volunteer statements to the House from the Treasury Bench before being pressed to do so by question, private or otherwise.

Mr. Biffen: In respect of private notice questions, I thought it was considered bad form to advertise one's failures. The hon. Gentleman raised the need for more Government statements. I assure him that if that were undertaken, it would not be long before hon. Members, quite properly, would complain that more and more prime time was being taken by Government statements.

Mr. Shore: The Leader of the House may or may not be right in his general expression of satisfaction with the present handling of applications for private notice questions. We also heard what he said about it within the Procedure Committee's terms of reference. Can he tell us when the Procedure Committee last considered this quite important matter?

Mr. Biffen: Not without notice.

Late Night Car Service

29. **Mr. Peter Bruinvels** asked the Lord Privy Seal how many people are eligible for a free taxi home from the House of Commons after late night sittings; what was

(a) the cost and *(b)* the numbers involved in each of the past five years; and if he will take steps to extend this facility to right hon. and hon. Members.

Mr. Biffen: Staff of the House and certain other individuals who are on late duty when the House or its Committees continue to sit after 11 pm are eligible to use the late night car service at no cost to themselves. The statistics involving numbers and cost are complex and do not lend themselves to oral answer. I will, however, set out the information in the *Official Report*. There are no proposals to extend the facility.

Mr. Bruinvels: Does my right hon. Friend share my concern about the difficulty with which the House is now presented? It cost £56·8 million to run the House of Commons in the last financial year. Hon. Members speak late into the night, so staff have to stay here much longer than is necessary and therefore need a lift home. I am not suggesting that any hon. Member ought to have a free lift home, but surely the best solution would be for the House to stop sitting after 10.30 pm. There would then be no requirement for this taxation without representation and free taxis for many while hon. Members are left standing in the taxi queue.

Mr. Biffen: The House is sitting no later today in any significant sense than in, say, 1980-81. If my hon. Friend wants the House to rise that much earlier, he should note that that can happen only if the most frequent participants in our debate show some continence.

Following is the information:

Records of the number of persons using this facility are not readily available and could be obtained only at disproportionate cost. In 1982-83, however, a special survey was mounted which revealed that 2,956 taxis were used to carry a total of 7,288 passengers.

Cost of late night car service

	£
1985-86	80,780
1984-85	64,016
1983-84	50,564
1982-83	53,904
1981-82	46,281

Mr. Ron Davies On a point of order, Mr. Speaker, arising from Question Time. On Welsh questions we reached No. 11 slightly after 3.10 pm, when questions to the Chancellor of the Duchy of Lancaster started. You managed to call all the hon. Members who had tabled questions for the Chancellor, and also several supplementaries. At 3.18 pm we came to questions to the right hon. Member representing the Public Accounts Committee. Again you managed to call those who wished to ask supplementary questions. At 3.20 pm, you managed to call all the hon. Members who had tabled questions to the Leader of the House, as well as several hon. Members to ask supplementary questions..

I understand, Mr. Speaker, that you cannot control the length of supplementary questions, nor the length of replies from the Minister. However, as only nine Members who had tabled questions for the Secretary of State for Wales were answered, would it be possible for you to examine the allocation of time for questions to the Secretary of State for Wales and other Question Times, so that Welsh Members have a fair crack of the whip?

Mr. Speaker: I am sorry that I did not manage to call the hon. Gentleman today. I was hoping to do so. The allocation of time for Questions is not a matter for me, but Welsh questions went on for a further three minutes beyond 3.10 pm, and we made up time subsequently.

Mr. D. E. Thomas Further to that point of order, Mr. Speaker. Should not Welsh Members assist English Members in the disestablishment of the Church of England?

Mr. Speaker: That is not a matter for me.

Binary Nerve Gas Weapons

3.30 pm

Mr. Denzil Davies (Llanelli): I beg leave to ask the Secretary of State for Defence, although I see that he is not here—I hope that he is not giving a radio interview in Scotland—a question of which I have given him private notice, namely, whether he will make a statement on the British Government's policy on the talks in NATO on a new generation of binary nerve gas weapons.

The Minister of State for the Armed Forces (Mr. John Stanley): I am sure that, if my right hon. Friend is giving a radio interview, he is not giving it in Scotland but at the Independent European Programme Group.

The Government note with concern the massive chemical warfare capability of the Soviet Union. We consider that the Alliance should continue, as its first priority, to work urgently in the current negotiations in Geneva for a comprehensive and verifiable global ban on all aspects of chemical warfare. A force goal requiring the United States to modernise its chemical weapons stocks with binary munitions is being discussed collectively within NATO in accordance with normal Alliance procedures. We believe that United States moves towards modernising its limited retaliatory capability with binary weapons will underline to the Soviet Union the benefits of reaching early agreement on a total ban. In the event that it is not possible to achieve such a ban, United States chemical weapons modernisation would contribute to upholding NATO's deterrent strategy of flexible response.

Mr. Davies: Is it not the case that a recommendation that binary nerve gas weapons should be part of NATO's armoury has already been accepted by NATO military representatives, including the United Kingdom representative? Is that recommendation soon to be discussed and considered by the civilian permanent representatives and Ministers of Defence, including the British Secretary of State for Defence?

Will the right hon. Gentleman tell the House whether one of the proposals is that the F111 aircraft based at Upper Heyford and Lakenheath should be equipped with chemical bombs—I believe that they are described as binary spray bombs in the trade—or are we to be told that the Government do not know, and apparently do not ask, what bombs can be carried by the F111s? Thirdly, is the Minister aware that if these proposals are accepted they will do considerable political damage to the NATO Alliance, especially at this time? Far from helping at the talks in Geneva, the proposals will jeopardise those talks and lead to a further escalation in the arms race. Will he make it clear that if necessary the British Government will veto these proposals and never allow these hideous new weapons on British soil?

Mr. Stanley: I can confirm to the right hon. Gentleman that the proposal for a force goal for the modernisation of the American chemical weapon capability has been considered by the military representatives. It has not yet been considered by the NATO ambassadors or by NATO Ministers. The right hon. Gentleman asked about basing in the United Kingdom. As I have previously made quite clear to the House, the United States Government have said that they have no plans to deploy binary chemical weapons in any foreign country in peacetime, and that should such deployment be considered in future, they will consult beforehand with the countries concerned.

I do not agree with the right hon. Gentleman's assessment of the implications for arms control. As has been well demonstrated, the intermediate nuclear forces deployment has made the Soviet Union negotiate much more seriously than ever before about INF arms control. I assure the House most fervently that the priority of the Government is to continue to try to achieve a total worldwide ban on chemical weapons. The right hon. Gentleman spoke about escalation. The basic military position must be considered when talking about escalation. For many years, the Soviet Union has taken advantage of no modernisation whatever by the United States since 1969. The Soviet Union has established a massive chemical warfare capability and it is in the interests of everybody in Western Europe and of vital importance against that massive Soviet capability our chemical warfare deterrent is maintained.

Sir Peter Blaker (Blackpool, South): Is my right hon. Friend aware that every hon. Member on this side welcomes his restatement of the NATO objective of securing a comprehensive ban on chemical weapons? We agree with him that the present proposal before NATO is more likely to persuade the Soviet Union to agree to such a ban or to move towards such a ban than the point of view of the Opposition, which seems totally devoid of common sense.

Mr. Stanley: I entirely agree with my right hon. Friend. As he well knows, not having a retaliatory capability and not preserving chemical warfare deterrents confer a major handicap on one's own conventional forces; that process tends severely to reduce the nuclear threshold, which I hope every hon. Member will want to keep as high as possible.

Dr. David Owen (Plymouth, Devonport): Will the Minister of State accept that while the Soviet Union has nuclear weapons, many of us accept the need for nuclear weapons to be deployed by NATO forces? However, we find morally repugnant the idea that Britain should give any support to the deployment of nerve gases that are a hundred times more potent than mustard gas. Such weapons are not necessary for NATO and it is a weapons system and a form of warfare that we should utterly condemn and not agree to deploy.

Mr. Stanley: As the right hon. Gentleman is aware, there is no question of deployment in the United Kingdom and our policy remains wholly unchanged. The right hon. Gentleman says that the deployment of such weapons is repugnant. I remind him that throughout the time he was Foreign Secretary the United States had a national chemical weapon capability.

Mr. Peter Viggers (Gosport): Does my right hon. Friend agree that, despite our self-denial of chemical weapons, the Russians have continued to accumulate, to test and to deploy chemical weapons and have 80,000 specially trained troops and 20,000 special reconnaisance and decontamination vehicles? Surely this proves that unilateral disarmament does not work with chemical weapons or other weapons.

Mr. Stanley: I endorse what my hon. Friend has said. The lack of efficacy of one-sided disarmament is

graphically illustrated by chemical weapon development and by what he has said about the scale of the Soviet capability. It is estimated that the Soviet stockpile of chemical weapon agents totals 300,000 tonnes. It is a massive stockpile and the Soviet Union has a range of methods of delivering the weapons. I hope that every hon. Member recognises the crucial importance of deterring the Soviet Union from using that capability.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): The Minister has said that a decision has yet to be taken by NATO defence Ministers and by ambassadors. The right hon. Gentleman knows that, if the defence review committee establishes today a new generation of chemical warfare weapons as a force goal, it will become a common Alliance objective, to which Britain will subscribe. Despite him saying that the United States hopes that it does not have to stock chemical weapons outside the United States, what are the storage implications for Britain in certain circumstances?

Mr. Stanley: There are no storage implications, until such time as the United States approaches Britain and requests that chemical weapons be based in this country. The United States has made no such request and it has made it clear that such a request would not be made in peacetime.

Mr. Neil Thorne (Ilford, South): Will my right hon. Friend confirm that it takes about three times as many men to perform a task in nuclear/biological/chemical kit than without it, and that if we have no such protection to afford our troops we shall require at least three times as many men as we already have? As the Soviet bloc already has three times as many men as we have, that would entail us having nine or 10 times the number of service men that we have now.

Mr. Stanley: I confirm what my hon. Friend says, which is that fighting a conventional war with one's own forces in NBC kit while the forces of other countries do not have to wear it would result in a serious degradation of one's conventional operating capability.

Mr. Roland Boyes (Houghton and Washington): Does the Minister accept that we on the Opposition Benches agree that there should be a comprehensive and verifiable reduction in chemical weapon stocks? Does he agree also that the talks in Geneva are not advancing quickly enough? Does he accept that there is something illogical, contradictory and obscene about the argument that we must increase the number of chemical weapons before we can begin to reduce their number? The Minister says that everyone agrees with that argument, but I think that no one agrees with it.

Mr. Stanley: I see nothing obscene in the proposition that we should give ourselves the basic deterrent capability to ensure that these profoundly evil weapons are not used against our own people, whether civilians or service men, in western Europe.

Mr. Patrick Cormack (Staffordshire, South): Is my right hon. Friend aware that every sane person hopes that a complete ban can be achieved, and that anyone who has seen the extra vulnerability of our troops on the sparsely populated northern flank that would stem from the extra protective clothing that they would have to wear to withstand chemical weapons will understand at a stroke how expensive and disastrous a policy of unilateralism would be?

Mr. Stanley: I am grateful to my hon. Friend. He is entirely right to reflect on what he has seen and on his own experiences on the northern flank. Fighting in aircraft or in armoured vehicles on the ground in NBC kit would severely degrade our operating capability.

Mr. Eric Deakins (Walthamstow): Why is NATO being asked to endorse these appalling new weapons for United States forces in the USA when it was not asked for its views on the introduction of the SDI or the updating of the American nuclear strategic deterrent?

Mr. Stanley: As the hon. Member knows, there have been detailed discussions with all the NATO countries on the SDI programme. He will be aware that it was one of the requirements for congressional approval, and a reasonable one, that the NATO countries, whose deterrent would be added to by these weapons, endorsed a force goal indicating that they favoured the deployment.

Mr. Anthony Nelson (Chichester): Does my right hon. Friend accept that some of us who are the staunchest proponents of our nuclear strategic deterrent are nevertheless gravely concerned about the wisdom of developing and building up a stockpile of ever more hideous and novel means of killing one another? Will he confirm that, whatever decision the United States takes about acquiring and building up such a stockpile on its own territory, the Government will be no party to the acquisition of those stocks in peacetime by other NATO states?

Mr. Stanley: One can speak only for this country, and, as I have made clear, there is no question of the deployment of American binary munitions in the United Kingdom in peacetime. It is of paramount importance that the NATO countries, and in this case the United States, maintain a viable deterrent capability against the formidable chemical weapons stockpile that the Soviet Union has acquired.

Mr. D. E. Thomas (Meirionnydd Nant Conwy): Is it conceivable that these weapons will be brought to Caerwent to the United States arms dump in a time of emergency? Has the Minister's deterrence argument developed into an argument for continuing modernisation of the deterrent capability? How will a chemical deterrent deter the Soviet Union, and how is that an additional component to the existing nuclear deterrent? Will he explain this development in his deterrence theory?

Mr. Stanley: I hope that the hon. Gentleman will cast his mind back 40 years, and recall that perhaps it was because both sides had a chemical warfare capability that chemical weapons were never used between 1939 and 1945.

Agriculture Council

3.48 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. John Selwyn Gummer): With permission, I will make a statement about the meeting of the Council of Agriculture Ministers which took place in Luxembourg from 21 to 25 April 1986. I attended this meeting with my right hon. Friend the Minister, who is, unfortunately, ill and not able to be present in the House. After negotiations which lasted throughout the week, the Council reached decisions on farm support prices and related measures for 1986-1987.

The basis of the agreement is a freeze in common support prices, with substantial price reductions for certain Mediterranean products, in particular tomatoes and tobacco. Following recent currency developments, some changes in green rates were indicated. It was, however, important that these were not of such a size that they undermined the policy of price restraint. For this reason, the United Kingdom supported devaluations of the green pound, the green franc and the green punt which will increase support prices in national currencies by 2·75 per cent. in the livestock sector and by 1·35 per cent. in the arable sector.

Turning to specific commodities, the United Kingdom has been particularly concerned about the growing surplus of cereals, and we made it clear at the beginning of the negotiations that we intended to press for effective changes to the existing regime on a fair basis. I am pleased to say that the changes we have agreed in the intervention arrangements and in quality standards, together with the introduction of a 3 per cent. co-responsibility levy, will have the effect of substantially reducing the effective level of support. The co-responsibility levy has been agreed for five years, with provision for a report by the Commission after two years on how the system is operating. As the House knows, we would have preferred a straight cut in the price for cereals. However, the co-responsibility mechanism as agreed is a substantial improvement on the simplification of the Commission's original unsatisfactory proposals.

The levy will apply to cereals sold into intervention and act as a direct price cut, with a real effect on the market. The levy will be collected at the processing stage, but cereals processed on the farm will be excluded. We would expect to pay a proportion of the total levy which is close to our share of Community cereals production. An aid for small cereals producers will be introduced. The detailed arrangements for this remain to be decided.

The Commission's original proposals included an unsatisfactory price structure for barley and a big increase in the average threshold price for maize. We secured changes in the Commission's proposals to remove the barley price distortion and to provide for a lower increase in the average maize threshold price.

The support levels for rapeseed and sunflower seed will also be reduced, if the crops in the Community exceed a prescribed maximum guaranteed quantity.

The reduction in cereal prices will be of particular benefit to pig and poultry producers. The final form of the monetary compensatory amount reductions in this sector have yet to be decided, and the Commission will be submitting proposals on this in the near future. In the meantime, increases in negative MCAs for pigs, eggs and poultry resulting from the recent realignment will be suspended until 1 June 1986.

For milk, I am glad to say that we resisted considerable pressure for a price increase. In addition, the Commission's proposal to change the fat-skim ratio was dropped. This will avoid adding to the costs of those food manufacturers who use skimmed milk.

Despite the very real steps taken by the European Community to reduce the milk surplus, culminating in the introduction of quotas, the Community is still a substantial over-producer of milk. Therefore, the United Kingdom was determined to secure a further reduction and so to cut this surplus. We were, however, insistent that the burden should fall equally on all member states. I am glad to say that, in the face of strong opposition from a number of countries, a further 3 per cent. cut in milk quotas was agreed. This will be effected over the next three years, initially through a Community buyout scheme, but if this voluntary system is not effective in all member states, it will be underpinned by compulsory reductions.

The maximum compensation chargeable to the Community budget for this scheme will be about 18p a litre over seven years. But each member state will be able to set the rate of payment according to its own circumstances. There is also provision for national schemes to continue alongside the Community scheme. We secured a provision which allows larger dairy farmers to sell part of their quotas under this scheme. Additionally, the arrangements to offset under-production of quota in one region against over-production in another will continue for a third year. This has given useful flexibility in the United Kingdom in each of the first two years of quotas.

For beef, we succeeded once again in securing an extension of the beef variable premium scheme unchanged. The maximum rate expressed in sterling will be increased as a result of the green rate devaluation. The Commission's proposals for reforming the regime for beef are to be further studied by the Council, with a view to the decisions being taken by the end of this year.

For sheep, we insisted on the removal of the proposed limit to the number of ewes per farm qualifying for the annual premium. We also secured the removal of the proposal to amalgamate Northern Ireland and the Irish Republic into a single region for the purpose of calculating ewe premium.

Turning to the budgetary costs, the Commission indicated that the package as a whole will produce a total saving over 1986 and 1987 of 777 million ecu, a saving of 118 million ecu greater than would have been achieved under the Commission's original proposal. There remains, however, a serious problem about the substantial additional costs resulting from changes in the relationship between the ecu and the dollar and from the realignment of currencies. In supporting the settlement, we made it clear that its budgetary implications would have to be referred to the ECOFIN Council. They are being considered today by the Council, which my right hon. Friend the Chancellor of the Exchequer is attending. We shall continue to seek a thorough examination of the scope for savings to minimise any supplemental budget this year.

Overall, this price fixing has produced a highly satisfactory outcome and one that follows closely the approach endorsed by the House, without opposition, on 10 March. The pressure on support prices in the

Community has been maintained. In particular, the effective reduction agreed for cereals marks an important step in the battle against surplus production. The outgoers scheme for milk is the next stage in bringing about a better balance between production and consumption.

By devaluing the green pound, we have ensured that our farmers are treated fairly in relation to producers elsewhere in the Community, including particularly France and Ireland. We have removed from the original package those key elements of discrimination to which this House rightly took such exception — the 25 tonne exemption for cereals and the limits on headage payments for beef cattle and sheep. Moreover, this settlement will have a negligible effect on food prices, which are, in any case, continuing to rise less than the rate of inflation. The package therefore represents a further significant step towards improving the common agricultural policy while safeguarding the competitive position of our own farmers. It is therefore good for Britain and good for Europe.

Mr. Brynmor John (Pontypridd): I thank the right hon. Gentleman for his statement, the arrangement of which was conducted with all the consideration that we have come to expect of the Government.

Is the figure which the right hon. Gentleman has cited of 18p a litre over seven years correct? In my copy of the statement the figure is 17p a litre. The right hon. Gentleman will appreciate that other additions to the final draft were not communicated to me.

Will the right hon. Gentleman pass on to the Minister of Agriculture, Fisheries and Food our good wishes for his recovery from illness? Clearly, the Minister was suffering from the long Report and Third Reading stages of the Agriculture Bill. I am sorry that he is not in his place.

I welcome the ewe premium, which I thought at first was the first step in the Government's farm woodlands policy because "ewe" was spelt "yew" in my copy. I welcome the retention, however temporarily, of the beef variable premium. It would make no sense in the present climate if the Community scrapped the only policy among all its regimes that is good for farmers and consumers. I welcome also, because the measure was included in our amendment to the legislation on the milk outgoers scheme, the ability to surrender part of the milk quota.

The central judgment on this package depends on what it does to solve the long-term problems of the common agricultural policy. The Minister of State did not merely say that that was the best we could do in all the circumstances; he rhapsodised about it, saying that it was "good for Britain and good for Europe."

Other comments suggested that the package was a major step forward. It seems to be a case of optimism overcoming experience.

To describe the package in that way, the right hon. Gentleman must have some vision. Will it lead to a cut in the production of surplus commodities and, if so, by what percentage? If the right hon. Gentleman merely says that he will cut the rate at which the surpluses increase, I must tell him that that cannot possibly justify his description, because surpluses will continue to increase at a slower rate than previously. If the measures will not lead to a cut in production, does that not mean that, once again, Agriculture Ministers have dodged their responsibilities for a further year and have just looked at the matter on the basis that it will never arise?

What is the budgetary effect of all the measures? I have heard a great deal about the savings which are supposed to be effected. Does the Minister confirm that the effect of the loss in value of the American dollar means that £1 billion will be added to the agricultural budget of the EEC or, is it, as *Agra Europ* said this morning, £1·5 billion? If that is so, how is it to be paid for? Is it to be paid for by even further cuts in the present miserable regional budget or is it to be paid for by extra income? Will the right hon. Gentleman give an assurance to the House that under no circumstances will the EEC raise the take it has from the VAT in the current year, at present 1·4 per cent.? That is a crucial question. It was raised during the debate on the subject and it is a question which I think that the Minister has to answer.

On the milk outgoers scheme, is the Minister satisfied that the amount under the European scheme, whether 17p or 18p a litre over seven years, is sufficient to attract voluntary yielding of the amount of production? A large number of people believe that it is not. Therefore, resort to compulsion will be necessary. In which case, how is that to be done? I hope that the tenants' share of the milk quota is not to be based upon the formula that was suggested in the new clause to the Agriculture Bill for outgoing tenants.

I put to the Minister the fundamental irrelevance of the co-responsibility levy on cereals. It did not work on milk, so why should we think that it should work on cereals? What will the scheme do? As I understand it, it imposes only a percentage tax which is half as great as that which is necessary to make it self-supporting and after all, that is the basic tenet of a co-responsibility levy.

The Minister has mentioned the effect on consumers of devaluation of the green pound. One thing is clear, although he said that the overall effect is minimal; we will have to wait and see, but, according to the Minister, butter is to go up by 1p to 1½p a pound. How will that affect the hard-pressed dairy industry? We talk about a surplus to requirements of 16 per cent., but, if raising the butter price reduces consumption even further, will he not be compounding the problem of the dairy industry?

I conclude that the Government have been a party to a package which shirks the underlying long-term problems of the farm industry. When will the Council face up to the problems? Does it not mean that agriculture deserves more candour from its Minister, Europewide, than it is getting at present?

Mr. Gummer: If we were to have said in advance of the price fixing that we would have moved so far and made such major changes, many Opposition Members would have denied that possibility. They would have said that we were suggesting a major change which could not have been achieved. Therefore, I think that it is a little churlish of the hon. Gentleman to talk about a situation in which we have ensured that every nation has accepted what could be, if they did not get a voluntary agreement, a compulsory cut in their production of milk.

We have a co-responsibility levy which will have a direct effect on prices, we have stopped the pressures for price rises in milk, we have seen that there have been substantial price cuts in Mediterranean products and we have seen that there has been a 777 million ecu reduction in what would otherwise have been the cost. We have done

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all those things and we have set this example within a change in the green pound rate which is less than might have taken place and less than many countries pressed for.

I agree with the hon. Gentleman that we will not solve all our problems by what we have done. When one is trying to move from massive surpluses, one can do so only in a way which gives the industry the time to make the necessary changes. There are limits to the weight one can put on farmers in any one year. If one looks at the substantial reduction in the price of cereals this year—cereals which have already been planted and the input costs of which have already been carried—one has to say that there is another side to the argument.

The hon. Gentleman will have to answer the farmers who will ask whether he was suggesting that, despite the increase in import costs and the reduction in the price of cereals, he would have increased the burden on farmers in this country. That is what the hon. Gentleman is saying. I hope that he will say that now in West Derbyshire and Ryedale and make clear exactly what he means. He clearly means the kind of weight reduction which it would have been impossible for farmers to bear in one year.

Of course, the hon. Gentleman is right to push us and see that we go on pressing for this change. However, there is a substantial change which we might not have expected otherwise. It would have been right for him to mention the extension of the BVPS. He made it sound as if that was an easy operation. Every year it causes difficulty because it is a system which we approve of but which other countries do not find acceptable. On this occasion, not only is it unchanged but clearly, its continuation is linked to the emergence of a new beef regime. It will be for us to see that we get a beef regime which suits the Community and Britain especially.

The hon. Gentleman specifically asked about the VAT. There is no question of breaking the VAT ceiling in 1986 and 1987. The Commission recognises that both the 1986 and 1987 budgets must stay within the 1·4 per cent. ceiling. We made that clear and it was clearly written into the minutes.

We believe that there is a difficulty with the milk outgoers scheme. I am sure that the hon. Gentleman will agree that, whatever price it is fixed at, one does not want to be spending more money than one needs to spend to get milk producers out. However, one must have enough, and we think that we have struck the right balance. We will be holding discussions with the National Farmers Union.

Of course the co-responsibility levy is not the way we would like to have done it. The hon. Gentleman is right. We would have preferred to have a direct price reduction. However, we have established a form of co-responsibility which is much fairer between the countries and which has many more of the effects of a direct cut in prices. That must be good.

The hon. Gentleman is right about the amount of the rise in the price of butter. It will be balanced by other reductions. I agree that we would like to have seen a reduction in the price of butter; that was our policy and we failed to achieve it. However, we achieved almost every other item on the milk side. I agree with the hon. Gentleman's comments about the increase in the price of butter. However, I think that it is only fair for him to say that it is just as certain that there will be certain other reductions. That is why the situation generally will be somewhat neutral.

Several hon. Members *rose*——

Mr. Speaker: Order. I have to take into account that we have a heavy day in front of us. I will allow equal time for Back Benchers — that is to say, 20 minutes for questions. I hope that in that time I may be able to call everybody.

Mr. Teddy Taylor (Southend, East): As we were told last year that strict budgetary controls were binding in the Council, can the Minister explain why, in the first year of restraint, he has passed a package which exceeds those controls? Can he also say what steps he is taking to ensure that those who are compensated for moving out of milk production will not begin to produce other commodities which are already in chronic surplus?

Mr. Gummer: On the second point, my hon. Friend knows that there are no rules to stop people from going into other forms of production. We are concerned to get people moving into things which are not in over-production and we are trying to arrange the regime so that we reduce the scope and the advantage of producing in those areas. My hon. Friend is perfectly right. There is no way in which we can stop people moving into another form of over-production.

On the first point, I made it perfectly clear that the budgetary implications of this are being discussed at this moment at ECOFIN. However, the Commission has made it clear that it is intended that the budgets should be kept within the guidelines.

Mr. Richard Livsey (Brecon and Radnor): May I first send good wishes to the Minister, who I realised last week was suffering from ill-health. I wish him well.

We welcome the retention of the variable premium, what has been done with the sheepmeat regime and the devaluation of the green pound. That does not seem to be quiet sufficient. None the less, it is a move in the right direction. We are concerned that there appears to be no real resolve in the Community to reduce the surpluses. That especially applies to cereals. I believe that the Minister's estimate of 770 million ecu is somewhat at variance in that he said that it was a reduction. The estimates, by all accounts, appear on the supplementary budget which looks likely to come before us as a result of the settlement, and it could be an increase of 1·5 billion ecu or possibly 2·5 billion ecu, depending on the estimates. That is a serious problem. Sometimes farmers who most need support are not getting it, whereas the support prices are increasing the surpluses. Can the Minister make that clear?

Mr. Gummer: The hon. Gentleman cannot have it both ways. He cannot, on the one hand, object to the fact that the devaluation is not great enough, and, on the other, say that we are not trying to deal with the problems of surplus. He must accept that it was not sensible to have so large a devaluation that it would undermine the price part of the package. That would be unacceptable. The hon. Gentleman must get his act together on this. I realise that it would have been more electorally advantageous among the farming community to have a larger devaluation, but I think that those in the farming community understand that this was the right balance—to take into account the

changes in the currencies, and not to undermine the price package. I gave the figures precisely as they are. They are the figures produced by the Commission.

Mr. David Harris (St. Ives): Although I welcome many parts of the package, particularly my right hon. Friend's success in resisting special pleading by countries such as Ireland for exemptions from quota arrangements, will he try to convince me a little more about the corn surplus? Can he tell me why a co-responsibility levy for cereals might succeed, whereas the co-responsibility levy for milk clearly failed?

Mr. Gummer: It would be wrong to suggest that a co-responsibility levy on its own would have the effect that I hope this package will, but if the co-responsibility levy is taken together with the effects of the changes in intervention and quality, the effect upon the price of cereals is sufficient not only because it hits particularly at the intervention point to lower the general price of cereals, but because it should be the beginning — only the beginning—of a reduction in the attraction of growing cereals. That is the effect of the price process. It is not as much as we should like, nor is it as much as others would press us to achieve.

There is a balance between moving in this direction and laying on the shoulders of farmers who have already put their crops in the ground a burden that they find intolerable. I think that we have got the balance about right, but we must not give up because we must continue to the next stage. This is only the beginning of the stage dealing with the surpluses. My hon. Friend was right to make that point to us.

Mr. Eric Deakins (Walthamstow): Is the Minister aware that *Agra Europ*, which, unlike the Minister, is impartial on these matters, described the cereals agreement as a dog's breakfast and a disgrace? Is the right hon. Gentleman now telling the House that the previous opposition of the Minister of Agriculture, Fisheries and Food to a co-responsibility levy on cereals was not based on principle, as the Minister led the House to believe, but was merely one of detail?

Mr. Gummer: The hon. Gentleman must not miss out the fact that I said absolutely clearly that we would have much preferred direct price reductions to the co-responsibility levy. Nobody has ever kidded anybody else on that. We have said that, because we were unable to achieve a direct price reduction, we sought to have the system of co-responsibility levy most likely to produce the effects that we wanted. We therefore got rid of the discrimination against the United Kingdom. We therefore saw that we had a much simpler method of having a co-responsibility levy. We therefore saw that it, together with the rest of the package, had a considerable effect on the price of cereals. We therefore produced not a dog's breakfast but the very best compromise that 12 nations can reach, and that was very much better than the hon. Gentleman thought we could do.

Sir Anthony Meyer (Clwyd, North-West): Is my right hon. Friend aware that this settlement will be grievously disappointing to the prophets of doom who forecast that it would be impossible to achieve any agreement whatever, and that he and his right hon. Friend the Minister of Agriculture, Fisheries and Food deserve the warmest congratulations on getting the best possible settlement in the real world, which will be particularly welcome to Welsh sheep and beef farmers?

Mr. Gummer: I am sure that my hon. Friend will agree that on a day when we got 12 nations to agree on our agriculture policy, it was interesting that the Liberals produced two policies, one on agriculture and the other on the environment. Those policies were contradictory, the environment policy suggesting that we should go back to peasant farming.

Dr. Roger Thomas (Carmarthen): As a direct consequence of what the Minister has announced today, what percentage fall will there be in the milk available for cheese and butter creameries? Can we look forward to further creamery closures and a further loss of jobs among people who are really outgoers but have no outgoers scheme of their own?

Mr. Gummer: The hon. Gentleman is right. If one reduces the amount of milk that is being produced by the 3 per cent. that we are talking about, that is bound to have a continuing effect of those who manufacture from milk. But the fact remains that those problems cannot be dealt with merely by ignoring the fact that, as a Community, we are producing about 14 per cent. more milk than we need. In those circumstances, it is proper for all of us to take an equal cut in the amount that we are producing.

Mr. Tony Marlow (Northampton, North): My right hon. Friend said that it has been a highly satisfactory outcome — good for Britain and good for the Community. That is what has been said by his predecessors every single year that I have been here, yet the problems of the common agricultural policy get worse. In the immortal words of The Examiner, I wonder whether my right hon. Friend could explain? If he can do that, will he also tell the House, keen as he is to bring surpluses under control, by how much the surpluses will be reduced if we have the same weather patterns over the next 12 months as we had over the past 12 months?

Mr. Gummer: But would not my hon. Friend be more effective in his opposition to the common agricultural policy if he said today, "This is good as far as it goes, but it should have gone a lot further."? He does not do that, because it does not matter how far one goes in dealing with problems of moving from a Community that was set up to deal with shortage to a Community in a world with surpluses. However far we go down that road, my hon. Friend will not give at least a little credit where it is due. We have got 12 nations to move a long way down that road. We have much further to go down it. The package will have an impact on surpluses, but my hon. Friend must accept that surpluses grow at great speed as a result of technological change that no one forsaw 10 years ago. A great deal of change is required. One cannot ask the farming community to carry the whole of that change in too short a time, because that is not the nature of the agricultural system.

Mr. Nigel Spearing (Newham, South): The Minister said that the package is intended not to exceed the budgetary discipline by which the Government have set so much store. When will it be known whether this package breaks that discipline?

Mr. Gummer: The situation is simply this. The Commission has made it clear that this package will not

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break the budgetary discipline. The discussion that is continuing at the moment in the ECOFIN council is about the exogenous elements, or elements that come from outside the decisions, which are supposed to affect the budget — in other words, things that are seen as extraordinary items. They are being discussed today in the ECOFIN council, and my right hon. Friend the Chancellor of the Exchequer is known to have a strong adverse view about the acceptance of things that are supposedly extraneous but which are in fact part of the system.

Mr. Albert McQuarrie (Banff and Buchan): I congratulate my right hon. Friend, as well as my right hon. Friend the Minister of Agriculture, Fisheries and Food, on maintaining the variable beef premium and on their determined stand against the ewe proposals which, allegedly, were going to be put forward by the Commission. However, the increase in support prices will not compensate for the increased costs as it will probably result in a 10 per cent. increase to Scottish farmers. In addition, the reduction from 27p to 18p per litre of milk will make the scheme less attractive. My right hon. Friend referred to the fact that all member states have some licence. Will the Government take cognisance of the existence of that licence? If milk producers are assisted in one state, will we in this country give similar assistance to our milk producers, especially since the landlord-tenant sharing scheme is affected by the proposals?

Mr. Gummer: I hope that my hon. Friend will agree with me that in his general stance on the common agricultural policy, he is rightly concerned with the extension and increase of surpluses. He must therefore accept that, if we intend to reduce those surpluses, we cannot continue to increase the prices to farmers for producing surpluses. That would be wrong even where inputs increase. I hope that my hon. Friend does not want us to increase the price of milk and yet in some way to reduce the cut in the price for cereals. We cannot do that and carry out what my hon. Friend in other circumstances has been pressing us to do, which is to reform the CAP.

The Government will look carefully at the additionality of the outgoers scheme and will listen to representations from the National Farmers Union, the Scottish Farmers Union and others, to see that we get the balance right. We intend to ensure that outgoers are achieved voluntarily at a price which is not greater than it need be. If we pay more than is necessary, that will increase the cost to the budget. People have not lost that price; rather, they will be offered a lower price for going out. They still have a choice about going out.

If we are to solve the problems of agriculture, those who want to see an immediate and swingeing reduction which would damage our farmers irretrievably, must stay their hand. Similarly, those who want us to keep farmers' incomes up irrespective of the effect on surpluses, must also stay theirs. The right answer is to be found somewhere between those views; that is why I support the package.

Mr. Robert Maclennan (Caithness and Sutherland): In giving the Government credit where credit is due, I think that the beef and sheep premia arrangements are useful. However, is not the Minister trying to have it both ways by over-selling the benefits of the package to the European taxpayer and under-estimating the lack of help to the beleaguered farm industry in Britain as a consequence of the decline of incomes — according to the Minister's table 26 in the annual review — since the Government took office? Is it not even more serious that the Government have reversed their position over the cereal co-responsibility levy and are pursuing a chimerical policy which failed for milk and will fail to curb surpluses for cereals? When will the Minister discuss what is to replace the co-responsibility levy for cereals?

Mr. Gummer: The hon. Gentleman, I think, does himself a disservice in not considering the facts and again asking for the two impossibles. On the one hand he asks for more money for farmers for the very products which are in surplus, and on the other he attacks the Government for trying to do something about that. I have been frank with the hon. Gentleman and told him that I would much prefer to have had a reduction in price. However, we were unable to achieve that. We have achieved a package which is much closer to what we wanted than any hon. Member thought possible before we entered into the negotiations. The hon. Gentleman would do himself more credit if he were to recognise that.

The Government will take the hon. Gentleman's contributions on agriculture seriously when he recognises that his alliance partners should stop suggesting to farmers that they should return to being peasants, working with old-fashioned, out-of-date tools in old-fashioned and out-of-date ways.

Mr. David Heathcoat-Amory (Wells): In an earlier reply, my right hon. Friend seemed to be saying that the price fixing, with its attendant supplementary budget, was in line with the Fontainebleau commitment to financial discipline. Does my right hon. Friend really think that? He can reach that conclusion only by treating the depreciation of the dollar as an exceptional item. But he is a member of a Government who believe in freely moving exchange rates. Does he really think that the depreciation of the dollar and the consequential increase in agricultural expenditure is a truly exceptional item which permits us to break through the 1·4 per cent. VAT ceiling and the large supplementary budget?

Mr. Gummer: My right hon. Friend will accept that being a member of the Government has advantages and disadvantages. One of the advantages is that one can say quite clearly which are the things for which one is responsible and which are those for which others are responsible. I am responsible for ensuring that, when we come to a package of this sort, the package we deal with must be within the budget and that the Commission makes absolute assurances about VAT and its ceilings. We must then consider what we do about the suggestions that some extraneous items are not, after all, written into the Luxembourg agreement. We believe that it is our job to see how much of that can be covered by savings. We will continue to do that, and I stated that clearly in my statement.

In the ECOFIN meeting today and tomorrow, my right hon. Friend the Chancellor of the Exchequer will look very carefully at proposals and suggestions that there are some extraneous items. I have listed what those items claim to be and I have cast considerable doubt upon some of the suggestions that have been put forward. I am also conscious of the fact that it is easier to talk about the disadvantages to the budget when the dollar moves one

way, than to talk about the advantages to the budget when it moves in another way. Therefore, I hope that my right hon. Friend will accept that the Chancellor of the Exchequer will be raising the points which my right hon. Friend has just raised with fellow members of the Council.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall do my best to call those hon. Members who have been rising regularly. I ask for brief questions, as that will lead to shorter answers.

Mr. Paul Marland (Gloucestershire, West): I congratulate my right hon. Friend the Minister and my right hon. Friend the Minister of State on their tenacity in these negotiations and on the fact that they have arrived at some kind of agreement before the harvest, but I should like to return, without apology, to the co-responsibility levy on cereals. The co-responsibility levy on dairy products did not work. Does not my right hon. Friend think that he is merely tinkering with the situation to introduce one now? Can he assure me that, during the next five years that the levy is to exist, he will look at other ways of curtailing production?

Mr. Gummer: I repeat to my hon. Friend that I see the levy as part of the package and not on its own. We have specifically pressed for and received agreement—there will have to be a report on the workings of the co-responsibility levy within two years—that the levy is not fixed permanently but is for a five-year period. We will, of course, continue to press the Community in the direction which both he and I want, to reduce the prices of surplus products and change the system of intervention to achieve the result we all want, which is to bring production and demand into kilter.

Mr. Tony Baldry (Banbury): Will my hon. Friend confirm that this year's settlement will be fair to farmers without being a heavy drain on consumers and that it will have a negligible effect of food prices, yet, because of the devaluation of the green pound, farmers will get a reasonable increase in receipts? Does he also agree therefore that the package strikes a good balance between the interests of the farmers on the one hand and the consumer on the other?

Mr. Gummer: I am sure that this is the best balance that can be achieved in circumstances in which we are trying to reduce production. Those cannot be favourable circumstances for farmers. The improvements in farm incomes, which come from the realignments of the green pound, will be offset by considerable reductions which arise from the measures that we have taken. That is a fact of life which arises when we produce too much of certain products. However, I believe that this is a step which the farmer can bear and is a step in the important direction of bringing supply and demand into line.

Mr. D. N. Campbell-Savours (Workington): How will the small dairy farmer in the county of Cumbria, on the margin of profitability, be affected by the deal, specifically in connection with milk quotas?

Mr. Gummer: The effect on the small dairy farmer, as on other dairy farmers, is that there will be no increase in the price of milk. However, the small dairy farmer will have the opportunity of taking the outgoers scheme if that is what he wants.

Mr. Campbell-Savours: In other words, he will have to go on the dole.

Mr. Gummer: The hon. Gentleman is again very keen to press the disadvantages of the policy which he must want.

Mr. Campbell-Savours: The NFU asked me to ask the Minister that question.

Mr. Gummer: If the hon. Gentleman only knows what question to ask because he has been lobbied, then it would be better for me to answer the lobbyist directly.

Mr. John Carlisle (Luton, North): Will my right hon. Friend appreciate that many Conservative Members and specifically my farming colleagues, will not like the contributory levy although we appreciate my right hon. Friend's position on that. However, we appreciate that my right hon. Friend came out with the best deal at the end of the day.

Did the Commission and the Ministers consider the problem of the present surpluses? Does he understand that there are great difficulties in export markets for United Kingdom traders against our European counterparts? Was there any discussion of what we will do with the massive surpluses which exist now and of whether he can assist, in export terms, in getting rid of them?

Mr. Gummer: There will be a number of opportunities in the immediate aftermath of the general decisions—in the detailed ones—to consider what my hon. Friend has said. I know that he has some suggestions which I hope that we shall be able to take up with the Commission.

Mr. John: The right hon. Gentleman will appreciate that I am not unused to advocacy, but which of the three defences on surplus production is he running? Is he running the defence that, as a result of all the measures taken together, production of the regimes producing a surplus will fall, or that they will not fall themselves but that surpluses will rise more slowly, or simply that he does not know whether they will fall?

Mr. Gummer: My answer is simple. Our job is to reduce surpluses. That falls into two parts. One is that surpluses are rising all the time and so first we must stop them rising. Secondly, we must bring the total into line with what is needed, partly by increasing consumption and partly by reducing surpluses. All that I have claimed for this package is that it goes further towards the reduction of surpluses than any package which he or anybody else envisaged before we went into the negotiations.

Libya

4.30 pm

Mr. Tam Dalyell (Linlithgow): I beg to ask leave to move succinctly the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"to consider the contrast between the Prime Minister's explanation for permission to use the F111s from British bases and the explanation that is being given by the Pentagon and the contrast on the use of nuclear weapons."

I have to persuade you, Mr. Speaker, that the matter is definite. It may be unfortunate from the point of view of Parliament that an in-depth interview, such as none of us can give the Prime Minister, was administered by Mr. Gordon Clough yesterday on "The World this Weekend." In answer to Mr. Clough, the Prime Minister reiterated what indeed she had said in column 726 of *Hansard* of 15 April—that permission was given for the use of F111s because they were more accurate on particular targets, with the implication that they would save innocent lives.

I think that you will agree, Mr. Speaker, that *Aviation Week and Space Technology*, the most serious American journal, is very close to the Pentagon. In a major article on 21 April it said:

"'The Navy's carrier aircraft could have hit all the Libyan targets at the same time, but they would have been tight on assets. There were a lot of good reasons to include the Air Force F-111s,' a senior military official said. 'In most of the contingency planning for large air strikes by the Sixth Fleet, the F-111s from Britain are factored into the operation.'"

The senior Pentagon official went on:

"'The Libyan attack provided a good proving ground for the F-111s to be flown in the Mediterranean . . . The ability to fly over France would have helped the mission considerably.

'Understandably, after the All-Navy action in Libya last month the Air Force wanted a piece of the action.' The official added 'The fact that the Defense Dept. budget is under consideration—and here was an opportunity to show how well the money is being spent on aircraft and weapons—was not overlooked by both services as a side benefit to the mission. Another reason to include the F-111s in the operation was that it showed the support of Great Britain for our antiterrorist activities.'"

Nowhere in that explanation is the point made by the Prime Minister. From the Americans we have contingency planning, proving grounds, the Defence Department's budget and Britain's support.

Mr. Speaker: Order. Will the hon. Gentleman bring his remarks to a close? He has had three minutes.

Mr. Dalyell: That is the definite aspect.

The urgent aspect is that there could be a repeat.

The important aspect is that nothing is more important than the truthfulness of the British Head of Government. Frankly, I think that the House of Commons has been given cock and bull tales and that yarns have been spun for us.

The matter also includes the nuclear——

Mr. Speaker: Order. The hon. Gentleman has had more than his time.

The hon. Gentleman asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the discrepancies in the Prime Minister's explanation on the F111s and the American version."

I have listened carefully to what the hon. Gentleman has said, but I regret that I do not consider the matter that he raises is appropriate for discussion under Standing Order No. 10 and, therefore, I cannot submit his application to the House.

Further application under Standing Order No. 10.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker.

Mr. Speaker: Order. There is a further application under Standing Order No. 10 and then I shall take points of order.

Mr. Heffer: It arises directly——

Mr. Speaker: That may be, but I have called the hon. Member for Walthamstow (Mr. Deakins).

Agricultural Price Settlement

4.35 pm

Mr. Eric Deakins (Walthamstow): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the 1986 common agricultural policy price settlement,"

about which we have just had a statement.

The matter is specific because we have just had the statement, and it is important for six reasons. First, the settlement has been described by an impartial news organ, *Agra Europ*, as a "price debacle". Secondly, the settlement will do little to stem the rising tide of CAP expenditure, especially on cereals. Thirdly, total spending will exceed the budget guidelines. The Minister of State, Ministry of Agriculture, Fisheries and Food has admitted that. That is serious because the Government's agreement to increase the VAT limit last year was based on the quid pro quo of financial guidelines being strictly enforced. The Government's faith is now shown to be completely unjustified.

Fourthly, CAP spending is completely out of control. The settlement will breach the barriers of the financial guidelines, which are now shown, in the Minister's words, to be worthless, because he has said that they cannot take account of extraneous factors such as currency movements, and there are currency movements every month. Fifthly, the settlement will require another supplementary budget on top of an existing supplementary budget, despite assurances given to the House by Ministers. That budget will increase the United Kingdom's financial contributions to the EEC and ensure that the VAT ceiling will be raised to 1·6 per cent. at the earliest opportunity.

Finally, the settlement will undermine the important constitutional case currently before the European Court in Strasbourg, whereby the Council is disputing the Assembly's right to increase budget spending, because the Assembly's case was shown to have been proven by the fact that the Council's budget last year did not take agricultural spending fully into account.

The matter is urgent, first, because the statement has not given the House a full chance to express its total opposition to and concern about the implications of the package before decisions are implemented. We heard from the Minister that a meeting is going on today. Secondly, it is not a fit subject for an Adjournment debate. Finally, perhaps to anticipate something that you may have said on previous occasions, Mr. Speaker, in applications under Standing Order No. 10, the precedents in 1983, 1984 and 1985 are that after the announcement of the agricultural price settlement there was no subsequent debate on CAP pricing.

Mr. Speaker: The hon. Member for Walthamstow (Mr. Deakins) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely,

"the 1986 CAP price settlement."

I have listened carefully to the exchanges in the House and I fully appreciate the concern which the hon. Gentleman has expressed and the importance of the subject. Nevertheless, he knows that I have to take into account the business before the House and whether this should have precedence over that. I regret that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 10. Therefore, I cannot submit his application to the House.

Mr. Eric S. Heffer (Liverpool, Walton): In view of the time and the fact that many hon. Members wish to debate the British Shipbuilders (Borrowing Powers) Bill, I shall write to you, Mr. Speaker, on the subject. It is a matter of importance, but I do not wish to delay the debate.

Mr. Speaker: I am obliged to the hon. Gentleman.

Orders of the Day

British Shipbuilders (Borrowing Powers) Bill

Order for Second Reading read.

4.40 pm

The Minister of State, Department of Trade and Industry (Mr. Peter Morrison): I beg to move, That the Bill be now read a Second time.

If I make a rather shorter speech than usual, it is to give right hon. and hon. Members in all parts of the House, particularly the Opposition, the opportunity to make their speeches, as the hon. Member for Liverpool, Walton (Mr. Heffer) pointed out. Furthermore, as I have already explained to the Opposition Front Bench spokesmen, I have a back problem, which means that standing for any length of time is somewhat complicated.

I apologise on behalf of my right hon. Friend the Secretary of State for Trade and Industry for his absence. He would very much have liked to be here. However, as the Opposition know, he arranged a considerable time ago to be in the United States this week to talk about trade relations. My right hon. Friend will be following closely the *Hansard* report of the debate, as he considers shipbuilding to be one of his prime areas of responsibility.

The Bill is technical, but in no sense do I believe it to be unimportant. Our shipbuilding industry has a very long history. Thanks to Mr. Graham Day and his successor, Mr. Hares, who takes over later in the week, there have been enormous strides towards efficiency. The work force of British Shipbuilders has played an important part in that process and it believes that those strides towards efficiency are necessary.

The corporation's current borrowing powers are up to a maximum of £1,200 million. The House will recall that that limit was set in the British Shipbuilders (Borrowing Powers) Act 1983. It is likely that that limit will be reached at some stage during the summer, although I cannot say precisely when. That is the reason for the Bill. Its purpose is to increase to £1,300 million, and, at a later stage, to £1,400 million, subject to the affirmative resolution procedure, the amount that British Shipbuilders may receive by way of Government support. It is not related to public dividend capital, which is dealt with through the normal Estimates procedures; nor does the borrowing limit apply to grants paid under the intervention fund. Therefore, it is both a technical and an important Bill. Its introduction demonstrates the Government's continued commitment to British Shipbuilders.

Since 1979, £1,449 million has been paid by direct aid to British Shipbuilders. That is made up of just over £1 billion by way of equity and loan, £235 million by way of intervention fund and £177 million by way of the redundancy payments scheme. By any stretch of the imagination, there is nothing mean about that. Indeed, some of my right hon. and hon. Friends may consider that it is over-generous. However, I believe that the Government have struck precisely the right balance.

As the House appreciates, support alone cannot guarantee a future for the shipbuilding industry. I suspect that there is no right hon. or hon. Member who does not realise that shipbuilding is a highly competitive, worldwide market and that at the best of times it is a market in which it is difficult to compete. I think that all right hon. and hon. Members will agree that today conditions are even worse than one dared to think that they would be as little as a year or so ago.

Why is this a complicated and difficult market in which to compete? It goes back to the first oil crisis of 1973. Since then capacity has far outstripped demand and restructuring has taken place. In western Europe there has been a reduction in capacity of about 50 per cent. In Japan, capacity has been reduced by 35 per cent. However, while that restructuring was taking place, China and Korea entered the market. Despite that, the market had ticked over until recently. In part that was due to what I describe as both visible and invisible subsidies, as a result of which there was a modicum of new orders. Recently, however, a dramatic change has taken place in the shipyards both of the far east and of Europe.

In Japan, for example, when Sanko — which has been, not perhaps completely single-handedly but to a major extent, responsible for orders for the Japanese shipbuilding industry — went out of business, Japanese yards had to lay off 10,000 workers, and there are calls for a further 20,000 job losses. In Korea there were no new orders in August and September of last year. Domestic orders have picked up in Korea since then, but it has shelved its plans for further expansion. There have been a few orders in Europe, but, even so, it seems that Sweden is reconciled to the closure of its nationalised industry, and Holland is cutting back on subsidies.

Despite the current depressed state of the market, the Government believe that British Shipbuilders must continue to concentrate on certain areas: cost effectiveness, competitiveness and having the right support at the right time. As all right hon. and hon. Members who take a close interest in this matter will appreciate, that is the main thrust of its corporate plan for 1985. After what I would describe as the successful completion of the sale of the warship yards, all these activities are concentrated in the merchant shipbuilding sector

To maximise cost effectiveness, British Shipbuilders is doing certain things. It is concentrating on certain products, such as ferries, offshore supply vessels and diving supply vessels. Judging by its present work load, it is fair to say that that policy has been successful. It is securing better components at better prices. Thanks to its phase 5 pay and productivity agreement, it is adopting new building methods. That is a step in the right direction. It is also making appropriate capital investment. Since 1979, capital investment in the shipyards has been just under £330 million. It is investing in capital projects relating to CAD-CAM installations and, at a completely different end of the scale, upon the most up-to-date welding gear.

The corporation's order book is as follows. I am happy to say that there are ships to be finished in all of its yards. Govan has an order for a P and O ferry, which will take some time still to finish. Smith's Dock has three of the four Cuban ships still under construction, and Austin and Pickersgill has two advanced bulk carriers still under construction. Last Friday saw the naming by my right hon. Friend the Prime Minister of the Stena Seawell at Sunderland. Sunderland has a second diving support vessel on the stocks, as well as a very large crane barge for ITM. Ferguson-Ailsa has a number of small ships

under construction, and Appledore has two dredgers on order. However, when this work runs out, British Shipbuilders will face a major problem.

Against a target in 1985-86 of 200,000 gross tonnes of new orders, British Shipbuilders secured only 23,000 tonnes. I do not believe that that was because of lack of support. It was simply because there were remarkably few orders to be won, especially towards the end of last year. The latest figures I have for the world market last year show an order book at the end of 1985 of just over 25 million gross tonnes. That is the lowest level for three years. More significantly, it is very nearly the lowest level since 1979.

To put the decline of the industry into context, it is worth while to remember that the peak order book in recent times, that of March 1974, stood at no fewer than 133 million gross tonnes. That is more than five times the level of orders that we now have.

Building ships more efficiently is the key to delivering them on time and to the owners' satisfaction. I have already referred to the fact that my right hon. Friend the Prime Minister named the Stena Seawell last Friday. The delivery of that highly complex vessel on time and in perfect condition speaks volumes for the dedication and effectiveness of the Sunderland management and work force. It is the best kind of advertisement that the industry could have, and it is worth more than any amount of Government support. I am sure that all right hon. and hon. Members will join in applauding that success.

Against this background of the corporation's own drive towards cost effectiveness lies the support that we are continuing to provide. In this financial year we have made provision for an external financing limit of £73 million for British Shipbuilders, covering payment of public dividend capital to meet the needs of the corporation and intervention support for individual orders.

But as important as the value of support is the effectiveness of the manner in which it is provided. Not included in the British Shipbuilders' figures is the home credit scheme, which matches the financial terms that the United Kingdom owner ordering merchant ships could obtain if he was going overseas. But, as the House will appreciate, the key production aid is intervention fund support to bridge the price gap between United Kingdom costs and foreign prices. The present rate is 20·5 per cent. of contract price, although the Commission, which approves aid regimes within the present fifth directive on shipbuilding, will allow some flexibility on a case-by-case basis.

We are also ready to consider other means of support case-by-case, as the need arises, although always within the international rules which have to be observed as a framework if any sense of order in this market is to be preserved. I have already mentioned the present Community regime. As the House knows, we are now embroiled in the discussions in Brussels over the content of the Community regime to follow the fifth directive; the new measure which will govern the provision of aid to shipbuilding in the Community from the beginning of 1987.

We have already had a valuable session of the Council of Industry Ministers, which was attended by my hon. Friend the Under-Secretary of State. He made clear both our belief that aid for the industry will remain essential for some time to come, and that we are determined that such regulations as are introduced should cover all aids, however given. As I have explained to the House, the United Kingdom aid regime is straightforward and transparent. It has to be said that those of some of our partners are much less so. In consequence, we have asked the Commission to ensure that it gets all shipbuilding aids in the Community on to the table and to make its recommendations for the next regime in the light of what is revealed by these inquiries. I am happy to report that the Commission is hard at work along those lines.

Mr. Frank Field (Birkenhead): The Minister mentioned putting everything on the table, so is it possible to put on the table too the £37 million subsidy given to Harland and Wolff? Is the hon. Gentleman aware that when Northern Ireland's accounts were approved in the House, the Minister responsible gave us an assurance that none of that money would be used to win orders that could go to English or Scottish yards? When we ask questions, it is said that we cannot be told where that money goes because of commercial confidentiality. Is that not a topic that could well be considered by the National Audit Office?

Mr. Morrison: I know that the hon. Gentleman follows such matters closely and carefully, but I assure him that the Government looked carefully to ensure that the tenders from Harland and Wolff and from Swan Hunter were on a like-by-like basis. It would have been quite wrong and politically careless not to do that. But the hon. Gentleman will appreciate that the process took some time. There was the possibility of earlier decisions, but further checks were taken into account. I understand the disappointment felt about Swan Hunter, but no doubt the hon. Gentleman heard the statement last Thursday by my right hon. Friend the Secretary of State for Defence. Those matters were taken carefully and closely into account.

Mr. Frank Field: I was not specifically thinking of the order that was announced last week. No hon. Member can discover where that £37 million goes. As it is spent but we cannot find out on which orders it is spent, is that not a topic for the National Audit Office?

Mr. Morrison: I should be happy to look further at that point if the hon. Gentleman so wishes. However, I would not like to give any undertaking from the Dispatch Box. The hon. Gentleman will appreciate that Harland and Wolff does not fall within my ministerial responsibilities, but I am happy to look into the important point that he has raised.

As I said at the beginning of my speech, the Bill is very important. All those Opposition Members present and, indeed, those of my right hon. and hon. Friends who are present, have close connections with the shipbuilding industry. Their constituencies may be involved with that industry to the exclusion of all others, and I appreciate that this topic is important to them. I shall listen carefully to what they all have to say and will, with the leave of the House, reply to the debate.

I commend the Bill to the House. It represents a further strong indication of the support that the Government have already given British Shipbuilders over the years. That support has been very significant.

4.54 pm

Mr. John Smith (Monklands, East): As usual, the Opposition will not oppose a Bill that gives British Shipbuilders extra borrowing powers. But this is the

[Mr. John Smith]

occasion for a very timely debate on the shipbuilding industry. It is clear to all who know about the industry that the merchant shipping side is approaching as serious a crisis as it has ever faced.

During the past few years the industry has shrunk, particularly in terms of manpower. Since 1979, we have lost 48,000 jobs in shipbuilding and ship repair. But even more important, a crisis is now imminent. The Minister read out the orders that are now with British merchant shipyards. But he failed to add that all of them are near completion. He did not mention any prospective orders. As far as I know, it is highly speculative whether any orders are in prospect. We face the awful truth that, as the year progresses, the time approaches when some of those yards will have no orders. If orders are not obtained very quickly, there will be a difficult gap to bridge if orders are subsequently obtained. I am sure that the Minister realises that a lot of preparatory work needs to be done before a ship is properly under construction.

Some commentators, including, I believe, the retiring chairman of British Shipbuilders, have said that the years between 1986 and 1990 would be the crisis years for shipbuilding. It is believed that it is possible to contemplate some rise in orders after then, because of the shipping industry's need for replacement orders. Whether or not that is true, the crunch has already arrived for British merchant shipbuilding. Capacity simply cannot be reduced further. If it is, it will fall below the minimum size necessary to retain a proper shipbuilding industry. There must be a minimum size to justify the design capability, the research and development effort and the substantial work force and management who are committed to the industry. If the industry contracts further, we shall cease to have an industry.

In 1986, shipbuilding in this country faces survival or extinction. Of course, the consequences of extinction are dramatic not just for the industry but for those areas of the country that are deeply dependent on it for their prosperity and employment. I need mention only Tyneside, Teesside, Wearside and Clyde, although there are more shipbuilding areas than that. However, those regions are particularly dependent on the industry, and it is unthinkable that ships should not be made on those principal rivers.

Other trades are dependent on the shipbuilding industry, ranging from those involved in the steel industry to those that produce fairly minor pieces of equipment. It has been calculated that there are at least three jobs outwith the shipbuilding and ship repair industries for every one job within them. Therefore, the consequences go much wider than just the shipbuilding areas, and affect many other parts of our manufacturing industry.

The tragedy for the industry is that a Conservative Government are in power at this time of crisis. It is now clear that the decision to privatise the naval shipyards was one of the most stupid decisions in the history of Government relationships with British shipbuilding. Just when the industry is at its most vulnerable, its most profitable part has been handed over to the private sector, leaving British Shipbuilders exposed.

The former chairman of British Shipbuilders, Sir Robert Atkinson, told us when privatisation was being considered that, if it took place, we would cease to have an integrated industry, and the Government would be taking away the very capability which had helped it to survive and which would enable it to survive again through the difficult years ahead.

The industry would have had sufficient problems without privatisation, but with privatisation and its stunning financial effect on British shipbuilders the industry has been forced into an unnecessary crisis. A handicap has been imposed upon it just when there is a world slump in orders and a catastrophic decline in the United Kingdom merchant fleet. The problem for us is not a fall in orders but a relative fall in the British share of the market. Only about 2 per cent. of the world's shipbuilding orders come to Britain. Taking all that into account, the privatisation of the naval shipyards must rank as one of the most stupid acts of Government for many years.

We say that the industry must survive. The Government's clear responsibility is to ensure that it does. The crisis is one of depth as well as of timing. Speed is necessary if there is to be a chance of survival. It is clear from recent days and months that the Government do not understand that the timing of orders is of tremendous importance to both naval and merchant shipbuilding. If the timing is wrong, unnecessary damage will be caused.

I shall suggest a number of measures which, in addition to those which are under way, the Government should undertake to help the industry survive the crisis. First, there must be a proper Government procurement policy. Orders are available from the public sector. They should be organised and brought forward so that they are in time for the British shipbuilding industry. I hope that never again will orders go abroad such as that from Pacific Nuclear Carriers for an important nuclear carrier ship. For a British public sector organisation to give an order to another country is intolerable. The Government should have stopped that. I hope that if that occurs again it will be stopped.

The Minister should co-ordinate and bring forward as many public sector orders as can be found. I hope that he will not say that it cannot be done, because it was done under a Labour Government. Indeed, my right hon. Friend the Member for Glasgow, Govan (Mr. Millan) was responsible on a number of occasions for intervening positively — for example, on British National Oil Corporation orders. The Government should make an internal effort to co-ordinate and organise orders as soon as possible. That would provide an important breathing space for our merchant yards.

One initiative should be pursued vigorously by the Department of Trade and Industry. It affects in particular the Sunderland and Govan yards. I refer to the proposal by British Shipbuilders for the fleet support king 20/20 vessel. That has been developed extensively within British Shipbuilders and involves a new type of fleet auxiliary vessel. It has possibilities for foreign navies, but it is crucial that orders come from the Royal Navy to give it credibility on the foreign market. I do not suggest that it is a substitute for the auxiliary oiler replenishment vessels, but it is complementary to them. It represents a new opportunity for the British merchant yards by supplying naval orders, particularly abroad.

Mr. Bob Clay (Sunderland, North): And it is cheaper.

Mr. Smith: I have corresponded with the Secretary of State for Trade and Industry, who has passed the buck to the Ministry of Defence. Certainly my right hon. Friend

the Member for Govan and my hon. Friend the Member for Sunderland, North (Mr. Clay) will be pursuing this matter with the Ministry of Defence and the Department of Trade and Industry. I hope that the Department of Trade and Industry will not shuffle off responsibility, but will fight for this important new initiative for British Shipbuilders.

Mr. Clay: My hon. Friend was kind enough to show me a letter from the Secretary of State for Trade and Industry about the FSK. Does he share my view that it appears that the Secretary of State does not even know the Ministry of Defence's position? He just says that it is a good project and that he hopes that the MOD will order it. He does not seem to be aware that several weeks ago his colleague in the Ministry of Defence said that the MOD did not intend to order it.

Mr. Smith: It is clear that the Secretary of State for Trade and Industry is not aware of the Ministry of Defence argument that the ship would have to be armed. The Department of Trade and Industry and the Ministry of Defence should sort the matter out, and decide what is required and what would be suitable for British Shipbuilders to build. I hope that they will bear in mind the enormous importance of putting in an order in view of the enormous export potential involved.

The Government must increase their support in various ways. I think in particular of the shipbuilding intervention fund. The Minister of State said that the Government are pursuing the matter within the EEC, but previously targets have been set but not achieved. I hope that that will not happen again.

When we enter negotiations to safeguard our national interest we are not helped by free market speeches inside and outside the four walls of the Community. If the Government continually argue a free market policy they have little credibility when they come to argue in favour of an interventionist policy in terms of our national interest within the EEC. It would be helpful if the Government abandoned their free market postures because it is crucial that we gain as much advantage as possible from the shipbuilding intervention fund.

In addition, I hope that the Government will examine the possibility of further United Kingdom support packages for the industry. Other Governments provide such packages and this Government should. I draw attention to one example. The report on European maritime transport policy published recently by the other place recommends that the British Government should re-examine the limit on loans. Currently an eight-year limit on loans applies to shipowners who buy vessels from British shipyards. That conforms with OECD guideline. It is well known and documented that other Community Governments give additional support. The report argues that there should be a 12-year loan capability. The Government cannot say that it is impossible to allow such a loan capability because other Governments with the same obligations allow it. That possibility must be examined urgently.

I hope that the Government will further examine the extension of credit packages. My hon. Friend the Member for Sunderland, North will, no doubt, tell us about his interview with the Prime Minister a few days ago in his constituency. If the Prime Minister is claiming that credit packages in Britain are as good as in other parts of the world, or that they can be made available, we want clarification as soon as possible. The Government should be putting their whole effort into finding ways of keeping the industry in existence.

There can be few occasions when the future of an entire industry becomes at stake over a short period. From time to time particular parts of a certain industry get into difficulty. They can be helped when they need to be helped, but I cannot think of a recent example of the whole of an industry facing a crisis of existence in a period of only a few months. The months of crisis are here now and the future of the industry will be decided in the next few months. That is why it is crucial that urgent action be taken by a Government determined on one policy objective—the survival of the industry. Without that the industry will face extinction with consequences which are too frightening to contemplate for the country's manufacturing potential, for certain areas and for a series of ancillary trades.

I am sorry to say that the Government's approach reveals that they do not understand the task or the seriousness of their responsibility. The Opposition have that awareness and we shall campaign with ceaseless vigour to ensure that the British shipbuilding industry survives for the future.

5.9 pm

Mr. Patrick Nicholls (Teignbridge): We know that the purpose of the Bill is to increase from £1,200 million to £1,300 million the corporation's borrowing limit. We know that because my hon. Friend the Minister has told us so. I suppose that we could also discover the purpose by reading the Bill, but clause 1(1) runs to about 14 lines and contains a plethora of brackets. It is a feat to read that clause to oneself—out loud or in silence—and so ensure that the inflections, the brackets and finite verbs fall in the right place; but finally the subsection yields up its secrets. I think, in the end, I would have been able to find the answer without my hon. Friend telling me. I suspect that a bracket is missing from that subsection, but for the life of me I could not suggest where it should go. This is a drafting point—and perhaps as a lawyer it appeals to me—but that subsection is in a league of its own.

It has already been said—and it will no doubt be repeated—that this is a long-standing problem. In fairness, the right hon. and learned Member for Monklands, East (Mr. Smith) did not suggest that it was anything but a long-standing problem. Some of the correspondence which I have received concerning the fate of the British merchant fleet suggests that it is an immediate problem. Correspondents argue that, because it is so immediate, it is the responsibility of the Government. From the right hon. and learned Gentleman's speech I detected a recognition of the fact that the problem goes back a great deal further and that it cannot be attributed to the Government. I certainly would not argue that, because it is not the responsibility of this Government, it is necessarily the responsibility of the previous Labour Government.

The lack of orders represents the problem of present overcapacity. Two years ago, the worldwide excess in shipping capacity reached 120 million DWT which represented an excess capacity of 30 per cent. in oil tankers, 22 per cent. in combined vessels, 20 per cent. in liners and 7 per cent. in container ships. That represented—no pun intended—the high-water mark. That situation

[Mr. Patrick Nicholls]

has been partly ameliorated by the scrapping of capacity, but there is still an overcapacity of between 40 and 50 per cent. I agree with the right hon. and learned Gentleman that the solution to overcapacity will not emerge until the 1990s.

The problem facing the shipbuilding industry was recognised as long ago as 1975 by Mr. Eric Varley, the then Secretary of State for Industry, when he said:

"The prospects for shipyards throughout the world are bleaker than perhaps at any time during the past 20 years. The demand for new merchant ships, especially oil tankers, has slumped to almost nothing. Existing orders are currently being cancelled." —[*Official Report*, 2 December 1975; Vol. 901, c. 1460.]

In 1978, the right hon. Member for Manchester, Gorton (Mr. Kaufman), in his capacity as Minister of State, Department of Industry, when introducing the shipbuilding redundancy payments scheme, said:

"shipbuilding industries all over the world are facing the inevitability of contraction and this country cannot isolate itself from that trend."—[*Official Report*, 16 January 1978; Vol. 942, c. 175.]

The Government and the previous Labour Government faced the consequences of a contraction of world trade. What can be done about that? My hon. Friend the Minister said what the Government will do to meet that threat. There must be two broad approaches in Government policy. One must try to stem the losses and the other maximise the potential. The Government committed themselves to returning to the private sector the warship building yards in an attempt to stem some of the losses. Since 1979 the Government have invested £1,449 million. One may argue whether that is too much or too little.

Some of the correspondence I have received has stressed that this country is worse off than other countries. Some argue that, therefore, the contraction in the merchant shipping industry is faced only by this country. If our performance was substantially worse than that of our competitors, it would be an accusation with which the Government would have to cope. However, when one studies the comparative state of affairs in the competitors' yards, it places our own position in perspective.

In 1984-85, British Shipbuilders won 1·7 per cent. of new orders compared with 1·8 per cent. in 1980-81. Japan's performance is often used to criticise ours, but its share of the world market fell from 54 per cent. in 1983-84 to 38 per cent. in 1984-85. Exports from Japanese shipyards have slumped to their lowest level since 1978, and there is no improvement in sight. The shipbuilding division of the large Hitachi Zozen combine was reported to be working at barely 60 per cent. of capacity at its six yards in March 1984. This month, the major Japanese shipbuilders reached an agreement to cut capacity by 20 per cent. during the next two years.

In 1975, Swedish yards employed 28,000 people, but by 1983 the figure was less than 8,000. The Kockums yard underwent severe restructuring, and in 1982 it turned consistent loss-making into a small profit.

Norway has only two ships of any real size on its order books and its yards gained little significant work during the year.

In West Germany, the new orders received in 1983 dropped from 4·4 per cent. to 2·4 per cent. In March 1984, the *Financial Times* reported that HDW had been forced to close its merchant shipbuilding yard in Hamburg and A G Weser, part of the Krupp group, had closed its large yard in Bremen, with the loss of 2,000 jobs.

France, however, after years of declining orders, has achieved success, but only with a massive injection of state aid. I am not trying to be contentious, but I think that most people would agree that the famous Polish shipping contract of the 1970s was not especially helpful. It was an example of getting business, provided that one was prepared to pay for it. France might have begun to go down a path which we have already been down.

The Government, through subsidies, have ploughed almost £1·5 billion into the shipbuilding industry. One may argue whether that is the right figure. I do not believe that the Minister would claim to be able to justify that figure to the nearest pound, but it is clear that an industry is not benefited simply by pouring money into it in the face of logic, the facts and world trends. It is no use pouring in money in an undisciplined way simply because one wants to protect the industry. If such a method saved industry, any Government would use it, but it does not. The Government are in the unenviable position of having to use a Solomon's touch. They must pluck out of thin air a sum which recognises what ought to be done and where the British industry stands in the world pattern.

Every week, I have to talk to my constituents about so-called cuts and the money that the Government have ploughed into a range of public services and undertakings —there is a substantial port in my area—but I have to tell them that there is a limit to how much can be ploughed in. Bearing in mind the world pattern and how we are faring, the money that the Government have put in is about right, although even my hon. Friend would not justify it to the last pound.

The Government's policy and financial input can be commended. The Bill is consistent with those elements. I understand that there will probably not be a Division. If we were pressed to a Division, I should have no trouble in supporting the Bill.

5.21 pm

Mr. Bruce Millan (Glasgow, Govan): I was not sure what the hon. Member for Teignbridge (Mr. Nicholls) was arguing except, perhaps, for the closure of the British merchant shipbuilding industry. As for Government expenditure and subsidy, I did not hear any of the hon. Gentleman's colleagues recommending earlier the closure of agriculture, which legitimately receives large sums of public money.

I am glad that we have the opportunity to discuss merchant shipbuilding, as much public attention has legitimately been given to the problems of naval shipyards and the auxiliary oiler replenishment vessel recently. As my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) said, the present crisis in British merchant shipbuilding could be terminal. We now have a rump of what the industry used to be. British Shipbuilders employs only about 10,000 people in merchant shipbuilding and, unless firm orders are obtained soon, about 4,000 of them will be made redundant by the end of the year and the rest will go during 1987. That is the extent of the crisis.

The Minister mentioned the 23,000 tonnes of orders that have been obtained in the past financial year. That should be compared to the 200,000 tonnes target. It is insignificant in terms of keeping the industry going. The

lack of orders at my Govan yard is critical. Of course there is a world problem. Nobody is disputing that or suggesting that we can isolate ourselves, but some hon. Members tend to speak as though no orders are being placed. That is not so—13 million tonnes of shipping was ordered in 1985, of which we got 20,000 tonnes.

In 1984, rather more than 15 million tonnes was ordered and in 1983 19 million tonnes was ordered. The reduction is significant, but a substantial tonnage was available in 1985. Not all of it was available for tender by British Shipbuilders, however, for a variety of reasons, including the fact that many countries protect their industries. That makes competitive bidding by British Shipbuilders or other Western companies impossible.

The rundown of the Japanese and South Korean industries has been mentioned, but Japan still has an order book of 9·7 million tonnes as compared with Britain's 350,000, all of which is under construction and will run out in the next year or 18 months. South Korea has 4·7 million tonnes of orders. European industries might be more analogous to ours, but West Germany, Finland, Denmark, Italy and France all have fuller order books than us.

Describing the problem does not solve it, but it shows that we should not give up and believe that our industry must go into liquidation. There are orders about, but we have not got anything like enough of them. If the industry is to survive, we must exert more pressure than have any previous Government to ensure that such public sector ordering as there is is placed with British yards.

It is scandalous that any public sector organisation should place an order abroad. There was a danger a few years ago of a Central Electricity Generating Board order for three colliers going abroad. Only political pressure brought it back to the United Kingdom. It was placed with Govan Shipbuilders, which delivered all on time. Indeed, at least one collier was delivered ahead of the delivery date.

I noted what the Minister said about the intervention fund. It always seems absurd to go through the rigmarole of setting a limit to the fund and then not using the money because no orders come along. It would be much cheaper to provide some intervention fund assistance to obtain an order than to pay for a yard's rundown or for redundancy payments because orders are not obtained, to say nothing of the human, industrial and economic considerations.

Mr. Peter Morrison: Perhaps I can help the right hon. Gentleman. I said earlier that there is some flexibility in the intervention fund. British Shipbuilders has not approached us about flexibility for an order, but we are prepared to examine each case as it comes.

Mr. Millan: That is extremely helpful. Perhaps the Minister can also be helpful concerning credit terms. Like my right hon. and learned Friend the Member for Monklands, East, I noted what the Prime Minister said at a meeting in Newcastle last Friday.

I would like the Minister to say that the Government will guarantee that no orders will be lost by British Shipbuilders simply because of inadequate credit terms, and that if they can compete with international competitors in terms of price — with intervention fund assistance where necessary — delivery dates and technical specifications, they will not lose orders because of inadequate credit terms. If such a statement could be made, it would be very helpful in the context of this debate and in the context of the Govan yard, which is interested in the attempts that British Shipbuilders is making to obtain container ship orders from China and to obtain further ferry orders to add to the one that it is completing now.

I am not privy to those negotiations, nor am I presuming to say that the Government are or are not being helpful. I am making no criticism of or, for that matter, conferring praise on the Government. I should like the Minister to say that he recognises the importance of the orders, not only for the Govan yard but for merchant shipbuilding as a whole. He should give an assurance that British shipyards will not lose out on these and other orders because of a lack of adequate credit terms.

I mention the FSK 20/20 fleet support ship against the background of Govan shipyard. Its last order is the P and O ferry, which is due for launch in the autumn and for delivery in March 1987. After that, there in nothing on the order book. It is a tribute not only to the management but to the men at the yard that they have pledged themselves to meet the delivery dates although they are working themselves out of a job. I am sure that those pledges will be fulfilled. We desperately need another order, and although the FSK would not come within a time scale that would solve the immediate problem, it would be a considerable help to Govan shipbuilders and others.

Partly for reasons of time, and partly because of the merits of the matter, I do not wish to discuss the decision made last week between Harland and Wolff and Swan Hunter. Nor do I wish to suggest that the FSK is a straight substitute for the AOR as a fleet support vessel. It is not. One order has been given for the AOR, and the second will go to Swan Hunter if proper terms can be negotiated. I am looking beyond that. It is not clear to me, nor has it been made clear in the defence White Paper or in anything that the Secretary of State for Defence has said, why subsequent orders for fleet support vessels should have the many weapons and other defence equipment that are included in the AOR. I do not understand the defence justification, apart from anything else, for the Ministry's line. The figure quoted in newspapers for the AOR is £130 million. The FSK, which would do the job more than adequately without the weapons system involved, is being quoted by British Shipbuilders at £65 million to £75 million, which is almost half the price of the AOR.

I do not wish to compete, certainly not with my hon. Friends who are interested in the AOR, but there is a case for the FSK and I object to the fact that that case is not being properly considered by the Ministry of Defence. I hope that the Department of Trade and Industry will ensure that the case is properly considered by the Ministry of Defence. Unless it is, the chances of obtaining orders from foreign navies will be considerably reduced. This is an opportunity for the Government directly to underwrite the British merchant shipbuilding industry. I hope that they will take that opportunity and press the Ministry of Defence, as some Labour Members have already done, to consider positively the FSK 20/20. If they cannot give an undertaking to order the ship within the next year or two, will they at least express a genuine interest in it and ensure that it is considered as an alternative for the replacement of the Royal Naval Auxiliary fleet, which is aging and must be replaced in any case?

5.34 pm

Mr. Anthony Nelson (Chichester): The right hon. Member for Glasgow, Govan (Mr. Millan) spoke with considerable experience and a strong constituency interest which is respected by hon. Members on both sides of the House. He has spoken previously about the need for support for the shipbuilding industry as part of a wider industrial strategy that he propounds, and he has always spoken with moderation and persuasion. At least some of his remarks will be taken on board by my hon. Friends at the Department of Trade and Industry. I could not agree with every aspect, but on finance, on which I hope to say a word in a moment, I share many of his sentiments.

Whether we represent shipbuilding constituencies or not, we all have a national interest in the survival and prosperity of this most important industry. During the past decade or more, there has been a welcome bipartisan approach towards investment in the shipbuilding industry, reflected largely by the significant investment of public dividend capital and in debt finance by successive Governments in what is now called British Shipbuilders and in the many companies that comprised that nationalised concern.

About £1 billion of public dividend capital has been invested by the Government, forming part of the £1·5 billion of total capital support, yet sadly this was during a period when British Shipbuilders lost an accumulated sum of about £650 million. It appears that the provision of capital, whether to write off losses or through "soft" state funding by put ·· lividend capital, has not been sufficient to halt the decline of this great industry or to fit it to take advantage of future opportunities. I wish to suggest modestly one or two ways in which we should help the industry to alleviate some of its problems.

Despite the despondent tone of much of the debate so far, there is reason to believe, nationally and internationally, that the shipbuilding industry can perhaps look forward to rather better times. None of us has an interest in trying to talk down the prospects of the industry or talk down the prospects for the market, unless there are demonstrable and immediately viable means of dissuading people. There are better prospects for world shipbuilding —first, because of the fall in the price of oil, which will be a circular trend. Although it may not maintain its low price, it will probably trade at lower real prices than it has historically.

This will have two major advantages. First, it should increase the traffic of oil internationally, and oil comprises a significant part of maritime trade; secondly, oil as a constituent cost of transport will be significantly reduced. When we recall that a major reason for the decline in shipping internationally and, therefore, to a large extent, in shipbuilding, was the rapid and large increase in the price of oil, it is not unreasonable to expect that a converse movement might engender some revival.

Secondly, there are better prospects because the fall in interest costs nationally and internationally should create not only a more viable world economy in which transport, including ships, may be ordered, but greater economic activity in those countries and lower costs of financing which will make new orders more viable. I believe—although it is more speculation than prophesy—that the price of commodities internationally, which is exceedingly low, will increase. I do not know whether it will move up rapidly, but the demand for international commodities of all sorts — minerals and foodstuffs — will rise. These form a significant part of the cargo markets and might be expected to bring about a revival in "world scale" charter rates and, after a revival in the charter of older shipping, a revival in demand for new cargo and general vessels.

As many hon. Members have said, there has been a fall in Europe in capacity for shipbuilding and there has also been a fall in Japan and elsewhere. This fall in capacity, combined with the much more streamlined and technologically efficient shipyards that are currently competing against each other, will provide a firmer basis on which to attract new orders. When one looks at some of the major customers for ships and sees the extent to which new build forms a large proportion of their fleets, one can say with a little confidence that there are better prospects for the future.

One of the largest shipping companies in the world is the Worldwide Shipping Company which is registered in Hong Kong. The majority of its shipping fleet is less than five years old. The fleet owned by that company is bigger than the whole of the British merchant shipping fleet. If one takes that into account and assesses the extent to which such companies will look to international shipbuilders to replace their fleets, it is clear that there will be a demand for new build. Our aim must be to go out with renewed vigour and perhaps more imagination, with Government and industry working hand in hand more closely than hitherto to try to get a share of that cake.

With great modesty, I should like to suggest five ways in which we might move forward. I hope they will commend themselves to my hon. Friend and to hon. Members. The first and I am sure the single most important factor that will assist the revival, continuity and survival of the industry is ship finance. That is the key. Whatever we may say about labour practices, quality, dates of delivery, heritage and so on—important as they all are—when one comes down to it, it is the cost and the extent to which purchasers, including Governments, are accountable to others for the purchases they make that are important. Customers should be able to undertake purchases at the lowest competitive levels of finance.

The lower interest rates currently prevailing provide a welcome opportunity. On previous occasions I have argued for them to be lowered even more and for the Government, as far as they can, to influence the rates in this direction. That is the single most important factor that will create a more competitive opportunity for British Shipbuilders. We should look more pragmatically and imaginatively at the way in which British Shipbuilders tenders for orders. It should consider the extent to which it is allowed, within the rules of the game, to front-end load the interest costs within the price of a ship as opposed to the extent to which it costs the ship quite separately from the interest. In Britain, tendering is done honourably and correctly, but some other countries are far more inclined to offer an exceedingly low rate of interest, whereas the real interest cost is to a large extent absorbed within the capital price that is tendered for the ship.

The home purchase scheme and preferential interest rates through ship mortgage finance have been helpful, as has the aid and trade provision, in providing low-cost ship finance. Although it is on the fringes of this matter, we should look imaginatively at barter deals. Such deals, especially given the movement of oil in recent years, provide a tripartite opportunity—as do all barter deals

between countries—to British Shipbuilders to get orders at viable prices, but the liability against a fall in the value of the commodities bartered is shared by others.

It is essential that we have competitive and more stable rates of exchange that will enable us to tender internationally. As a small part of such a policy we should be members of the European monetary system. We should be able to tender in foreign currencies with a guarantee by the Britsh Government that any variation from the exchange rate basis on which a tender is made will be met by Government. I should like my hon. Friend to explore ways in which this can be done within GATT and other rules.

Public sector orders, about which something has been said, should be far more related in future than they have been in the past to the export potential of the ships. The warship sector is a prime example. Under successive Governments, the types of ship ordered by the Royal Navy have not been suitable for export markets. In the merchant sector, the success some years ago of the SD14 as an off-the-shelf ship is an example of the way in which we should be buying ships in the public sector that have export potential.

Although my hon. Friend said that British Shipbuilders is specialising much more than it has done in the past, there are dangers in specialising in the offshore oil industry; those dangers arise because of the reasons I enunciated earlier. Although British Shipbuilders should concentrate in a specialised sector of the market, in future it should also emphasise its capability in other technological sectors not involving energy or offshore exploration.

The marketing policy of British Shipbuilders should be much more imaginative than it has been in the past. I should like to quote one example, and here I declare an interest. One of the companies that I advise is seeking to assist a middle eastern country in the development of its fisheries industry. To that end I contacted Ferguson-Ailsa to obtain information about its capability in that field. The company sent a brochure about the ships it builds. I had no further communication from the company about the inquiry, but I have been bombarded for months by Nordic interests which have this very day sent a delegation to the countries concerned to explore the opportunities. The Nordic export project fund is state and industry-financed in Scandinavia and is out to get business not only for its shipbuilding industry but for its engineering and manufacturing industries. It acts as a vanguard for many export companies.

The Department of Trade and Industry and British Shipbuilders should renew their efforts to follow up inquiries for projects abroad and inquiries about ways in which they can work with others in turnkey projects to assist in the provision of vessels. In these and in other ways, but most of all in the provision of preferential finance, much can be done to ensure that British Shipbuilders takes better advantage of any future upturn than it has done in the past. To the extent that the Bill provides it with the wherewithal, I welcome this primary legislation and the terms in which my hon. Friend moved the Second Reading.

5.49 pm

Mr. Michael Meadowcroft (Leeds, West): Like the hon. Member for Chichester (Mr. Nelson), I do not represent a shipbuilding constituency but I share his belief that the progress and development of shipbuilding is important to the whole of Britain. I listened with interest to his rather optimistic views about the potential for shipbuilding, but in his speech I failed to detect a sense of the urgency of the matter. Unless there is some sign that his optimism is to be quickly justified, there will not be the capacity to pick up the orders when they are available.

Like other hon. Members, I have no wish to oppose the increased capital finance that the Bill will make available. I should like to encourage a greater ability to invest in other spheres of service and industry where it is within the Government's power to do so. It seems a shame that we look at minor details and minor areas rather than at the whole area of Government spending. Set against the background of decisions in shipbuilding, which at best puzzle and at worst embitter those involved, it is important to appreciate the problems of people who are struggling to survive in the industry.

The borrowing powers for British Shipbuilders need to be increased in the context of fair treatment rather than in the context of backing up the myth that there is free and open competition in the industry. If warship operations are rather more profitable than merchant shipbuilding, it is important to realise that it is essentially orders from Governments that provide that extra profit, and there is no point in trying to represent that as fair and free private competition. It would have been far more acceptable to me and my hon. Friends if at the same time as introducing the Bill to increase the borrowing powers of British Shipbuilders the Minister had been able to announce an earlier start date for the next AOR vessel and a definite offer to Swan Hunter. Even more acceptable would have been an announcement that an order for a type 23 frigate was to be placed with Swan Hunter.

Mr. Nicholas Brown (Newcastle upon Tyne, East): The hon. Gentleman has referred to the AOR vessel, which, strictly speaking, goes outside the bounds of the Bill. However, will he explain what Liberal party policy is on the issue?

Mr. Meadowcroft: It was made clear last week by the Liberal spokesman that the order for the next AOR vessel should be placed on Tyneside, and that the order should be accelerated.

I do not know whether this is associated with lack of capital, but it appears that British Shipbuilders has got rid of its computing capacity by passing it over to Hoskins, which has declared redundancies. Some of those who have been made redundant will not have the rights that would have accrued to them if they had stayed with British Shipbuilders. This might be a small matter, but it is important to those who are involved. The capacity to maintain cash flow should be examined.

I hope that the Minister will dispel the fear that increased capital capacity is being made available so that certain sections of the shipbuilding industry can be fattened up for privatisation. Against the backround of fairly general acceptance of what the Bill seeks to do, I hope that the Minister will give the House an assurance that investment is not taking place with a view to selling off sectors of the industry in future.

5.53 pm

Mr. Michael Fallon (Darlington): The presence in the Chamber of five Members from the north-east bears

[Mr. Michael Fallon]

witness to the importance of shipbuilding for Tyneside, Teesside and Wearside. There is no better illustration of the Government's industrial policy than the Bill. It is modest in size but it will be huge in cost. The Bill is a good example of the Government's pragmatism and of the dogmatic empiricism which seems to envelop the Department of Trade and Industry these days.

Ministerial support is to be extended again and Exchequer subsidy is to be increased. When the Bill is fully implemented, the borrowing limit of British Shipbuilders will have been raised five times in four years during this Parliament. The 1979 and 1981 measures raised the borrowing limit five times in the four years between 1979 and 1983. The Government started with a borrowing limit of about £200 million and we are now approaching a borrowing limit of £1,400 million. As my hon. Friend the Minister has said, progress has been made. British Shipbuilders has been streamlined and its management continues to be improved to stem the huge financial losses that BS suffered in the late 1970s and early 1980s and belatedly to improve productivity and working practices, which require improvement throughout the industry.

Since the last major debate on a Bill of this sort, which took place in November 1984, and in which I was fortunate enough to participate, streamlining has taken place. Warship and other yards have gone, including Brooke Marine, Yarrow, Vosper Thornycroft, Hall Russell, Vickers and Swan Hunter. I believe that British Shipbuilders is in better shape now than it was. Parts of it have been released to the private sector and the losses involved in running the corporation have been reduced. It is to the credit of the Government that that has been achieved against a grim and deteriorating international background. It is to the credit also of the retiring chairman of British Shipbuilders, Graham Day. We should put on record the debt that the industry and the Government owe to Graham Day for the work that he has done.

I hope that my hon. Friend the Minister will agree that we are a long way from the heady days of 1979 when his predecessor's predecessor was quoted as saying:

"We are prepared to put public funds, for a two-year period, behind the industry's own efforts to achieve viability." — [*Official Report*, 23 July 1979; Vol. 971, c. 43.]

We are even a long way from July 1983, when my hon. Friend's predecessor told the House:

"We cannot afford to go on subsidising shipbuilding with these losses."—[*Official Report*, 28 July; Vol. 46, c. 1356.]

When my hon. Friend replies, I hope that the will give us a clearer glimpse of the medium and longer-term prospects than he was able to do in his necessarily short speech on moving the Second Reading. The taxpayer at least would like to know whether the end of these losses is in sight.

It would be wrong not to say something about last week's announcement about the AOR order, which is relevant to the Bill. My hon. Friend the Minister will know that the Government's decision, sensible as it appeared in London, was disappointing to those on Tyneside. However, there are lessons that Tyneside can learn from the decision. It must recognise that it must be preferable when it comes to price and design. If the tender from Harland and Wolff was as competitive as it was made out to be, a couple of questions at least deserve to be answered. Is warship procurement based on the old principle of Buggins' turn? Will the various Departments that are involved in procurement policy genuinely evaluate on a competitive basis the bids that they receive?

Secondly, what is the implication for a yard such as Harland and Wolff and the other yards that are covered by the Bill that still receive public funds? I asked last week whether, if the bid was as competitive as it was made out to be, my hon. Friend the Minister had any plans to privatise Harland and Wolff. I did not get an answer to that question, nor did I receive an answer to a question which I put before Easter, in which I observed that the subsidy for industry and employment in Northern Ireland is about 404 per cent. higher per head than that for England. I think that we deserve answers to these questions.

The Government can be accused of many things, and my hon. Friend the Minister may or may not have been right in his forecasts and his description of the state of the industry. He may well be open to criticism from Opposition Members about the pace and evenness of the privatisation programme. In this debate, however, he cannot be accused of a failure to support British Shipbuilders. A total of £1·5 billion has been committed since 1979. That is a massive investment by the long-suffering taxpayer. It is no fault of the Government that it is not yet clear exactly how much of a return we are likely to see on it.

5.58 pm

Mr. Ted Garrett (Wallsend): It is my misfortune in life always to speak in debates on the problems of industry. I look forward to the day when I can speak about industrial and commercial problems with a success story behind us. During the years that I have represented my constituency I have had to talk about decline in the coal, machine tool, steel, fishing and civil engineering industries.

I am by nature an optimist but I am only now starting to recover from the bitter disappointment of Swan Hunter not obtaining the AOR contract, which was awarded to Harland and Wolff. Despite all the words that have been uttered and all the words that have been put into print, the people of Tyneside still feel a sense of bitter resentment. They are still unconvinced that the decision was not political

because they have not had any figures to convince them otherwise that the order was gained by Harland and Wolff on a purely commercial basis. I should like the Minister for Trade to give us the figures to show the true realisation of the price difference. I doubt whether the independent accountants had the time to go into the subsidy question or to produce the accurate figures that are alleged to have been the decisive factor.

My memory of shipbuilding goes back many years. Even when I was a young man in the union, I was dealing with shipbuilding matters. In the Aircraft and Shipbuilding Industries Act 1977, some of us from the trade union side rather naively thought that we were doing Harland and Wolff a favour by wanting to incorporate it under the British shipbuilding flag. We were politely told by the then Government that Harland and Wolff would be better left out of the Act because it would receive higher grants and allowances. Later on, in some quiet manner, Harland and Wolff came under the Act, and so could receive subsidies.

Harland and Wolff has two forms of subsidy. I deny any bias when I say that the managing director of Harland and Wolff, whom I consider to be an astute man, a good shipbuilder and a man respected in British Shipbuilders,

has put a deal together in which he has blended both the subsidies to get the correct figure. He will deny this, but underneath it all there remains the argument, given to me by senior management and independent people not employed in the shipbuilding industry, that it was physically impossible for the alleged £5 million difference to be on a strict commercial basis.

I congratulate my hon. Friends and Conservative Members on the way in which they have fought for Swan Hunter. It was a long and bitter campaign. Oddly enough, I also wish to congratulate the Department of Trade and Industry. It was a slow starter in seeing the nature of the problem, but when it had grasped it, it fought for its corner, although it could not win. The odds were against it in Cabinet, in Cabinet Committees and in ministerial committees. It was against the Minister of Defence, the Secretary of State for Scotland and, some would say, the Prime Minister. I have my doubts about that. I think that on this occasion she was in a minority. That is purely my instinct. I am not privy to her inner thoughts, and I doubt whether I ever shall be. However, to be fair, she listened carefully and intently to my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) and me. I am fully convinced that she did not understand the full nature of the problem until that meeting, but she carried out some rethinking of policy after it.

We cannot carry on being bitter and negative about what has happened. As has already been said, we must do something even at this black moment for British Shipbuilders. I do not believe that the industry will disappear. I do not think that that is the Government's will. However, I wish that some more initiative and imagination were shown. I am not blaming only the Government—past Governments have been responsible for the lack of the imagination that this country, as a maritime nation, should be adopting. We let passenger liner business go out at the time when the signs were that passenger liner business was increasing. It is now a booming business, but we are out of the industry. We should have a more strategic plan for our defence programme. It cannot go on in stops and starts and booms and slumps. If we have a truly national defence programme, orders should balance out better.

I still believe in the British shipbuilding industry and I believe that we can remain a maritime nation, but the imagination must come from a variety of sources. It must come from confidence in the industry and in the shipowners, and, above all, from the confidence of this place. It is here in the House of Commons that such confidence should start, and it must start now.

6.5 pm

Mr. Bob Clay (Sunderland, North): One of the extraordinary things about this debate is that a similar debate may not be held next year, as many hon. Members have already said. We are facing the possibility of the end of merchant shipbuilding in this country by the end of this year or early next year. The Minister was remarkably complacent about that. I bitterly resent one or two, but not all, of the Conservative speeches about the Government pouring money into British shipbuilding. Let me put the record straight, using the same calculations as those used by the Minister about aggregating public money upwards since 1979. He talked about £1,449 million going to British shipbuilding. However, Ministry of Agriculture subsidies for the farming industry are at £5,538 million. Until the Government take account of that, we should not hear anything about over-generosity towards shipbuilding. The Government have to decide whether they want a British shipbuilding industry.

The Government have orders within their gift. It was amazing to hear the Prime Minister explain to me and to trade union colleagues on Friday morning that the irradiated fuel vessel order had gone to Japan because much of the trade that will be carried by the vessel is Japanese—in my view, that is Japan dumping its waste on this country, but nevertheless orders are orders. It seems extraordinary that the Japanese Government can not only oblige its shipowners to buy Japanese but can oblige British shipowners to buy Japanese if they want to trade with Japan. If the Government took a lesson out of the Japanese book, we should not be discussing these problems tonight.

My right hon. Friend the Member for Glasgow, Govan (Mr. Millan) has already spoken about the FSK20/20. There was a surprising lack of understanding, which is now on the record, between the Department of Trade and Industry and the Ministry of Defence. It is clear that British Shipbuilders and the Admiralty had some misunderstanding about the vessel. It is incredible that British Shipbuilders was allowed to spend £250,000 on research and development and that people from the Admiralty went in and out talking about fine detail, only for the Government to say that they did not want the ship.

It is extraordinary how the Department of Trade and Industry does not seem to have impressed on the Ministry of Defence the significant effect on export orders and other factors that the development of this ship could have. The new corporate plan for British Shipbuilders saw the FSK as something central, and it will now have to be rewritten. It is tragic that the Department of Trade and Industry did not explain long ago to the Ministry of Defence the significance of the ship.

The Government should now do something about soft credit. Neither I nor my colleagues who were with me on Friday morning have any doubt that the Prime Minister said that the Government had looked at this and would take a different attitude. I have no doubt that she said specifically that, with the exception of Japan, from now on, orders would not be lost to this country because of inadequate credit arrangements. The words "soft loans" and other such terms were used.

It is no good the Government saying that that is not a change of policy. One can point to specific orders from Ethiopia, Yugoslavia and other countries which have been lost by British Shipbuilders during the past couple of years simply because of the credit package. The intervention fund is important, but we know that even if the total base price is lower, if another country offers better credit facilities, such as a moratorium on payments, lower interest rates, or longer repayment periods, Third world countries in particular will place their orders with it. We have lost orders because of that.

If the Government would do what the Prime Minister clearly undertook to do on Friday morning, with the exception of Japan, which is to be prepared to offer credit packages to undercut all competition, it would be possible to place orders in British yards. It should also be possible to force British shipowners to place orders with British yards. We hear a great deal of talk about the world recession, but if all the orders placed by British shipowners

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last year had been placed in British shipyards, they would have more than filled the capacity of British yards, despite the world recession.

I should like the Minister when he replies to answer my question about intervention fund money. In an intervention in the speech of my right hon. Friend the Member for Glasgow, Govan (Mr. Millan), he said that so far British Shipbuilders has not asked for any special arrangements. I have heard that before, and if it is the case, what is he doing about it? It seems incredible that we have been losing orders because of finance, yet he says that British Shipbuilders has never asked the Government to apply special arrangements. We should not have been praising Graham Day tonight, but damning the man for the butcher that he was. If he or his successor are so incompetent that they have never knocked on the door of special arrangements at the Department of Trade and Industry, it is they who should have been sacked long ago, instead of the thousands in the industry who have been dismissed. Why have they not considered the special arrangements that the Government offer?

I know that people are worried about many areas, but I make no apology for spelling out to the Government the wider context. British Shipbuilders provides 3,100 jobs in my constituency in Sunderland. No one disputes that every job in the industry supports three outside it. Twelve thousand jobs in the area are already at stake. Male unemployment is already running at 45 per cent., 50 per cent. and 55 per cent. in large areas around the river. The loss of those jobs, even on the Government's calculations, which are a fiddle, would cost the Government £72 million a year. That is the cost to the Government in Sunderland alone by the closure of Sunderland Shipbuilders and Austin and Pickersgill. That does not include the human cost of misery and despair, and the decay of the town.

Little time remains, and orders must be placed in both yards within the next few weeks. When the Prime Minister named the Stena Seawell on Friday, she praised the management and the work force. She said that the whole of Britain could be proud of the achievement in Sunderland, and what a marvellous yard it was. In the past she said the same about the Austin and Pickersgill yard. We shall remember those words, and expect that if she takes time to come to the north-east and praise the yards, her next step will be to find orders for them so that they will not close by the end of this year.

6.14 pm

Mr. Don Dixon (Jarrow): I remind my hon. Friend the Member for Sunderland, North (Mr. Clay) that the Prime Minister has on a number of occasions praised the National Health Service, yet we all know what she has done to it. The explanatory and financial memorandum states:

"The Bill will have no effect on public service manpower."

That is because there is little public sector manpower left in the shipbuilding industry. When the shipbuilding industry was nationalised in 1977, there were almost 83,000 employees, but this year there are fewer than 10,000. Therefore, I understand why that was stated.

The Minister said that British Shipbuilders had received £235 million in intervention funding and £177 million for redundancies. I assume that most of the other money that it has received has been invested in the warship building yards, which have been sold to the private sector.

I am sorry that the hon. Member for Darlington (Mr. Fallon) has left the Chamber. In a previous debate he referred to Redheads shipyard, which is in the constituency of my hon. Friend the Member for South Shields (Dr. Clark). He stated:

"Redheads in particular is more than simply a commercial success. I hope that all hon. Members would wish it to be a commercial success in a hostile ship repair environment. It is also a shining example to the rest of the industry, not simply the repair industry, of the much more flexible approach that is required in working practices, entrepreneurship and by going out across the continent of Europe to market one's product." — [*Official Report*, 27 November 1984; Vol. 68, c. 862.]

Redheads ship repairers, in which many workers invested their redundancy pay, is now bankrupt. Those workers have lost both their redundancy pay and their jobs. That shows the effect of privatisation.

Dr. David Clark (South Shields): The House will recollect that on many occasions I was attacked across the Chamber for advising those workers not to put their hard-earned money into that foolhardy venture. My hon. Friend will recollect that those men were encouraged actively to do that by the Conservative party, the hon. Member for Darlington (Mr. Fallon), and, indeed, the then Minister of State, Department of Trade and Industry the hon. Member for Kingston-upon-Thames (Mr. Lamont), who opened the yard. Does my hon. Friend agree that, as the matter is still sub judice, there should be a committee of inquiry into the events surrounding the establishment and collapse of that company?

Mr. Dixon: I certainly agree with my hon. Friend. Many of those men are particularly worried by the lack of information they received about the company going bankrupt.

We shall not oppose the Bill. It has often been said that nobody wants to shoot a one-legged Father Christmas. At least this debate gives us an opportunity to discuss the many major problems facing the British shipbuilding industry today, and the men who have invested their lives in it. The Government should present a more positive approach in these days of crisis for the industry.

The relationship between British shipowners and the industry is vital in terms of the need for home orders. British shipyards have been largely dependent on home owners in the post-war period. Unfortunately, the number of orders placed by British owners in British yards has declined considerably since the early 1960s. Between 1962 and 1966 an average of 67 per cent. of tonnage was home produced. Between 1967 and 1971 that figure collapsed to 32 per cent., and between 1972 and 1976 a mere 28 per cent. of British tonnage was built in British yards. Indeed, the Booz-Allen report, which was published in 1973, found few established links between British owners and British builders. That is in stark contrast to Japan where there is a close link between owners, builders, banks and the Government. Not one domestic order has been placed outside Japan since 1947. Everyone knows that Korea builds cheaper ships than Japan, yet Japanese shipowners always build their ships in domestic yards. It is a pity that British shipowners do not follow the same policy.

The General Council of British Shipping has made some proposals to the Secretary of State regarding the Budget debate. One suggestion is that there should be roll-over relief for balancing charges. That would enable funds from the disposal of a ship to be set off against the cost

of a replacement vessel which would encourage shipowners to build more ships, hopefully, in British yards. When the Minister meets his European colleagues, I hope that he will discuss the scrap and build scheme. European community countries have debated that since 1977, but nothing has happened. To create orders to keep a viable shipbuilding industry in Britain, it is imperative to have a scrap and build scheme, even if it is conducted unilaterally.

The state of the industry report, which was published in February this year by British Shipbuilders, was a doom and gloom report. It pointed out that the target for 1985-86 was 203,000 compensated gross tonnage, but, by the end of January British Shipbuilders had secured only 18,000 CGT, which was less than 9 per cent. of the target, and expected to achieve 70,000 CGT. However, as the Minister has pointed out, it did not achieve that tonnage.

My right hon. and hon. Friends have referred to other parts of the British shipbuilding industry. That makes dismal reading, but I do not want to go into it because of the time constraints. Last delivery dates are as follows: Austin and Pickersgill, November 1986; Govan, March 1987; Smith's Dock, December 1986; Sunderland Shipbuilders, February 1987; Appledore, March 1987; Ferguson-Ailsa in Port Glasgow, May 1986; Ferguson-Ailsa in Troon, September 1986; and Clark Kincaid, October 1987. The comments of my hon. Friend the Member for Sunderland, North are true. Unless the Government take immediate steps to help the industry, there will be no shipbuilding debate this time next year, because there will be no shipbuilding industry.

The trade unions have made enormous sacrificies in tackling the shipbuilding industry's problems. Thousands of jobs have been axed and the remaining workers have faced periods of great insecurity. Bitterness and disillusionment shroud the industry. Most of the yards to which we are referring and which are shedding labour are in areas of high unemployment.

I should like to refer to Swan Hunter, although I appreciate that the Bill has nothing to do with naval works. My hon. Friend the Member for Wallsend (Mr. Garrett) has mentioned that yard, and I have no doubt that my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) will do the same, if he catches your eye, Mr. Speaker. Therefore, I do not want to dwell too long on it. The argument on placing the AOR orders—the Harland and Wolff design has been accepted — shows how resources can be wasted if the shipbuilding industry is split up. Swan Hunter's design team of 420 which is designing the AORs and Harland and Wolff's design team which is working for the Ministry of Defence are working against each other. That is what happens when the industry is split up. Swan Hunter has a first-class team, but unfortunately, because of the wastage of resources, it will have to go.

I have a letter from the Ministry of Defence referring to orders for the third, fourth and fifth of the type 23. An article this morning in the *Financial Times* refers to a cut in the defence budget of £3 billion over the next three years. The article states:

"However, a prime target for cuts will be the Navy's shipbuilding programme, which seems certain to fall short of the Government's stated target of three new warship orders a year. This will mean delays to the new Type 23 frigate, as well as, possibly, to the building of conventionally powered submarines."

Swan Hunter has not only lost the order for the AORs but stands little chance of getting the order for the type 23 frigate if the Government carry out their cuts in the defence programme.

The men at Swan Hunter were led up the garden path. Every worker received a copy of the document issued by the management when it was considering a buy-out. It states:

"This morning a meeting took place at which the team negotiating for the purchase of the company met trade union representatives from all groups of employees, including fulltime officials, for the purpose of announcing their intentions for the company.

To set aside your concerns and worries about future prospects and job security, we can confirm the following statement was made:—

All existing employees will be kept on."

No sooner had the management buy-out taken place than it was talking about a crisis and possibly closing if the orders were not received. People in the shipbuilding industry have faced that problem for a considerable time. Since 1979 when the Conservative party was elected to government, there has been insecurity, redundancies and closure of yards. Unless the Government do something about that, Britain will be the only maritime nation that does not have a shipbuilding or ship repairing capability to service our fleets. I hope that the Minister, when he stops talking to the Government Whip, will take some notice of the shipbuilding industry and the suggestions of my right hon. and hon. Friends. Much more could be said about the industry, but I shall conclude to allow my hon. Friends time to speak.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind hon. Members that the first of the Front-Bench speakers will seek to rise at 6.40 pm. I hope that the Minister and the spokesman for the Opposition will have time to speak in that time.

6.24 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I shall take your words on board, Mr. Speaker.

It is always of considerable regret when British maritime interests place orders for vessels in south-east Asia. I recall the Scottish shipping line, the Benn Line, placing an order with Daewoo of South Korea for a bulk carrier and a semi-submersible rig. About 18 months ago, Trinity House ordered a lighthouse from south-east Asia. Such orders reflect what the annual report of Lloyd's Register of Shipping called the "unassailable" position occupied by south-east Asian shipbuilding nations.

I support the comments of my right hon. Friend the Member for Glasgow, Govan (Mr. Millan) on the intervention fund. The fund must be used flexibly and imaginatively. I was pleased to hear the Minister's intervention. We need a domestic scrap-and-build programme. I have argued in the House and elsewhere that if we want a motto it should be, "Build British and sail British."

Because we now have a single company, North-Eastern Shipbuilders, in north-east England, I wonder whether the board of British Shipbuilders has similar plans for its yards, and Clark Kincaid on Clydeside.

The debate takes place against the depressing backcloth of decline in the European shipbuilding industry. This dreich state is seen at its depressing worst on Clydeside. My constituency has been badly damaged by scandalously

[Dr. Norman A. Godman]

high unemployment, with 26 per cent. male unemployment and more than 1,000 people out of work. The Government must act to halt the continuing decline in shipbuilding and in marine engineering.

I shall refer to constituency interests. I urge the House to ignore the remarks of the hon. Member for Chichester (Mr. Nelson) about Ferguson-Ailsa, a yard in my constituency. That yard has a first-class approach to marketing its skills and services. I resent ill-founded criticism of that yard, which is struggling mightily. Clark Kincaid, which is in my constituency and that of my hon. Friend the Member for Wallsend (Mr. Garrett), is the last marine engine builder of any size on the Clyde and the Tyne. Not long ago the company was praised by Cunard for the quality and delivery date of the engine built for the Atlantic Conveyor, which was to replace the vessel of that name sunk in the Falklands war. Clark Kincaid is building two small medium-speed land engines for the Cayman Islands and two marine engines—a Sulzer and a BW engine. It is crucial to maintain that marine engineering capacity.

The Minister mentioned Ferguson-Ailsa of Port Glasgow and Troon. He said that the yards were building several small vessels. I shall be slightly more accurate than that. At Port Glasgow the yard is completing the second of two anchor-handling vessels for the Canadian Arctic oil industry. The yard at Troon is shortly to finish the second of two offshore supply vessels for Seaforth Maritime. In addition, a research vessel for the Ministry of Agriculture, Fisheries and Food is being constructed. Those two yards —Port Glasgow and Troon—are under the Ferguson-Ailsa title. They have some 700 employees. They are first-class specialist yards which are desperately short of orders. Clark Kincaid is a first-class outfit. It has excellent industrial relations and a high quality of work. I confidently expect Ferguson-Ailsa to win the order for a new fisheries protection vessel, which is to be placed soon by the Department of Agriculture and Fisheries for Scotland. That is in line with what was said by my right hon. Friend the Member for Glasgow, Govan (Mr. Millan). It is essential that the state, public utilities and public corporations place their orders with our yards. Once the fisheries protection vessel is launched, it will patrol the Scottish fishing grounds on behalf of the Department of Agriculture and Fisheries for Scotland.

In its recent report on fisheries protection the Select Committee on Scottish Affairs urged the Scottish Office to place the order with a Scottish yard. That yard should and must be Ferguson-Ailsa. It has designed the vessel, it built the previous vessel for the fisheries protection service and should build this one.

I shall make my final quick points as I am conscious that my hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) wishes to speak.

This is an important issue in Scotland at the moment. Within the next 12 weeks Caledonian-MacBrayne will announce the placing of an order for a 1,000-passenger car ferry. It is to be used for the Hebridean islands service. I would like to say to Mr. Colin Patterson, the chief executive, and the board members of the Scottish Transport Group that that order must be placed with a Scottish yard. Again I say, declaring a constituency interest, that that yard should be Ferguson-Ailsa. It has built vessels before for Caledonian-MacBrayne and it should be given this order.

It is essential, of course, that Ferguson-Ailsa submits a sensible and competitive tender and I have no doubt that it will do so. However, Mr. Patterson and his colleagues must remember that they are employed to provide a service for their Scottish customers — the people who travel among the islands and between the mainland and the islands. Those passengers and the overwhelming majority of Scots want the vessel to be built in a Scottish yard.

My final comment concerns Scott Lithgow, formerly owned by British Shipbuilders and now owned by Trafalgar House. It, too, is a yard which is grievously short of work. It now has a first-class industrial relations record with an excellent quality of work.

I am given to understand that the shipping company, ACL, plans, in the near future, to extend five of its vessels. Naturally, I sincerely hope that that work is carried out in the United Kingdom. I do not want to see the work go to West Germany where the QE2 is heading for its refit and re-engining. If the work for ACL is to be done in the United Kingdom, why not at Scott Lithgow? Trafalgar House has a major stake in ACL—25 per cent. of the equity I believe. On the basis of demanding work for British and Scottish yards, I urge Sir Nigel Broackes and his colleagues to recommend to ACL that the work be undertaken by Scott Lithgow. It is essential that British maritime interests place their orders with British yards. They are two sides of the same coin.

6.34 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I thank my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) for curtailing his speech so that I can make a short contribution.

I endorse the remarks made by my right hon. and learned Friend the Member for Monklands, East (Mr. Smith). He said that the privatisation of the warship building yards was lunacy, because the profits from that could have made a contribution to the very matters we are discussing today. However, the Government would not get very fat on the £5 million that they apparently got for Swan Hunter when it was privatised. If the terms and conditions and full extent of the deal were so fair to the managers and owners of Swan Hunter, I ask the Minister whether his Department would be prepared to buy it back if the owners wished to sell it to them. Will he address that point in his reply?

The moneys referred to in the Bill cover the question of redundancy payments. The yards which have been privatised out of British Shipbuilders are no longer covered by the redundancy payments scheme. It was felt, of course, that they would not need redundancy payments because there was work for them to get. That is not turning out to be the case for Swan Hunter. The workers face the possibility of being made redundant on terms substantially less favourable than for those who accepted voluntary redundancy a year and two years ago. The responsibility is the Government's, not that of the private owners of the yard. Is the Minister willing to make any sort of financial contribution towards the relief of that set of circumstances that the Government have done so much to bring about?

Both Cammell Laird and Swan Hunter are mixed yards. They have been forced to become warship yards and have been promised work as well. Swan Hunter, at least, still

has an eye towards trying to obtain some merchant orders. In his introduction the Minister referred to intervention funding and to looking at individual work on a case-by-case basis. If Swan Hunter is to survive at all, I understand that there is an outside possibility of it still obtaining merchant work. Can we come to see the Minister and have its case discussed on a case-by-case basis? It is not taking work from any other shipyard; it is tendering for it because of its specialist nature. Is the Minister's door open to Swan Hunter, or will merchant orders be subsidised on a case-by-case basis for those yards that the Minister has designated as merchant yards and yards, such as Swan Hunter, which used to do merchant work, will be out of it altogether?

My hon. Friend the Member for Birkenhead (Mr. Field) referred to the special subsidy arrangements at Harland and Wolff, as did the hon. Member for Darlington (Mr. Fallon). They made the point that there are substantially more yards than work. Is it true that the subsidy arrangements mean that Harland and Wolff will always have a competitive edge and that it will always be there when mainland British merchant yards are struggling without the same financial support? How will the Minister allay that fear? How will he demonstrate to those who represent not only warship yards, such as those I represent, but those who represent merchant yards that somehow Harland and Wolff will not always have a competitive edge because it always has more subsidy than is provided for mainland Britain? That is certainly a real fear on Tyneside, and the Minister should allay it not just by assurances but by being able to demonstrate that there is no such subsidy.

Tyneside is not trying to take work from other communities. We just want to be treated fairly. We do not want the work that our community should have taken and put elsewhere. We feel that the AOR was taken for political reasons and placed in Belfast. The type 22 frigate went to Cammell Laird; it should have come to us. There was a £9 million cost for the British taxpayer. There was a promise of the type 23 frigate to make up for that, and that is now two years overdue.

If the Government are serious about seeing Swan Hunter and shipbuilding survive on the Tyne, the Minister, who has direct responsibility because he sold the yard into the private sector, should discuss with his right hon. Friend the Secretary of State for Defence when those promised orders will be committed and how the assurances that the Government have given to the people of Tyneside will be upheld. The suspicion on Tyneside is that those promises will not be upheld.

6.39 pm

Mr. Gordon Brown (Dunfermline, East): While, technically, the debate has been about the extension of British Shipbuilders' borrowing powers, it has also been, rightly and properly, about the contraction of the industry, the risk to jobs, the threat to established skills, and the fears and needs of the shipbuilding communities up and down the country. It has been about the problems of Sunderland, which were mentioned by my hon. Friend the Member for Sunderland, North (Mr. Clay). It has one of the highest unemployment rates in the country. The industry faces closure if no new orders are found before the end of the year. The skills of the workers were praised by the Prime Minister on Friday but now they face the prospect of closure and of a rundown of the industry if the Government do nothing. The debate has also been about the problems of Govan and Greenock, where no new orders are yet available and where, additionally, jobs will be lost, and unemployment in an area of high unemployment will rise.

The debate has also been about the problems of the north-east. I congratulate my hon. Friends the Members for Newcastle upon Tyne, East (Mr. Brown), for Jarrow (Mr. Dixon) and for Wallsend (Mr. Garrett) on the campaign that they have mounted for orders for Swan Hunter. It seems remarkable that, when a yard is denationalised, orders and jobs dematerialise almost overnight. The Minister should tell us what his Department will do to persuade the Ministry of Defence to speed up the promised orders for type 23 and the second AOR so that jobs can be saved and retained at Swan Hunter in the north-east.

When we have already suffered a halving of the capacity of the shipbuilding industry over the past seven years, when, as my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) said, 48,000 jobs have been lost throughout the shipbuilding and ship repairing industry, when we have only 2 per cent. of world orders for merchant shipbuilding at the moment, and when the retiring chairman of British Shipbuilders, who was praised by Conservative Members, has said clearly that the industry is facing a bare-knuckle fight for survival, and fears that the merchant shipbuilding industry could go exactly the same way as the motor cycle industry, the question is not the generalities raised by Conservative Members in their lengthy speeches, but what the Government are doing. The question is what they will do through their public purchasing powers, activities to secure proper intervention fund support, and the development of packages that can beat the rest of the world by ensuring the maintenance and continuation of our merchant fleet. What will the Government do to prevent a catastrophic rundown in the merchant shipping industry over the next year, and to prevent a decline that could lead to the disappearance of the industry as a whole?

Both sides of the House share a concern about the decline of the merchant shipping industry. It was 1,200 strong in 1979 and is only 600 strong today. The General Council of British Shipping fears that the figure could fall to 400 and then to 200 by 1995. When last week the Committee in another place called for urgent measures from the Government to secure orders for British yards and to ensure that the British merchant fleet could maintain and expand its capacity to deal not only with industrial but with defence needs, the question that the Minister must answer during the debate is: why has he not done more? What more will he do to persuade British shipowners to buy British, to repair British and, indeed, to sail British, in the interests of the industry?

There are three things that the Minister can do. The first is to use the Government's public purchasing powers to the benefit of shipbuilding communities. Surely it is in the Department's interest and, indeed, in other Department's interests, when faced with the prospect of ever-rising unemployment at great cost to the Government, to speed up the orders that have been mentioned by Opposition Members. Those orders are desperately needed by the various Departments, but, because of cash shortages, particularly in the Ministry of Defence, they are not being placed.

[Mr. Gordon Brown]

My right hon. Friend the Member for Glasgow, Govan (Mr. Millan) and my hon. Friend the Member for Sunderland, North mentioned the FSK 20/20. The Minister should clarify the position. The Ministry of Defence encouraged British Shipbuilders to design that; British Shipbuilders could build and export it. It is not a substitute but it is a complement to the AOR. The Minister should tell us what pressure he will bring to bear on the Ministry of Defence to ensure that those orders, which could help Sunderland and Govan retain jobs, are placed as soon as possible.

Secondly — the Minister raised this point — there should be effective pressure to secure proper support from the intervention fund. When the Under-Secretary spoke in a debate last year, he said that he was fighting for Britain in Europe. Over the next few months his proposal for 35 per cent. subvention became only just over 20 per cent. subvention under the intervention fund. This year's negotiations have started with the Commissioner for competition, who says that he wants an effective and significant reduction in the overall level of aid. The Under-Secretary, who appears to be leading the negotiations on behalf of the Government, is quoted as saying that he wants an

"end to the nonsense of worldwide subsidies."

While not offering Britain as a sacrificial lamb, he has also said that Europe could take the lead in the process of ending the "buying" business for orders.

We should like the Minister to give us an assurance that he and his colleagues will fight for decent intervention fund support, that he will not be swept aside by the Commissioner for competition, that he will not yield to other countries that want a cut in intervention fund support, and that he agrees with us that we cannot afford the luxury of misplaced ideologies about free market forces—other countries are doing their best to protect their industries, while we seem to be mouthing monetarist orthodoxies in Europe.

Thirdly, the Government can take to heart what the Prime Minister seemed to be saying on Friday, which Downing street seemed to withdraw — that we need better packages to enable us to persuade people to buy British and build in British yards. The Prime Minister appeared to say that at the moment we could offer packages that were better than in any other country except Japan. That is contradicted by the evidence that the Department of Trade and Industry gave to the Committee in another place, when the officials appeared to be saying that other countries were able to beat us hands down, especially France and Germany, which could offer better and longer repayment periods and better credit packages for building ships.

The Under-Secretary appeared to say that other countries in Europe were offering hidden subsidies while our subsidies were all transparent and above board. If a study has not been done and if proposals have not been brought forward to improve the credit and loan packages on offer, the Minister could help by giving us an assurance that he will examine the packages and ways in which to improve them, take up the point that was made by my right hon. Friend the Member for Govan and guarantee to us that no order will be lost because the credit terms that are on offer in this country are detrimental compared with those offered by other countries.

We are talking about the survival or extinction of the merchant shipbuilding industry. We are talking not about an industry that is old-fashioned, but about an industry that has moved into high technology. This afternoon the Minister acknowledged the widespread gains in productivity that have been achieved — what he called the enormous strides forward. He also acknowledged the improvement in industrial relations. However, the Government need to match the commitment that has been made by the work forces throughout the country. What we need from the Government is a commitment to use their public purchasing powers to secure orders, to fight in Europe for an expansion of intervention fund support, to develop the packages that can be offered to secure the orders that Britain needs, and to ensure that British shipowners will buy British, sail British and repair British for the future of the industry.

What we need are not the complacent words that the Minister appeared to use at the beginning of the debate, but an assurance that dynamic initiatives will be taken to secure the future of the yards, to secure orders, to save the jobs and to safeguard the future of an industry that is vital not only for our industrial and trading needs but for the defence of this country.

6.49 pm

Mr. Peter Morrison: In the short time that is available, I shall attempt to respond to what has been a very serious debate and pick up as many of the points as I possibly can.

If at the beginning of the debate I gave the hon. Member for Dunfermline, East (Mr. Brown) the impression that I was complacent, I assure him that that was not so. His right hon. and learned Friend the Member for Monklands, East (Mr. Smith) described the severity of the position, and I agree that it is very serious. I would not go so far as to use the words of the hon. Member for Dunfermline, East and say that it was a case of survival or extinction, but I am more than aware of the serious problems faced by the merchant shipbuilding industry in Britain.

I do not wish to detain the House with the debate about privatisation and whether that was a good or bad decision. The right hon. and learned Member for Monklands, East would expect me to defend the decision to privatise, and I do that with conviction. I believe that the employees in the Vickers consortium, 80 per cent. of whom took up the shares, would agree that privatisation was the most sensible way forward.

I should like to reiterate what I said at the beginning of the debate about the Government's commitment to the industry. If we had not been committed to the industry, we would not — at a time of scarce resources — have invested £1,440 million in the industry since we came to power in 1979. The Government have made a major commitment in that sense.

One of the main themes running through the debate, which was raised by the right hon. and learned Member for Monklands, East and by the hon. Member for Dunfermline, East, has been public sector purchasing policy. I agree that any responsible Government should have regard to that. I am sure, however, that the right hon. and learned Member for Monklands, East would accept that significant orders have been placed with the shipbuilding industry by the Ministry of Defence.

The right hon. and learned Gentleman also raised the point about the British Nuclear Fuels Ltd. ship. He will be

aware that the first four ships ordered by that consortium came from this country. The right hon. and learned Gentleman's point referred to the fifth ship, and the tender from the Japanese was substantially below the tender from British Shipbuilders. It is also fair to say, as the right hon. and learned Gentleman realises, that the company is not British dominated. It is Japanese-French as well as British.

The right hon. and learned Gentleman also raised a specific point about the FSK 20/20, as did many of his hon. Friends. I believe that is a good ship, and of course it is important for the future. It has export potential. I understand all those points. However, the Opposition will appreciate that the Secretary of State for Defence must look carefully at his precise needs. He cannot, off the top of his head, create orders in a way that the Opposition would like.

The right hon. and learned Member for Monklands, East raised the matter of the increase in intervention fund support. As I said when I intervened in the speech of the right hon. Member for Glasgow, Govan (Mr. Millan), we can consider support through the intervention fund on a case by case basis and there can be some flexibility.

The hon. Member for Sunderland, North (Mr. Clay) made the point with some vigour that it was surprising that British Shipbuilders had not come to the Government for support. That may be surprising, but so far as I know that has not happened because there has been no increase in the use of flexibility relating to the intervention fund. That is not a reason for no orders coming forward. I understand the passion with which the hon. Member for Sunderland, North puts his case, but, in all honesty, the position is not quite as he would like it to be.

Another of the themes running through the debate, which was raised by the right hon. Member for Govan among others, was the provision of credit. I appreciate that the competition in connection with the allocation of credit can become unfair or even more fair, and we must consider that position. There is the possibility of softer credit in certain circumstances using the aid and trade provision. I confirm that we are ready to consider the use of that provision in appropriate cases, and I can specifically confirm that, in the case referred to by the right hon. Member for Govan and his right hon. and learned Friend the Member for Monklands, East, we are ready to use it. We must judge each case on its merits.

I believe that a misunderstanding arose from the interpretation of the meeting between the hon. Member for Sunderland, North and shop stewards and my right hon. Friend the Prime Minister. I was not present at that meeting, but I have heard reports that it was very constructive on both sides. I am sure that the shop stewards appreciate that the Government and the Prime Minister are doing everything within their power to help British Shipbuilders and will therefore help with the jobs that are available.

Mr. Clay: In fairness to the shop stewards and to myself, the Minister should not mislead the House by implying that we thought that the Prime Minister was doing everything in her power. As the Minister has allowed me to intervene, may I say that my recollection of the meeting and that of the shop stewards is clear. The Prime Minister was not simply talking about one situation. She said that from now on no country, other than Japan, can undercut this country on credit in connection with orders.

Mr. Morrison: As I have said, I was not at the meeting but I did receive reports. I have related to the hon. Gentleman the present position for credits under the aid and trade provisions.

My hon. Friend the Member for Teignbridge (Mr. Nicholls) referred to the right hon. Member for Manchester, Gorton (Mr. Kaufman) and to a former Secretary of State, Mr. Eric Varley, and what they said about the industry in the 1970s. They had to deal at that stage, as did the then Government, with a very difficult situation. As the hon. Member for Wallsend (Mr. Garrett) said, the problems with the industry should be dealt with on a broad rather than a party political front. I believe that that has been the tone of the debate so far, and I agree that that is the approach that we should take.

Mr. Gordon Brown: Before the Minister leaves the point about credit packages, whatever the Prime Minister said, will he give us an undertaking that no other country will be able to undercut us on credit terms and that he will ensure that British Shipbuilders can offer the best credit terms?

Mr. Morrison: The hon. Gentleman is asking the impossible.

Mr. Gordon Brown: No, I am not.

Mr. Morrison: With due respect, the hon. Gentleman is asking the impossible. How am I to know precisely what other countries may be offering by way of credit? The right hon. and learned Member for Monklands, East, who has been a senior Secretary of State, knows perfectly well that it is not always possible to know about credit terms as negotiations are commercially confidential. It would be impossible for me to give such an undertaking to the hon. Member for Dunfermline, East or to the right hon. and learned Member for Monklands, East without misleading them and the House.

My hon. Friend the Member for Teignbridge referred to the previous Labour Administration who said how difficult it was for people to manage the shipbuilding industry in western Europe and throughout the world because of the contraction of the industry. Of course, shipbuilding is extremely important to certain parts of the country, to the north-east and parts of Scotland in particular. I therefore understand why the Opposition make the point with conviction that the Government should force British shipowners to buy British ships. I cannot acquiesce to that request. It is fair to say that in recent years two thirds of British ships bought by British shipowners have come from British shipyards. Obviously, we shall do what we can to sell to Britain's shipowners the ideas of British Shipbuilders.

I commend the Bill to the House. I am sure that it is a further step in helping British Shipbuilders in the direction that it should be going.

Question put and agreed to.

Bill accordingly read a Second time.

Bill committed to a Committee of the whole House.—*[Mr. Archie Hamilton.]*

Committee tomorrow.

BRITISH SHIPBUILDERS (BORROWING POWERS) BILL [MONEY]

Queen's Recommendation having been signified—

Resolved,

[Mr. Morrison]

That, for the purposes of any Act resulting from the British Shipbuilders (Borrowing Powers) Bill ('the Act'), it is expedient to authorise—

(a) any increase in the sums payable out of the National Loans Fund, the Consolidated Fund or money provided by Parliament under the Aircraft and Shipbuilding Industries Act 1977 which is attributable to provisions of the Act raising to £1,300 million the limit imposed by section 11(7) of the said Act of 1977 and authorising the Secretary of State to provide by order for that limit to be increased or further increased up to a maximum of £1,400 million; and

(b) the payment of any sums into the National Loans Fund or the Consolidated Fund.—*[Mr. Archie Hamilton.]*

Harwich Parkeston Quay Bill

Order for Second Reading read.

7 pm

Sir Julian Ridsdale (Harwich): I beg to move, That the Bill be now read a Second time.

Before I deal with the principle of the Bill, may I remind the House of the distinction between the Second Reading of a public Bill and a private Bill. "Erskine May" says:

"a public Bill being founded on reasons of state policy, the House, in agreeing to its second reading, accepts and affirms those reasons; but the expediency of a private Bill, being mainly founded on allegations of fact, which have not yet been proved, the House, in agreeing to its second reading, affirms the principle of the Bill conditionally, and subject to the proof of such allegations before the committee. Where, irrespective of such facts, the principle is objectionable, the House will not consent to the second reading; but otherwise, the expediency of the measure is usually left for the consideration of the committee."

In general, the principle of the Bill is to create new quays, vital for our growing trade, with no damage to the environment, and to reclaim land which will become valuable industrial land with admirable port facilities in an area which has a high level of unemployment. I hope that no hon. Member will wish to vote against that principle. Of course, there are matters in dispute, but, as "Erskine May" advises,

"the expediency of the measure is usually left for the consideration of the committee."

I trust that the House will follow that advice.

The principal object of the Bill is to authorise the development of Bath Side bay, Harwich, which lies between the existing harbour facilities at Parkeston quay to the west and Harwich to the east. The development will consist of the phased construction of a quay wall fronting the river Stour across Bath Side bay. In addition, approximately 330 acreas of tidal mud flats will be reclaimed. Once constructed the quay wall will provide four deep-sea container berths and facilities for handling approximately 100,000 containers per annum.

It is expected that the first container berth could be in operation within 18 months of the work beginning and the construction of the remaining three container berths will take place when required to meet commercial shipping demands.

It is exciting that the Bill, which creates quays as they become necessary, offers the first real prospect for the development of Bath Side bay, a project first proposed in the 1850s and a development by a company that has the resources to finance such a project.

The anticipated cost of the construction of the sea wall and the reclamation is £33 million at present-day prices. The overall cost of the development is expected to be in the region of £100 million at present day prices.

To the south of the port area will be a substantial area of land suitable for industrial and commercial use. Implementation, in association with the construction of stage two of the Dovercourt bypass, will ensure adequate road access.

Naturally, with the high rates of unemployment that there are in north-east Essex, I welcome the development. Many of my constituents are watching expectantly for the employment prospects that are likely to arise from the Bill, not only in the port itself but in the industrial and commercial area directly to the south of it.

Therefore, the House would bear a grave responsibility if, for some unfortunate reason, this evening it denies a Second Reading to the Bill, especially now that there is the capital and momentum to move forward from the considerable progress that has already been made since the new management took over responsibility for the port of Parkeston quay, Harwich.

Last year, thanks to quick decisions being made by the new management and help from the Essex county council, a substantial part of the land behind the proposed first berth and around the shore line of Bath Side bay has already been reclaimed with the necessary consents but without statutory powers, as the opportunity arose to acquire a large quantity of good quality material recovered from the dredging of the main channel of Harwich harbour. That reclamation was carried out by the Harwich harbour board with the present company's consent. It amounts to approximately 25 per cent. of the total area of the bay previously covered by water at high tide.

As the Second Reading of the Bill has already been blocked, and although this would be better taken in Committee, I should explain that there was a previous Act called the Bath Side Bay Development Act 1972 in which the Earlpar Development Company Ltd. obtained powers for the reclamation and development of port facilities in Bath Side bay. The works to be authorised by this Bill are on what is virtually the same site as those authorised by the 1972 Act. It is for that reason that the Bill proposes the repeal of that Act, which has never been implemented. Indeed, there is no way in which the 1972 Act could be implemented without the agreement and participation of Sealink Holdings Ltd. as it is the owner of a major part of the land lying above low water mark within the area designated for development in the Act. There are no provisions in the Act whereby Earlpar can acquire Sealink Holdings Ltd's interests other than by agreement.

Harwich Terminal Holdings, the holding company of Earlpar, makes much of the point that the 1972 Act authorised reclamation by sealing off the bay from the main river channel, in the first instance by the formation of a bund across the bay. It says that that was required by the Essex river authority, but investigation of the relevant papers shows that that is not so, rather that the river authority was concerned that if Earlpar were to proceed with reclamation in that way it should show that it had adequate funds to complete the job, so that the sealing off operation would not be left incomplete and without the subsequent back up of landward reclamation.

There is no specific provision in the 1972 Act to require reclamation in that way, but the works then authorised specified bunds stretching across the bay and would not be apt for the method of reclamation now proposed — reclaiming the bay progressively from the eastern end, keeping the reclamation of the landward area in step with any extension of the quay face.

The scheme of development authorised by the 1972 Act is, in the view of Sealink Holdings Ltd., impracticable as it involves the cost of comprehensive reclamation of Bath Side bay in the first instance before any deep water port facilities can be provided.

Mr. Nicholas Fairbairn (Perth and Kinross): What section of the 1972 Act says, first, as my hon. Friend has just told us, that the method proposed is not provided for, and, secondly, that the method that he has just described is provided for?

Sir Julian Ridsdale: I shall give my hon. Friend a reference if I have the leave of the House to reply to the debate.

Harwich Terminal Holdings also complained of discourtesy, in that the Bill has been promoted without notice to it. There is a long history of negotiations, culminating in the proposal made on behalf of Harwich Terminal Holdings that it should sell the 1972 Act for £7·24 million. After considering this proposal, put to it by merchant bankers on behalf of Harwich Terminal Holdings and Earlpar, a letter was written by Sea Containers on 20 March 1985 informing them that the company had decided that it could proceed without the assistance of Harwich Terminal Holdings or its associates. There were further discussions, but these were inconclusive. I am satisfied in connection with the deposit of the Bill that due notice was served on Earlpar in respect of the intended repeal of its 1972 Act.

Felixstowe Dock and Railway Company is promoting its own Bill to authorise extension of its container port. I was glad to speak in support of its Bill last year. I hope that it will agree in principle to this Bill and that any worries that it may have about the phased development of Parkeston quay will be ironed out in Committee. This also applies to the concerns of some of my constituents about the right to use Gas House creek and the adjoining Gas House quay. I am glad that negotiations are in progress with Trinity House, with a view to solving points of difference amicably.

Finally, may I remind the House again that the principle of this Bill is to create new quays, with no damage to the environment, and to reclaim land, some of which will become valuable industrial land with admirable port facilities in an area that has very high unemployment. I sincerely trust that no hon. Member will wish to vote against that principle and will be willing to let matters of dispute be for consideration of the Committee, as "Erskine May" advises. I, too, underline the need for urgency in coming to a decision.

Mr. Albert McQuarrie (Banff and Buchan): I do not want to delay my hon. Friend's initial speech. I hope sincerely that later he will have the permission of the House to answer the debate, but I should not like him to sit down now without saying what, if any, consideration has been given by the present owners of Sealink to providing compensation for Earlpar. My hon. Friend referred to the sum of £7·24 million, but I am sure he will agree that that figure is now dead and gone and that since then there have been no further negotiations.

Sir Julian Ridsdale: I am glad that my hon. Friend has raised that extremely important point. Sealink and Harwich Terminal Holdings are conducting negotiations upon that matter. I have been informed today that Harwich Terminal Holdings said that it did not wish to have a meeting with Sealink Holdings because it would not be a meeting between the heads of the companies at which an agreement could be reached. I am glad to be able to tell my hon. Friend that Sealink Holdings said in reply that it is perfectly willing to have a meeting to conduct negotiations on this matter with the heads of the companies concerned. I think that that covers my hon. Friend's point. The promoters of the Bill are naturally anxious to reach agreement with Harwich Terminal Holdings upon this question.

Mr. Fairbairn: If I may pursue that point with my hon. Friend, assuming that the House gives a Second Reading to the Bill tonight, does he take the view that Sealink's bargaining position will be strengthened and that that of Harwich Terminal Holdings will be weakened, or does he take the view that it will be left as it is? If he takes the view that it will be left as it is, what is the haste for a Second Reading of the Bill before the settlement?

Sir Julian Ridsdale: The haste is because of the momentum that has been created in Harwich. I pointed out in my speech that there is a very high rate of unemployment in Harwich and that there is an urgent desire to reclaim the land in order to create industrial land in Harwich that a company, with reasonable assets, will wish to take up.

Mr. Fairbairn: What about the bargaining?

Sir Julian Ridsdale: I shall deal with that point. First, however, may I underline the urgency of this matter. Those of my hon. Friends who are faced with a rate of unemployment that is similar to that in Harwich will agree with me that I ought to do my best to urge them to give a Second Reading in principle to the Bill. "Erskine May" advises that this is a matter of expediency.

As for the negotiations, I think that my hon. and learned Friend the Member for Perth and Kinross (Mr. Fairbairn) will agree that the first price asked for the Bill was extremely high. I do not wish to put myself in the middle of the negotiations, but I know the proprietors. Having listened to the debate and having looked at the facts, as I have done, I am sure that they will want a reasonable agreement to be reached with Harwich Terminal Holdings. It is impossible for me, as a middleman, to say more than that, as I have no responsibility for the matter. All I ask my hon. Friends to do is to concentrate upon the principle of the Bill. If they object to it, they will wish to vote against its Second Reading or to talk the Bill out.

I wish to underline the need for urgency in reaching a decision. The fall in the price of oil should create a great demand for British manufactured goods throughout the Community and worldwide. The creation of these port facilities would result in Harwich being able to take shipping from any part of the world. A container port would be created on our east coast which would result in great advantages not only for my constituents but for Essex and the country generally.

For these reasons, I hope that the House will give a Second Reading to the Bill and that on the question of expediency it will follow the advice of "Erskine May" and deal with those matters in Committee.

7.18 pm

Mr. Willie Hamilton (Fife, Central): I beg to move,

That the Bill be read a Second time upon this day six months.

Hon. Members may wonder why a Scottish Member should move a motion. They might be even more cur. s——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I am sorry to interrupt the hon. Gentleman, but the motion that he sought to move has not been selected, and, indeed, is not normally selected.

Mr. Hamilton: I beg your pardon, Mr. Deputy Speaker. I was about to explain why the motion standing in my name is supported by five hon. Members of Scottish origin—even if they are not all Scottish Members. One of them represented a Scottish constituency, but now represents Southend, East. I do not know their motives in supporting the motion. Indeed, I am rather embarrassed to find myself in such undesirable company. I hasten to add that I have had no consultations whatever on the matter. However, I have had some private conversations with the hon. Member for Harwich (Sir J. Ridsdale), and I think that he understands my position fairly well. I have no objection to any hon. Member who seeks to further his constituency's interests, especially if there is any prospect of creating jobs in an area—like many others—that has high unemployment.

I should make my position clear. My active interest in private Bill procedure was excited by the strange and unsavoury story of the Felixstowe Bill and by the experiences of my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) when she served on the Committee dealing with that Bill. On 12 February, we had a lively debate following a motion from the Chairman of Ways and Means to reduce the quorum in order to expedite the Bill's passage. During that debate, I and other Opposition Members revealed that the Bill's promoters were major financial contributors to the Tory party. We also sought to show how antiquated and unsatisfactory private Bill practice is. The procedure was, and is, open to abuse of one sort or another.

On that occasion, history was made when the Chairman of Ways and Means, as you will recall, Mr. Deputy Speaker, moved that motion and implied that an inquiry into that procedure would be initiated. Those debates were obviously read in Harwich, because a lady wrote me a long letter, saying that the Bill

"illustrates the deficiencies of Private Bill procedures to an even greater degree than the Felixstowe Bill."

In an informed way, she then eloquently explained why the Bill should be rejected. I need not go into the details of that letter now, but she said that the Bill was promoted by Sealink Harbours Ltd., which is a United Kingdom company with a Bermudan holding company headed by Mr. James Sherwood, of Channel tunnel fame. The implication is clear.

That lady suggested that some inquiries might be made about Mr. Sherwood and his activities vis-a-vis the Conservative party, following the relationship that we established between the company promoting the Felixstowe Bill and the Conservative party. She made several points, and said that the plan would threaten the outstanding conservation area of old Harwich and Gas House creek, which abuts the conservation area.

Sir Bernard Braine (Castle Point): As always, I have listened with respect to the hon. Gentleman. He has referred to the private Bill procedure. Surely he is aware that his informant's objections could be properly dealt with in Committee. Does not the hon. Gentleman adhere to that view? If not, why not?

Mr. Hamilton: I do not know whether the hon. Gentleman was present when we debated the Felixstowe Bill, but we then pointed out the wholly antiquated and unsatisfactory nature of that procedure. Four hon. Members were appointed to the Committee and were compelled to attend, on penalty of being fined. My hon. Friend the Member for Cynon Valley happened to be serving on the Committee debating the Gas Bill as well. She made the very relevant point that her constituents were much more concerned that she should attend the

Committee debating the Gas Bill and the privatisation of the gas industry than that she should attend a Committee debating the Felixstowe Bill. She asked me what she should do, and I told her not to attend the sittings of the Committee on the Felixstowe Bill. She did not attend the latter, and she then received stern letters from the authorities saying that she must attend. I told her not to and she decided not to attend.

At that point, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) also refused to attend, and the Chairman of Ways and Means, whose duty it is to see that private Bills get through, moved a motion reducing the quorum to, I believe, three. That meant that there were two Conservative Members and possibly one Labour Member if he or she could be found. Those three hon. Members were to determine a matter of crucial national interest. Opposition Members all said that the procedure was absurd.

It is ridiculous that a matter of national policy should be determined by three or four Back Benchers who have been compelled to attend and to hear hour after hour of droning from highly paid counsel and QCs. The only people to laugh at our private Bill procedure are parliamentary agents and counsel. They are making money out of it. It is time that that came to an end.

I am under no illusions about what is happening. I support the hon. Member for Harwich in his attempt to create jobs. I would support any hon. Member who tried to do that. The Bill raises several points that could be raised in Committee, but then that procedure is unsatisfactory.

Sir Eldon Griffiths (Bury St. Edmunds): I introduced the Felixstowe Bill and followed its Committee stage with interest. The hon. Gentleman is a very good constitutionalist and Member of Parliament. But if he believes that private Bill procedures are out of date and anachronistic, would it not be better to go through the proper procedures for changing them than to recommend to his hon. Friends that they should, in effect, go on strike?

Mr. Hamilton: The hon. Gentleman is also a skilled parliamentarian and must understand that there are limits to what a Back Bencher can do. An investigation into the private Bill procedure is in hand, but meanwhile we must take what steps we can to prevent or inhibit that procedure's smooth operation, and to influence that Committee's proceedings. The private Bill procedure must be radically changed, because it is at present absurd.

Mr. Bill Walker (Tayside, North): The hon. Gentleman will be aware, being a Scottish Member, that it is not unusual to be on more than one Committee at a time. That means that the Committee which the hon. Member does not attend does not do its work properly or effectively. An examination of procedure is long overdue.

Mr. Hamilton: The hon. Gentleman supports my view. The more hon. Members who take that view, the more pressure can be put on the Chairman of Ways and Means to make a radical change and to end the nonsense. I am not worried about forcing a vote today, so long as the protest about the absurdity of our procedures is put on the record.

The Bill proposes to repeal the Bathside Bay Development Act 1972 which operates until 1992 and was obtained through the private Bill procedure. The Bill repeats the substance of that Act's provisions. The Bill is proposed by Sealink Harbours Ltd. The powers of the 1972 Act are vested in the Earlpar Development Company Ltd., which has now petitioned. The chairman of that company happens to be the Earl of Lauderdale—Patrick Maitland, as I knew him many years ago in the House. I am in strange company.

The Earl of Lauderdale has written to me and seen me. He has a financial interest, which he has frankly declared. He has given me information which is not readily available. This is a complex matter which underlines the undesirability of dealing with such matters in a private Bill Committee, which we now have to tolerate.

Mr. Fairbairn: As someone with vast experience of the procedure, who has been both perspicacious in observing it and critical of it, can the hon. Gentleman tell me whether he knows of a precedent for the proposal that one private Bill should be brought before Parliament by one interested party in order to extinguish the inalienable rights granted by Parliament to another party?

Mr. Hamilton: I do not think that there is such a precedent. A private Bill was passed by the House in 1972 and this, another private Bill, seeks to repeal that measure. That is reprehensible and undesirable and the House has the power to stop it.

The 1972 Act and the Bill relate to the reclamation for harbour development of more than 250 acres of tidal mudflats west of Harwich, fronting the Stour-Orwell estuary. The engineering feasibility of the reclamation project was first established by the Earlpar company, which negotiated over the years with British Rail, the freeholders, to undertake the work on a development agreement, then a lease of the reclaimed land. The development was obstructed by the requirements of section 9 of the Harbours Act 1964. That required Government consent for any harbour works involving capital investment above a certain amount. Consent was dependent on a recommendation by the National Ports Council. This, in turn, required the company to demonstrate that it had a contractual user commitment in bankable terms to ensure that the capital could be both serviced and redeemed. The prospective user had to be willing to undertake to make "X" use of the harbour, at "Y" dues, over "Z" period—all this for a harbour not yet built, on land not yet reclaimed.

The section 9 requirement was not repealed until the Ports (Finance) Act 1985. However, the freehold of that site today, having been passed by British Rail to Sealink, had through privatisation passed by July 1984 to Mr. John Sherwood's American Sea Containers Ltd. The sale was carried out under the Transport Act 1981, which requires any purchaser of Sealink's harbour interests to take over related liabilities as well as assets. The liabilities included an enjoyment of 15 years of technical studies determining the feasibility of a reclamation project and geophysical conditions for harbour development. They had been made freely available by the Earlpar company to the freeholder, British Rail, in the light of successive letters of intent.

Sea Containers Ltd. has so far ignored Earlpar's offer to sell the company's assets and the benefit of the studies as well as introduce a user, both to make a firm commitment and to help fund the development. Instead, Sea Containers has chosen to seek to obtain these benefits for nothing by a private Bill—*[Interruption.]* I see that

[Mr. Hamilton]

the hon. Member for Harwich (Sir J. Ridsdale) disagrees with me. I hope that he will make these matters clear later because they are sore points to petitioners against the Bill.

The Bill ignores the environmental protests of those in Harwich who are worried about protecting and using Gashouse creek at the east end of Bath Side Bay. I understand that the petitioners, on their behalf, have been refused a hearing before the Committee on Opposed Bills to be set up should the Bill obtain a Second Reading. Environmental rights will thus be eliminated without being heard. The creek was specifically protected under the 1972 Act.

The hon. Member for Harwich mentioned Trinity House interests. I am not sure whether those interests are protected, but, according to my information, they are likely to be ignored by the Bill. Trinity House has petitioned, and I understand that negotiations with the promoters are proceeding. I understand that the port of Felixstowe has also petitioned on the ground of anxiety about the effect which piecemeal harbour development will have on the estuarial regime. I do not know whether that is so. It needs explanation, and I hope that the hon. Member for Harwich will explain.

That interest was protected by the 1972 Act which this Bill proposes to repeal. The regime is also threatened by increasingly high tides while the volume of sea-going freight handled on the estuary has risen by about 50 per cent. in the past five years.

The Bill describes the original 1972 Act as

"spent or of no practical utility".

The hon. Member for Harwich said that. At the time that Sealink was being privatised, the Harwich harbour authority undertook dredging operations in the estuary and, at the instance of the Earlpar company, was persuaded by British Rail to deposit the spoils on Bath Side bay to start off the reclamation. Nearly one third of Bath Side has been filled in as a result. The parliamentary powers which protected this operation from interference by others—for example, the dumping of harmful refuse —existed in the 1972 Act. Therefore, that Act has already proved its relevance and value.

When I got the letter from the lady in Harwich and also the representations of the Earl of Lauderdale, I received, as a consequence, a letter from the parliamentary agents, Sherwood and Company, of Queen Anne's Chambers, Westminster, which asked me to give my reasons for objecting to the Bill. I simply replied by enclosing a copy of the long letter which I had received from the lady in Harwich. I deleted her name and address because I did not have her permission to use it. I also explained my views, in principle, on the private Bill procedure.

The lady subsequently apologised to the hon. Member for Harwich because she had made some incorrect allegations in her letter which she later withdrew. I had stirred up a hornet's nest which I regret. I do not regret my part in these proceedings. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) had put down a blocking motion on the Bill, to which I added my name. I consulted my hon. Friend about the terms of the letter and my hon. Friend asked me to put my name to the blocking motion because there was something irregular about it. That is confirmed to some extent by the letter from the lady in Harwich. I shall end with a fairly lengthy quotation, but I believe it is important to get it on the record.

Mr. Fairbairn: Let's have it all.

Mr. Hamilton: In due course I may allow the hon. and learned Gentleman to see the letter.

The letter states:

"Why are Parliament and the people of Harwich subjected to the introduction of this Bill? There is no doubt in my mind, and that of others, that this is only their first foray into the conservation area. At present, you may know, the seamen here are on strike due to redundancies and the loss of Sealink's freight contract to Felixstowe. If you consult the Unions here, you will find that they have further fears, particularly regarding intrusion of foreign crews and workers, and yet this town would become 'Sealinkville', wholly dependent on Sealink if this Bill were enacted. Questions were asked in Committee on the Felixstowe Bill concerning the Promoters' donations to Tory Party funds —Mr. Sherwood has friends in high places—it might be interesting to put the same questions to him."

If this Bill goes to Committee, I hope the same questions will be put to Mr. Sherwood as were put to the relevant people who promoted the Felixstowe Bill.

The letter continues to consider the role of the Crown Estate Commissioners which was not mentioned by the hon. Member for Harwich:

"Yet another aspect is the Crown Estate Commissioners. I have been attempting to investigate the ownership of land delineated in the Book of Reference to the Bill, as the Promoters can list any land as theirs or reputed to be theirs with no proof of ownership, the system relying entirely on someone petitioning to say it is not; such research is also lengthy, which the procedural timetable does not allow for. The Crown Estate Commissioners state that they are already negotiating with Sealink about making their land in Bath Side Bay available to Sealink. This seems incredible with an Act over the area still in operation and a Bill just introduced; I trust that they will not be permitted to transfer it to Sealink whilst the Bill is before the House. My other information from them"——

that is, the Crown Estates Commissioners—

"concerned the bed of the Creek which Sealink purport to own. They say this was transferred to the United Land Company in 1871. They agree with my contention that the bed of a tidal river so far as the tide ebbs and flows is vested in the Crown and that when it is granted or acquired with this grant or acquisition passes intrinsically the public right of navigation and fishing right and rights ancillary thereto over the locus of the grant or acquisition."

Mr. Fairbairn *rose*——

Mr. Hamilton: I shall just finish the paragraph:

"They state that the custodian of such rights on behalf of the public is the Attorney General. I trust that the Attorney General will enforce these rights in the case of this Bill."

Mr. Fairbairn: This may seem a strange question for one Scottish Member to ask another about the law of England but, given that the lady is right about these matters, do the regalia majora and regalia minora apply to the shores of England as they do to the shores of Scotland and are the shores the rights of the Crown and not the rights of the proprietor?

Mr. Hamilton: I do not know. I think the hon. and learned Gentleman should apply for membership of the Committee. I will recommend him for that because clearly he has many pertinent questions to put to the promoters of the Bill.

I shall finish the quote:

"I think, as you do, that the fight for reform in Private Bill procedures is a fight for some democratic representation for common people in these matters. Justice is not being done and the interests of a multinational company are being given not only precedence but almost sole hearing. Private Bill procedures in Bills such as the Harwich Parkeston Quay Bill are no longer democratic in any acceptable sense."

I entirely agree with that proposition; and that is why I am making this speech. I want it to be put on record

—I hope other hon. Members will put it on record in the course of the Bill—that, unless we get this procedure reformed and modernised, we ought not to allow private Bills to go through the House under this procedure.

Sir Eldon Griffiths: I also want the procedure reformed. Does the hon. Gentleman think that it is right that he should tell the House that the letter he is reading is from Mrs. Cullen, who was originally a petitioner against the Bill? Her petition was struck out by the Court of Referees. Her locus was disallowed by the procedures of this House because she does not claim any other right but as a member of the public. Since the Court of Referees has taken that view, does the hon. Gentleman think it is proper to seek to import her objections when the proper procedures have said that they are not revelant?

Mr. Hamilton: I do not know, but she has made some valid arguments in the letter, which ought to be recorded. I have not asked her permission to quote the letter and I have deliberately sought not to identify her, but the hon. Member for Bury St. Edmunds (Sir E. Griffiths) has, and he may be right. The principles on which she is acting are sound. She believes that there are rights of individual citizens which are being treated in a slipshod manner and that citizens are unable to put their arguments to a Committee of the House. Such people's interests are not being protected as they should be.

These are matters of fundamental national interest and they should not be dealt with in this feudalistic way, which gives only the lawyers acting on behalf of the promoters or the petitioners a fair deal. If I put that on record and repeat it every time that a private Bill is considered in the House, the message might eventually lead to radical change in the procedure.

7.50 pm

Sir Bernard Braine (Castle Point): The hon. Member for Fife, Central (Mr. Hamilton) has been a Member of the House for a long time and has a great knowledge of procedure. Anything that he says on that subject must be listened to with respect. I had a little sympathy with him at one stage, but he did not answer my question. I am not concerned who the lady is. As the hon. Gentleman did not have her permission to reveal her name, he properly did not do so, but he did not deny the allegation of my hon. Friend the Member for Bury St. Edmunds (Sir E. Griffiths) that her case was not thought to be justified and that her petition was rejected by the Court of Referees.

I did not want to go into that, for the reason that my question was not whether the private Bill procedure is as well framed and conducted as it should be, but whether, bearing in mind the objections that the hon. Gentleman voiced on behalf of the lady concerned, he nevertheless thought that these matters could properly be considered in Committee under the existing private Bill procedure.

I have always understood that to be the case. I should have thought that the Earl of Lauderdale could make such objections as he has in Committee, irrespective of whether or not he has an interest in the matter. Surely we are interested in arriving at objective truth, discovering where justice lies and what is the right thing to do, and that can be done in Committee.

Mr. Bill Walker: My right hon. Friend has also been a Member of the House for a long time and is experienced in procedural matters. Does he have any experience of a private Bill being introduced to remove a private Act?

Sir Bernard Braine: No, I do not recall any such precedent. Perhaps that ought to be considered, but I do not believe that it should delay the Bill's passage. The point could be considered in detail in Committee.

I am speaking as a senior Member for the county of Essex because I support what my colleague of many years' standing, my hon. Friend the Member for Harwich (Sir J. Ridsdale), is doing. He has been a doughty campaigner for the north-eastern part of our county, and he is as anxious as others in that area that nothing should stand in the way of a scheme which will bring undoubted benefits to our county as a whole.

Essex is expanding. Our population will grow well beyond the year 2000 and the development of the M25 and the M11 means that we shall experience considerable growth in business and industry. My hon. Friend the Member for Hornchurch (Mr. Squire) nods agreement, for he knows that this development will enable goods to reach the continent more speedily through the east coast ports. The Bill would facilitate much more than port expansion next door to the existing container handling complex at Parkeston—or to improve employment opportunities in my hon. Friend's constituency.

The good effects will be felt throughout our county. That is why the Essex county council strongly favours a swift decision. Indeed, it is quite remarkable that the first container berth is expected to be ready within 18 months of the start of the work and that three more are likely to follow. The project is linked to the provision of substantial additional land for industrial and commercial development and the construction of the second phase of the Dovercourt bypass. Some work has already been undertaken, and we are now raring to go.

In short, the project is likely to lead to a substantial increase in container traffic, which will stimulate business in an area far beyond Harwich, extending to south-east Essex, mid-Essex and the former metropolitan Essex, which is now in Greater London. That development is needed now.

I do not propose to go into my hon. Friend's moderately argued case in detail. Perhaps there are objections which ought to be heard in accordance with our established private Bill traditions and procedures, but the right place for that is in Committee. I did not agree with all of the conclusions reached by the hon. Member for Fife, Central, but he adduced some arguments that we should note. However, that has no bearing on the desirability of the Bill's swift passage or on the urgency of the work to be done. I hope, therefore, that the House will support the Bill.

I should like to thank my hon. Friend the Member for Harwich, on behalf of my part of Essex, for his skill and efficacy in bringing this matter before us.

7.59 pm

Mr. Albert McQuarrie (Banff and Buchan): I sympathise with the points made so eloquently by my hon. Friend the Member for Harwich (Sir J. Ridsdale) about employment in his constituency. During the past few months, I have had considerable experience in piloting private Bills through the House, fortunately successfully.

[Mr. Albert McQuarrie]

I also subscribe to the views expressed by the hon. Member for Fife, Central (Mr. Hamilton). Something must be done about private Bills, which are in many cases ridiculous. It is an abuse of the House for them to be brought here instead of being dealt with through normal legislation, which is possible in local government.

Having taken much interest in this issue and read the Bill thoroughly, I shall devote my remarks to what I consider to be the unfair treatment which Earlpar Development Company has received from the new owner of Sealink and what has taken place since the Bath Side Bay Development Act 1972 was passed. I shall endeavour to respect the statement by my hon. Friend the Member for Harwich that discussions are taking place between Sealink and Harwich Terminal Holdings, whose wholly owned subsidiary is the Earlpar Development Company.

Clause 23 and the second schedule to the Bill would repeal the Bath Side Bay Development Act, granted by Parliament under the private Bill procedure in 1972 and extended by the Secretary of State for Transport to run until 1992—a further six years. The Act was granted to Harwich Terminal Holdings, but the wholly owned subsidiary of that company was the Earlpar Development Company, which was incorporated in 1970.

Harwich Terminal Holdings is a petitioner against the Bill. It owns Earlpar Development Company, along with a development account asset worth about £700,000 at historical cost. That represents cash outgoings and obligations in respect of expenses incurred in preparing and advancing the reclamation and development scheme with which the Bill and the existing Act have been concerned for nearly 15 years.

The original Act and the Bill deal with the powers, as the hon. Member for Fife, Central pointed out.

Mr. Fairbairn: Will my hon. Friend advise me whether there are any proposals in the Bill to compensate the original company for the work it has done in the meantime when the new company takes over its permanent powers?

Mr.McQuarrie: I hope that my hon. and learned Friend will bear with me, because I intend to take that issue fully into account.

The original Act and the Bill deal with the powers to reclaim about 250 acres of tidal mud flats called Bath Side bay, fronting the Stour-Orwell estuary opposite Felixstowe, between Harwich on the east and Parkeston quay on the west. The freehold of Parkeston quay and Bath Side bay was passed by British Rail to Sealink, which on privatisation was bought by the Bermuda-registered American company, Sea Containers, on 27 July 1984. Sealink is a promoter of the Bill to establish its powers to carry out the reclamation and the harbour development while extinguishing those powers established by the 1972 Act, which was granted to the Earlpar Development Company.

When buying Sealink, Mr. James Sherwood, the president of Sea Containers, could not obtain more than the Transport Act 1981 authorised British Rail to dispose of. Nor could he escape whatever liabilities were included in the package. This is a very important factor. Parliament authorised British Rail to sell its Sealink Harbours undertakings,

"including all property rights and liabilities"

of that part of Sealink which applied to Parkeston quay. Among those assets was the freehold of Bath Side bay's mud flats. That asset embraced its inherent potential for reclamation and development. Purchase of that development potential could mean nothing without a clear and sure liability for all the related engineering studies and the other works that had advanced the physical feasibility of the reclamation scheme during a period of 12 years.

Reclamation and development of the Bath Side bay had been dreamt about and rejected as, at worst, impractical, and, at best, uneconomic, for many years. But about 1968, Robert Earley and Partners—now Earley Campling Lee and Partners — later in association with the Earlpar Development Company, commissioned studies which in 1969 were explained to British Rail. Thus was first established the feasibility of the scheme. That and a series of soil surveys, hydrological studies and other investigations were commissioned by the Earlpar Development Company, it having the copyright, which was made freely available to British Rail on the clear understanding—repeatedly confirmed — that the Earlpar Development Company would carry out the scheme.

As regards British Rail, and later Sealink, it lay with the freeholder to grant a development agreement so that Earlpar Development Company could have access to the tidal mud flats in the first place. That development agreement was to be followed by a lease of the land once it had been reclaimed.

British Rail was throughout sympathetic, even enthusiastic, but anxieties about competition and a greed for extracting the maximum reliability inhibited progress. The consultant's—Earlpar Development Company—first approach was on 22 October 1969, and it was rewarded with a sympathetic reply from British Rail early in 1970, setting the tone of the relationship which would exist for the next 14 years.

The letter from British Rail read:

"I assure you that if any useful developments could be introduced into the Bath Side area at Harwich, the Board would be only too pleased to assist by making land available. Our past considerations of this matter have always led us to believe that the cost of reclamation would be prohibitive, but since your company appear to be sure that more modern methods of reclamation will make this a feasible proposition, you may rest assured that the Board do not wish to place any obstacle in your way."

A series of letters and meetings followed, during which, in April 1971, British Rail confirmed its intent to the point that Earlpar enjoyed its support for the Bath Side Bay Development Bill, which was enacted in August 1972. One and a half years later, in February 1974, draft heads of intention were agreed in a 10,000-word document of 34 pages. The worst sticking points were British Rail's protectionist requirement against Earlpar's port servicing trade with Benelux or any port in France as far west as Boulogne. But, despite that, three letters from the British Rail chairman, Mr. Richard Marsh—who is now in the Upper House — confirmed British Rail's readiness to proceed.

Progress was impeded by the Harbours Act 1964, because no port development above a certain capital cost could proceed without section 9 consent, which was mentioned by the hon. Member for Fife, Central. The Government would grant this only after consulting the National Ports Council. That body needed a bankable, contractual user commitment to prove that the user was ready to guarantee the use of X facilities over Y number

of years at Z cost. This had to be in terms sufficient to service and later to redeem the capital invested. Such a commitment was required for a harbour that was unbuilt on land that was then unreclaimed. That inhibiting requirement remained in force until it was repealed by the Ports (Finance) Act 1985 — about the time that Sea Containers approached Sealink.

As far back as 1972, Earlpar's first application for a section 9 consent was refused, but the company was invited to return with a further application. That was submitted in April 1974 but rejected eight months later. The grounds for rejection were political: that such a private enterprise project could not be allowed to pre-empt the then Government's policy of nationalising the ports.

By the autumn of 1977 the company was back in negotiation. British Rail gave a letter of support for a third application for section 9 consent, but the application failed because British Rail's terms for a trading clause to protect its narrow shipping interests, Benelux to Boulogne, were found to conflict with article 85 of the treaty of Rome.

British Rail proposed funding the development itself, employing Earlpar as its agent, with its Act. British Rail finally withdrew from this plan because of the trading climate, but gave yet another letter of intent dated June 1980 to enable Earlpar to try once more for section 9 consent and to help it in raising the finance. Four months later the then Secretary of State for the Environment extended the powers of the 1972 Act until 9 August 1992.

In July 1981 the company was at last given a section 9 consent for reclamation alone. The company also received British Rail's proposals to extend its letter of intent to take account of the new situation. Unfortunately, progress was inhibited by the prospect of Sealink being privatised under the Transport Act 1981. As long as privatisation was pending, no finance could be firmed up.

The purchase of Sealink by Sea Containers on 29 July 1984 was quickly followed by Mr. James Sherwood's public announcement that he meant to reclaim Bath Side bay and to develop that whole frontage as a major new port complex in competition with Felixstowe across the water. Mr. Sherwood's company took over at a favourable time because, thanks to Earlpar's warning, initiative and plans, the British Railways Board, the Harwich harbour authority and the Essex county council all saw the danger of a missed opportunity.

The harbour authority had been planning to dump at sea all the rich sandy spoil dredged up in deepening its estuary channel. The authority agreed to put the spoil ashore at Bath Side and thus get the reclamation started. The dredging was carried out by Harwich Harbour Conservancy Board, and deposition of the spoil on Bath Side was funded by Essex county council, as it was then, to prepare for the Dovercourt bypass road. It was done with the consent of Sealink which, to be fair, was the freeholder, but it was also done with the authorisation of the Secretary of State for Transport. That authorisation was given on 29 November 1984, and he cited section 34 of the Coast Protection Act 1949.

The company had a large number of contacts with the authorities and they certainly require to be spoken about, because it has to be proved that Earlpar has been unfairly dealt with by this new company, Sea Containers.

Mr. Fairbairn: My hon. Friend spoke about section 34 of the Coast Protection Act 1949 and said that it was used by the Secretary of State to obtain the necessary powers or to frustrate the company. Does my hon. Friend think that was a proper thing to do, or does he think that it demonstrates the fallacy and falsehood of the Bill?

Mr. McQuarrie: I am grateful to my hon. and learned Friend for his comments. He is quite right. The action by the Secretary of State demonstrates the fallacy and the shortfall in the Bill.

The chronological summary of Earlpar's progress commences in October 1969 and continues until the summer of 1974 when negotiations with the British Railways Board and its property division resulted in British Rail making a clear statement of its wish to proceed.

In 1972, the first rejection of the application for section 9 consent under the Harbours Act 1964 took place. In April 1972 the company was granted planning consent, and in 1973 draft heads of intention were proposed by British Rail. In 1974 the second rejection on political grounds of a section 9 application occurred. In February 1975, this phase of talks with British Rail was concluded. From February 1975 until the end of 1977 efforts focused on securing a contractual user commitment to satisfy the essential requirement for National Ports Council support for another section 9 application. In 1978 and 1981, further conversations took place with British Rail to try to arrange an agreement.

Mr. Fairbairn: My hon. Friend is rushing through these matters. These important negotiations were an attempt to create employment by redeeming this land and making port facilities. The negotiations were important. They are not matters that we can pass over just by saying that they took place in those years. Why was there no acceptance of a matter about which we are being asked to pass a Bill to make possible immediately?

Mr. McQuarrie: I am grateful to my hon. and learned Friend for drawing attention to that. I have no wish to delay the House, but equally I have no wish that the House should not hear what should be said about this Bill. If my hon. and learned Friend feels that I am rushing through it —as he knows, it is my wont to speak fast rather than slowly—I shall endeavour to speak a little more slowly for his benefit. I agree that these are important matters. Important discussions took place. They cannot be taken lightly, and I do not want to give the impression that they were rushed. A lot of detail was covered in the discussions and I shall come to that during my speech.

In 1978 yet another section 9 application was made. It was frustrated when it was discovered that restrictive clauses in the proposed Bath Side bay agreement protecting Sealink traffic from Benelux to Boulogne would conflict with article 85 of the treaty of Rome.

In 1979, British Rail proposed that it would make a direct investment in the project. That was a clear indication of British Rail's confidence that Earlpar was on the right track with the project. Unfortunately, negotiations proved abortive during 1980 because of the heavy front-end loading of the scheme and the forecast of delayed returns. British Rail issued a further letter of intent in 1980 and it was later given an extension verbally. In August 1980, the Bath Side bay Development Act was extended to 1992. In July 1981, section 9 consent was granted for reclamation only. At that stage efforts were

[Mr. McQuarrie]

focused on raising funds, but these were inhibited by the privatisation programme included in the Transport Act 1981.

In March 1984, there was news of the Harwich Harbour Conservancy Board's plan to dump at sea spoil obtained from estuarial dredging. From April to July of 1984 there were intensive negotiations with Sealink, the Harwich Harbour Conservancy Board and Essex county council to ensure that the spoil was used for partial reclamation. Authorisation to dump the spoil on Bath Side bay was given by the Department of Transport in November 1984. On 27 July 1984, Sealink sold to Sea Containers Ltd. At that stage, further conversations with Harwich Terminal Holdings Ltd. were brought to a halt. In November 1984 dredging started and spoil was deposited according to the plans of Harwich International Terminals. In March 1985 a conversation with Sea Containers was closed by Sea Containers.

Sir Julian Ridsdale: Does my hon. Friend agree that one of the reasons for the breaking off of the negotiations was the absurd price of £7·24 million asked by Harwich Terminal Holdings for the work that it had done beforehand?

Mr. McQuarrie: I am grateful to my hon. Friend for drawing that to my attention. It is an important matter.

Mr. Bill Walker: My hon. Friend has considerable experience of the construction industry and he knows what happens when work is partially completed. He will be aware of the importance of technical information. Is it his experience that one starts negotiations from a bargaining position and that no one expects the first bargaining position to be accepted?

Mr. McQuarrie: I am grateful to my hon. Friend for that intervention.

I reply to my hon. Friend the Member for Harwich by saying that the original offer, on the advice of Hambros bank, was to ask for compensation of £7·24 million. Sea Containers did not even entertain discussions with Earlpar, the development company, because the conversations which commenced in March 1985 were closed by Sea Containers without any offer of compensation.

In July 1985, contact was resumed and there was a meeting with Mr. James Sherwood at which HIT was invited to make new proposals. In November 1985 proposals were put forward by HIT, but Mr. Sherwood did not respond. It is unfair to suggest that HIT asked for £7·24 million — a request which was thrown out by Sea Containers and Mr. James Sherwood—without making any alternative proposal. Had there been some form of negotiation on meaningful terms of a financial return to HIT for nearly 15 years of work, we would not be discussing these important issues tonight.

Sea Containers found everything necessary for partial reclamation to begin when it took over, and at no expense to itself. It also found a library of technical feasibility studies which over the years Earlpar had made freely available to British Railways Board's engineers as well as to the Harwich harbour authority and the Anglian water authority. In the light of no fewer than five demonstrations by the British Railways Board of its manifest intention that the Earlpar project should go ahead, eventually Earlpar placed no embargo on material, nor thought of stressing its own copyright.

I turn to the company's contact with Sea Containers. Following the takeover of Sealink, Earlpar made contact with Sea Containers to discuss collaboration on the outright sale of its company and its Act; the rights to the studies conducted over a period of nearly 15 years; and the score or so of consents that Earlpar had obtained. It was advised by its merchant banker, as my hon. Friend the Member for Harwich has said, to propose a figure of £7·24 million as compensation for nearly 15 years of work. That was rejected by Sea Containers in the spring of 1985, and the matter has gone no further.

Sir Julian Ridsdale: I think my hon. Friend is wrong in saying that the matter has gone no further. I said when I addressed the House that at this stage negotiations have been offered at top level between the two companies. The offer was made that the negotiations should take place tomorrow. Does my hon. Friend agree that the issue should be taken up in Committee and that it should not be used as a reason for opposing Second Reading?

Mr. McQuarrie: I am sure that my hon. Friend does not want to mislead the House. Perhaps he is not in possession of the information with which I have been supplied. I do not suggest that he is wrong or that I am wrong. The information that has been conveyed to me, no later than this afternoon—indeed, earlier this evening—is to the effect that negotiations are not in hand, not even with the junior members of Sea Containers. If my hon. Friend can give the House positive information on who is conducting the negotiations and which member of HIT or Earlpar is involved in them, it will be for the benefit of the House to hear it.

Sir Julian Ridsdale: I have in my hand a letter dated 28 April 1986 from Sherwoods. The final sentence reads:

"Should your clients wish to pursue this, it is suggested that they make an approach to Mr. Sherwood or Mr. Bray direct."

Mr. McQuarrie: I shall address myself to that alleged letter in due course. I can tell the House that as far as I am concerned there is no such letter in existence. That is the position of Earlpar.

Mr. Fairbairn: On a point of order, Mr. Deputy Speaker. If, during the course of Second Reading of a private Bill, a company had offered a financial inducement to those who are resisting it to resist, is that not improper?

Mr. Deputy Speaker (Sir Paul Dean): This matter can legitimately be debated on Second Reading, but it is not a matter for the Chair.

Mr. McQuarrie: I hope that I have not got my hon. and learned Friend wrong. I hope that he is not suggesting that any negotiation between the parties, even at this late stage, is irregular. My hon. Friend the Member for Harwich has said that he is in possession of a letter, but I can tell him that Lord Lauderdale, to whom the hon. Member for Fife, Central referred, has told me that no such letter exists as far as his organisation is concerned. I must take the word of the noble Lord who has had so much to do with the Bill.

Sir Julian Ridsdale: That shows how much better this could have been dealt with, if my hon. Friend had allowed it, in Committee rather than on Second Reading. I am

pleased to say that I have this letter, dated 28 April, which is in reply to a letter of 28 April from Dyson Bell and Co, acting for Lord Lauderdale.

Mr. McQuarrie: I hope that there will be a little time for my hon. Friend to respond to some of the points that have been raised, so that he can tell the House what the letter says about financial compensation to Earlpar. Some of us feel that an injustice has been done to a company that has spent nearly 15 years developing something and then, because some big brother has taken over the place, has been thrown out without any question of compensation. That simply is not on, and I regret to say to my hon. Friend the Member for Harwich that that is the pertinent point that I am trying to illustrate.

Mr. Fairbairn: This has now been going on for a long time. Can my hon. Friend speculate on how it has come to pass that a letter, offering to negotiate, came from the other side on 28 April which, if I am not mistaken, is tonight?

Mr. McQuarrie: I am grateful for that point. The letter is in response to a request for negotiations made several weeks ago. As soon as the names went down on the blocking motion, Sea Containers finally saw fit to make a sign to Lord Lauderdale and his colleagues that it wished to have talks. It did not get beyond that. I know that my colleagues and other hon. Members are anxious to speak, but the case must be proven, and Mr. Sherwood has an obligation to Earlpar that he has not so far honoured.

Mr. Sherwood and his assistant, Mr. David Bray, met Earlpar's directors in July 1985 for a further discussion. Mr. Sherwood spoke of the possibility of a new private Bill, and he was warned that it was certain to run into difficulties, if only because of its conflict with the present Act. He finished by inviting Earlpar to make a new proposal, which it did. In November, Mr. Bray repeated the invitation to the chairman of Earlpar's holding company, Mr. Anthony Reardon-Smith, to write in with his suggestions for discussions with Sealink that week.

In the meantime, Earlpar has received approaches from a British shipping company of worldwide standing, eager to develop a container facility at the port, eager to do business through Earlpar, and able to play a significant part in funding. What is more, it is eager to give employment in an area which, as my hon. Friend the Member for Harwich has said, has high unemployment.

Sealink's plan, as explained to Earlpar at the meeting in July and as is implicit in the Bill, is to develop the harbour works piecemeal, working eastwards from Parkeston quay as user commitments become available. As Sealink has lately been losing user commitments to Felixstowe, the introduction of a substantial potential user should have been of interest, as well as being a sign of Earlpar's continued readiness to co-operate on reasonable terms.

Earlpar sent proposals on 28 November 1985 to Mr. Bray, from whom it received no acknowledgement, let alone a reply. In recent weeks, since a petition against the Bill was deposited, Sealink has said that the proposals have been answered by telephone—not by a letter, in a good business way — rejecting Earlpar's proposals. Earlpar has said that it can only say that that is the case. It had no communication from Mr. Bray until a message was passed through Sealink's parliamentary agents a week ago, after a proposal put forward in November 1985.

Let me now summarise my conclusions. It was Earlpar that convinced British Rail and then Sealink of the feasibility of the scheme. Earlpar has provided, and owns, the critical engineering studies enabling the project to go forward. The company's powers have another six years to run. Thanks to Earlpar's initiatives, one third of the bay has been reclaimed at no cost to Sealink. In turn, that may have modified the capital cost of the reclamation and development project by up to 30 per cent.

The historic obstacle to Earlpar's scheme — the requirement for section 9 consent, based on a bankable contractual user commitment for a harbour, as yet unbuilt, on land, as yet unclaimed—no longer obtains, because Earlpar has done a first-class job. Earlpar has a sound and potential user, eager to do business on starting the port development and supplied with ample resources.

No doubt the promoters have ample resources of their own, but the very range of their interests could be an argument against coherent supervision. Their attitude to the matter is likely to be distracted by association with a mixed bag of divergent interests. Apart from five other Sealink harbours — Stranraer, Heysham, Holyhead, Newhaven and Folkestone—and some 12 ferry routes, they include entry to the leisure markets with the Venice-Simplon Orient Express, ownership of several former British Rail hotels, as well as one in Venice, a project for a Peking-Hong Kong version of the Orient Express, not to say tourist steamers on Lake Windermere, the "Gourmet's Discriminating Guide to London" and the *Illustrated London News*.

This resort to the private Bill procedure to secure repeal of an Act enjoying another six years to run should not be permitted as long as the company that has spent nearly 15 years developing the project has not been compensated. My hon. Friend the Member for Harwich must give us a firm guarantee that positive steps will be taken. I do not consider that the Committee is the place for that undertaking to be given. It must be given on the Floor of the House. If he does not have the information, I ask him to endeavour to get it from wherever it is available. Unless he can give us that information, the Bill should be rejected out of hand.

8.38 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Michael Spicer): At this point I shall briefly tell the House the Government's view on the Bill. It is the traditional view for all Bills of this type.

The Government have considered the contents of the Bill and have no objection to the powers sought by Sealink Harbours Ltd. A few minor drafting points have been raised in correspondence with the promoters, but I have no reason to believe that they will not be cleared up satisfactorily.

The debate has already shown that the issue is not without controversy. The speech of the hon. Member for Fife, Central (Mr. Hamilton) and the intervention of my hon. Friend the Member for Banff and Buchan (Mr. McQuarrie) have certainly left that in no doubt. As has been pointed out, there are four petitioners outstanding against the Bill. The Government's position, which is traditional, is that they will have the opportunity to present their objections to the Private Bill Committee. The Committee will undertake the function given to it by Parliament to examine in detail the issues involved, with the advantage of being able to hear expert evidence.

[Mr. Michael Spicer]

Therefore, as is traditional for the Government in the circumstances, I recommend to the House that the Bill be given a Second Reading, and——

Mr. McQuarrie: I am surprised to hear my hon. Friend say that the Government are supporting a private Bill. Surely the Government are supposed to stand apart from private legislation.

Mr. Spicer: Perhaps I did not stress it sufficiently clearly, or perhaps my hon. Friend did not hear me say, that the Government, as is traditional with private Bills, believe that the matter should go to the Private Bill Committee which, as my hon. Friend knows, has substantial powers to amend the Bill. The Government take the view—to that extent they are neutral—that that is the best forum for private Bills to be discussed in detail.

Mr. Bill Walker: Have my hon. Friend the Minister and the Department of Transport had an opportunity to consider in depth the implication for private legislation if subsequent legislation to repeal Acts which give companies powers is introduced? If so, what is the Department's view?

Mr. Spicer: The Department is not responsible for the business of the House. As my hon. Friend knows, the matter is under consideration. I am advised that the Committee could consider that point. It has the powers to do so. I have listened with great interest to the debate about whether this is the best procedure, but it is right for the Department to have a view on the matter.

Mr. Fairbairn: Surely even the Department of Transport must occasionally speak to the Department of Trade and Industry. Is it not horrified if General Motors, as an American company, is not to be allowed to interfere with our beloved British Land Rover, and that an American company is to be allowed to interfere with a company created in 1972? It is not that we are handing something away. We are revoking an Act of Parliament which gives to a British company something that an American company wants an Act of Parliament to revoke.

Mr. Spicer: My hon. and learned Friend makes an interesting point which he will undoubtedly make to the Committee. Parliament has laid down that the matter should go to a Private Bill Committee, and that is the only point that I seek to make. Because of that view which is traditionally taken by the Government, the Government believe that the Bill should be given a Second Reading.

8.44 pm

Mr. Roger Stott (Wigan): I, too, wish to make a short intervention in the family argument on the Conservative Benches. It is clear who has drawn the short straw.

It has been interesting to listen to the proceedings thus far, especially the intervention of the hon. and learned Member for Perth and Kinross (Mr. Fairbairn) in his gesture of contrived anger about what is going on between an American company and a British company. I participated in the proceedings on the Bill which became the Transport Act 1981. My hon. Friends and I told the then Minister that something like this might happen. I did not see then the massed ranks of the Conservative party opposing the privatisation of Sealink, the Sealink Harbours and British Rail interests in the matter. I shall come to that in a moment. This evening I do not intend to arbitrate in the row between Earlpar and Sealink—two well-heeled, rich companies which have their advocates in the Tory party.

It is right to say that the private Bill procedure needs to be examined. My hon. Friend the Member for Fife, Central (Mr. Hamilton) outlined many points with which most hon. Members agree. It is anachronistic that we should proceed in this way during the second half of the 20th century. Parliament needs to examine its procedures more closely in future.

The question about section 9 of the Harbours Act 1964 was raised by the hon. Member for Banff and Buchan (Mr. McQuarrie), who duly read his brief word for word, and my hon. Friend the Member for Fife, Central. That particular section was removed by statutory instrument in an hour and a half's debate in the House some time ago. I spoke against its removal because it was one piece of legislation which would prevent piecemeal port development from taking place.

We in the Labour party are worried that we have no ports policy of any description. I make that point every time I stand at the Dispatch Box. The removal of section 9 makes possible piecemeal ports development all over the place without regard to the United Kingdom's total tonnage capacity, to the damage that it may do to other existing ports or to the proper considerations of a marine and port policy. My arguments on that are firmly on the record, so I need not repeat them now.

As I understand it, the arguments are not the same as they were when we were opposing the development of Felixstowe, which we did for many reasons. First, Felixstowe was being built on a site of outstanding natural beauty. I do not think that that is so in this case. Secondly, the site of Felixstowe was an area of special scientific interest. My hon. Friends deployed those two arguments against the extension of Felixstowe.

The third argument, which I used, was about overcapacity in the ports industry. There is too much capacity, and any further piecemeal development, no matter where it occurs, is bound to have a knock-on effect with other United Kingdom ports. That is why we need a proper ports policy which will take into account the capacity of containerisation, and can designate where ports are and are not developed. If we keep developing the east coast, it will mean west coast closures and Channel port problems. *[Interruption.]* The hon. Member for Bury St. Edmunds (Sir E. Griffiths) says that that is not so, but he knows as well as I do of the difficulties that may occur at Ipswich because of the development at Felixstowe. I do not wish to provoke him to his feet because I do not wish to say much more. Nevertheless, it is worth bearing in mind that we do not have a proper ports policy, and we do not seem to know where we are going.

Mr. Sherwood who owns Sea Containers and Sealink is a promoter of the Channel tunnel — strange bedfellows. His scheme did not find favour, but one did — the rail-only Channel Tunnel Group scheme. The freight shipped through the Channel tunnel on railway lines will affect the amount of freight likely to pass through British ports. We should carefully consider whether to give permission to further harbour developments while we bear in mind that the Channel tunnel will be built.

I do not object to the Bill being given a Second Reading. Hon. Members will have their day in Committee

when all the points of the hon. Member for Harwich (Sir J. Ridsdale) will be discussed. It is sad that we do not have a clear policy on our direction in the ports industry.

Mr. Fairbairn: What is the Labour party's policy? What is its policy for Perth harbour?

Mr. Stott: It is clear that the hon. and learned Gentleman does not read Labour party publications or documents on transport policy. He has not read the latest publication in which we explain a series of options. We are developing a strategy for the ports industry. The hon. and learned Gentleman appears to be concerned, but I do not know where he was late on that night when we discussed the statutory instrument that removed section 9 of the Harbours Act 1964. If he felt as I do, he should have supported my hon. Friends and me in arguing for its retention.

If section 9 had been retained it would not have been possible to undertake these developments without requiring the Secretary of State to give his approval. Presumably, the Secretary of State would give his approval only if he thought that the development of a particular harbour was in the national interest, not in the interest merely of the promoter calling for the development of that harbour. Harbour development should be conducted not on a piecemeal basis but on a national basis first. On the east coast, the two big fat cats of Harwich and Felixstowe are fighting it out in the interests of no one but themselves.

8.51 pm

Sir Eldon Griffiths (Bury St. Edmunds): Until the interventions of my hon. Friend the Under-Secretary of State and the hon. Member for Wigan (Mr. Stott), the debate had been a contest between Essex and Scotland. I am a Suffolk Member with a riparian interest, as my hon. Friend the Member for Harwich (Sir J. Ridsdale) knows, because Felixstowe and Ipswich are Suffolk ports and share the same haven with Harwich. I have taken a close interest in the matter and at the weekend read with interest the promoter's arguments and some of the arguments of the petitioners. We have been treated to some views that do not appear in any petition against the Bill but reflect the concerns of those at Earlpar who previously were involved in the engineering works in the Bathgate area.

I support the Bill and urge the House to give it a Second Reading. I stand firmly with my hon. Friend the Member for Harwich, who put the matter, as is his custom, succinctly and well. I support the Bill for local reasons. Harwich, with its unemployment level, needs investment and will benefit from the jobs created by the measure. It is no small matter that the legislation proposes total investment of about £100 million, of which about £33 million will be on construction. That is bound to result in hundreds of jobs, which must be something of which the House will approve. That is more important than the debate about who gets what with respect to Earlpar and the promoters.

Mr. Fairbairn: Will my hon. Friend give way?

Sir Eldon Griffiths: I shall give way, but I want to make a relatively serious and short speech. I do not want to become too involved in legalistics with my hon. and learned Friend.

Mr. Fairbairn: I shall not be legalistic. My hon. Friend claims that expenditure of £100 million is proposed in the legislation. I took the trouble to read the Bill and it makes no such proposal. Where does my hon. Friend suggest that that proposal is made?

Sir Eldon Griffiths: I did not say that and, if my hon. and learned Friend had been listening, he would not have imagined it. I said that the project involved expenditure of about £100 million. I am in favour of that.

I am in favour of the Bill for local reasons. I say, as one who was a transport Minister for a number of years, that, if British Rail had continued to be the manager of the port of Harwich, it would not have achieved the investment level now proposed. I have nothing against British Rail, but its management of the port of Harwich was not good enough. I, for one, am glad that Sealink has taken over the facilities. That is part of our privatisation policy, which I believe is successful. I am glad that private enterprise is providing for Harwich what public enterprise so lamentably failed to do for so long.

I support the Bill also because it is right to have competition among the haven ports. The port of Ipswich is efficient in handling relatively small, specialist cargoes, and I know it well. The port has developed and its progress is assured, especially with the new highway system that the Government have managed to provide for it and the other haven ports.

By any measure, Felixstowe is one of our great national success stories. It has come from nothing in the 1953 floods to being arguably the most efficient port in western Europe. It is a jewel in the east Anglian crown. Felixstowe's progress, when the private Bill on Felixstowe is supported by the House, will further the improvement of our ports industry in the haven area. It is right that there should be competition. As Harwich, too, comes forward, the industries and businesses of east Anglia will have a choice and an opportunity to use Ipswich, Felixstowe or Harwich. We shall have riches in our ports industry, and that will be good.

Felixstowe has raised some objections. It is concerned about whether there should be a seawall or a bung. The promoters say that shelving sand will be sufficient. I do not know the answer, but I am sure that the two ports will work together intelligently to find a sensible answer. I hope that the Committee will form a view on the best engineering solution to that problem. I have read with interest the views of those who wish to look after Gas House creek. That is a perfectly proper matter for the Committee to consider, as I am sure it will. I believe that proper provision will be made.

I am not impressed by the arguments of Mrs. Cullen, whose petition was disallowed by the Committee referees. I listened carefully to the hon. Member for Fife, Central (Mr. Hamilton). I share his concern about the need to modernise our private Bill procedure. I have sat on enough private Bill Committees, and avoided sitting on more, as the House will understand, to be well aware of the disadvantages of that procedure. I hope that when the House considers private Bill procedure it will not throw out the baby with the bath water because many of the private Bill Committees achieve a profound examination of matters that it would be impossible for us to handle on the Floor of the House. I believe that on balance it is a good procedure and should be changed only cautiously and sparingly. The detailed questions about the Bill can and will be handled intelligently either by negotiation or in Committee or both.

[Sir Eldon Griffiths]

Above all, I support the Bill because it is in the national interest to help the development of East Anglia. In the previous century East Anglia was a forgotten region. It was cut off by the Fens and by poor transport. Today it is Britain's new frontier. It is a fortunate area in that our trade has turned around to the European ports. I believe that 58 per cent. of our trade is with the European Economic Community. Felixstowe, Ipswich and Harwich have certainly benefited from that. East Anglia is also fortunate in that the great research and development centre of Cambridge is beginning to spill over high-tech and biotech into our market towns and provide new, modern and competitive industries. We are also fortunate in that as Stansted develops to the south it will provide us with a new regional airport. I am not in favour of a large Stansted. I have opposed it. However, a modest development at Stansted will complement the tremendous development of the ports and the benefits of academia coming from Cambridge university into our regions. It must be right in a developing region such as East Anglia that the ports industry should go ahead to assist British exports.

I am glad that the hon. Member for Wigan ended by taking a neutral view about the Bill and commending the House to give it a Second Reading so that it can be considered in greater detail in Committee. During my time as a transport Minister, when I had a particular responsibility for ports, I put large sums of Harbours Act money into two of our main west coast ports — Liverpool and Bristol. There was about £45 million for the west dock in Bristol, which was much more money in those days than it is today, and, as I recall, I put a further £40 million into Liverpool to build the new Seaforth dock. There was tangible evidence of investment in the western ports in the belief that they would benefit from modernisation. I am sorry to say that in Liverpool most of it was thrown away by restrictive practices, bad management and the general mood of the country looking more and more to the east. Similarly, although the west dock in Bristol has moved forward — you were very conscious, Mr. Deputy Speaker, at the time of the development in that area—I am not convinced that the money in question would not have been better spent if it had been put into the modernisation of the port of London and perhaps of Felixstowe, too.

Any national ports policy has to take account of the fact that our trade is now to the east. The great world girdling container vessels, which will stop only once in north-west Europe, must have a port in this country where we can handle the goods with speed and efficiency so that they are attracted to come here and not simply to Rotterdam. On a national level, there is only one place where those ports can be provided—that is, on the North sea where they can compete with Rotterdam. It is an unfortunate fact of geography—I say this as someone who was born and grew up in the north-west and who wrote his first essay about the great docks of Liverpool when I was a schoolboy —that our economic structure has altered. We now look more to the east than to the west. Therefore, any national ports policy must comprehend the building of modern and efficient ports within the East Anglian region.

I should like to make this suggestion. Like many others, I have toiled on private Bill Committees. I think, if I am not mistaken, that the first that I sat on, which was one of the longest, concerned your constituency, Mr. Deputy Speaker. It was about the building of a steel jetty from south Wells in such a fashion that it would have intruded on the maritime environment of the area that you so elegantly represent, Mr. Deputy Speaker. In the event, it was one of the many private Bills which, although passed, bit the dust, and the jetty was not proceeded with. You were one of those who opposed it, Mr. Deputy Speaker.

Private Bill Committees are not the easiest and the best way to proceed, but the matters which have been fairly raised by my hon. Friend the Member for Banff and Buchan (Mr. McQuarrie), and which no doubt will be raised by other hon. Members who have still to speak, concern Earlpar's problems. There is an issue. Some compensation should be paid. But surely this is a matter for negotiation between the firms. It is not strictly a matter to be dealt with on the Floor of the House. The Committee is the best place to do it; the two firms are the best people to do it. I hope very much that justice will be done between them, but that is no reason for opposing the Second Reading of the Bill in the House.

9.6 pm

Mr. Nicholas Fairbairn (Perth and Kinross): I should like to start from the point with which my hon. Friend the Member for Bury St. Edmunds (Sir E. Griffiths) finished. He said that there is no reason for opposing a Bill on the basis of a failed negotiation. I cannot agree with him at all. He represents the Police Federation and constantly speaks of the rights and morals of law and order, so I find that a strange point for him of all people to make.

Sir Eldon Griffiths: This is not criminal law. It is civil law.

Mr. Fairbairn: No. Although my hon. Friend may not know it, the civil law also starts from a moral stance. That is the moral stance of equality. It is exactly the same in the civil law as in the criminal law. The point is that there should not be handed to one party a weapon that makes it impossible for the other party to obtain its rights. That is the position that I find so constitutionally unacceptable about the Bill.

I find it extraordinary that Parliament, by whatever procedure—but, in this case, by a private procedure— should have passed an Act of Parliament in 1972 which gives this power to a specific company. I shall read part of the Act to demonstrate what Parliament said. It was

"An Act to empower Earlpar Development Company Limited to construct and operate works at Bath Side Bay, Harwich; and for other purposes."

I share this feeling with many hon. Members, including the hon. Member for Fife, Central (Mr. Hamilton), for whom, as he knows, I have a warm regard and with whom, oddly enough, I happen to agree on many matters. That may not be something which, in the evening of his time here, he would wish to be on his curriculum vitae. I am sorry, but it is something that will have to be written in. I agree; I find the procedure extraordinary. Nevertheless, Parliament had the capacity to grant to a company an Act of Parliament. After all, let us not forget that the business before the House, before 7 o'clock, was about empowering the shipbuilding industry to borrow hundreds of millions of pounds. That Bill was on two sides of a sheet of paper. We are dealing with an Act of Parliament, passed in 1972, which has 31 pages, 36 clauses, and a schedule. If Parliament took the trouble to pass an Act in 1972, granting powers to the Earlpar Development Company to

"construct and operate works at Bath Side Bay, Harwich; and for other purposes."

which extend to 1992, it is a strange constitutional abuse of procedure that someone else should ask Parliament to remove those powers.

One cannot leave something in a will and then say, "By the way, I am terribly sorry, but my second cousin has come along and asked that the will be cancelled." We have given powers to the company to do certain things until 1992. Parliament cannot come along now and say, "We are terribly sorry, old chap. We have a big brother who wants to take those powers from you without compensation."

I asked my hon. Friend the Member for Harwich (Sir J. Ridsdale) whether there had been any negotiation as his reply might have cleared my mind. I asked him furthermore whether, in his view, the bargaining position in the negotiations would be altered by the passing of the Second Reading of the Bill. My hon. Friend could not answer either question, but he said in answer to one of my hon. Friends that a letter, which offered negotiations, had been sent on 28 April which, if I am not mistaken, is today.

We have heard in several of the contributions to the debate that there was a moment at which Earlpar Development Company, on the advice of its financial advisers, suggested that £7·24 million was the proper price to pay for the work which had hitherto been done and would be of benefit to those who inherited.

I do not know whether that figure is correct, whether it is an exaggerated price, absurdly high or absurdly low. I do not know how that figure relates to the work and I do not wish to develop that matter. However, if I am told that someone has seen my name, the name of the hon. Member for Fife, Central, the name of my hon. Friend the Member for Tayside, North (Mr. Walker), the name of my hon. Friend the Member for Edinburgh, Central (Mr. Fletcher) or the name of my hon. Friend the Member for Banff and Buchan (Mr. McQuarrie) on the Order Paper stating that the Second Reading should be in six months time and a letter arrives on that day saying that negotiations will take place, I can only say that nothing would be or could be more equitable. Perhaps my hon. Friend the Member for Harwich could give me a satisfactory explanation—and I will give way if he wishes to do so—why, on 28 April, negotiations were suddenly offered.

As a lawyer I have always represented the law of Scotland and, without offending any Front Bench Members or any other Member of the House, let me say that that law has a more equitable and also a more sceptical approach to equity. I find it very odd that an offer should be made for negotiation on the day when it looked as if someone might block the ability to extinguish the rights of the other party to have any claim. If the rights granted by Parliament in 1972 — these are the rights, the absolute rights, the only rights under this complicated Act passed on 9 August 1972 — are extinguished or prospectively extinguished by the passing of this Second Reading, the letter of intent of today, so belatedly entered into, would immediately be withdrawn and not acted on.

Sir Eldon Griffiths: I appreciate my hon. and learned Friend's apprehension and I, too, would be most unhappy if this Second Reading were, as it were, to close the door to the negotiation of the proper compensation that I think all of us would wish to achieve. But does not he accept that a Committee of the House can, if it is not satisfied with the arrangements that are proposed, throw out the Bill and the promoters will be back where they started? Therefore, there is no question of a prospective extinguishment of the rights of the original developers; rather it is a matter of whether my hon. and learned Friend is prepared to trust a Committee of the House to arrive at a just approach.

Mr. Fairbairn: I am interested in that concept of jurisprudence. I find it extraordinary, because if there had ever been any genuine intention to negotiate, a letter saying so would not have been dated today. It would have been proceeded with months ago, indeed, more than a year ago. The company would have said, "We are going to take over from you an asset." Indeed, it would not have needed a private procedure at all; it could have been bought. Therefore, I am sorry to say to my hon. Friend that I do not accept that concept at all.

Is my hon. Friend seriously saying to the House that a Committee will throw out a private Bill? We do not know who will be the members of the Committee. Is he saying that they will form a sort of civil court of their own and that, if they are not satisfied that there has been a proper civil award for work done and contractual obligations due, they will throw out the Bill? I have never heard such an extraordinary concept.

I know that we are the High Court of Parliament, but we are a High Court of Parliament that does not perform the allotment or aggregation of civil claims. When the High Court of Parliament looks like blocking a Bill for six months to concentrate the mind, in the same way that hanging does, I cannot understand why my hon. Friend should suggest that all of a sudden a Committee of the House of Commons, composed of we know not whom, should say, "We shall throw out the Bill because we are not satisfied that a civil claim, with which we have no right to deal, is not satisfactory." I have never heard such an extraordinary concept.

It is inequitable and wrong that a Bill of Parliament under private procedure should be allowed to deprive another company, which has done all the work, of its just claim and that another company, if this Bill were to be enacted, should get all the benefit. That is the most extraordinary concept of jurisprudence that I have ever heard.

If my hon. Friend genuinely means that, why has my hon. Friend the Member for Harwich been unable to answer my question about whether, if we pass the Second Reading tonight, the negotiating position of those in whose favour the Act was passed in 1972 will be improved or worsened by the passing of Second Reading?

Sir Eldon Griffiths: It will be exactly the same.

Mr. Fairbairn: My hon. Friend says that it is exactly the same. I do not think that it is exactly the same. As I am a Jacobite episcopalian, who thus has a certain scepticism about motivation, when I see that the offer to treat is dated 28 April after it had been seen that there was opposition, I say to myself, "Exactly the same, eh?" Let us suppose that none of us had put down our names.

Sir Julian Ridsdale *rose*——

Mr. Fairbairn: Let us suppose that there was no question of this matter being delayed for six months. Would people say exactly the same?

Sir Julian Ridsdale: I am grateful to my hon. and learned Friend for giving way, particularly because he is labouring the point that this letter is dated 28 April and that this is the date when negotiations have been carried on. I have in my hand a letter from Sherwoods about the Bill which is dated 14 April. It says:

"When we considered with you at the telephone today a possible date for the proposed meeting to discuss the issue raised in your client's petition against this Bill, it appeared that the three alternative dates offered by the promoters would not be convenient. We have since obtained further instructions and are now able to offer the afternoon of Tuesday the 29th April. Please let us know whether a meeting in our offices at, say, 2.30 on that date would be acceptable."

Mr. Fairbairn: I am most obliged to my hon. Friend. I was hoping that an hon. Member would raise that date, too. It was the date when the hon. Member for Fife, Central was joined by Conservative Members on the motion that this Bill should not be considered for six months. I was waiting for the corroboration and was frightened that it would not come. But there it is. We have been persuaded that, because of this matter, an offer to treat has been made.

Mr. Sayeed: Will my hon. and learned Friend give way?

Mr. Fairbairn: In a moment.

When I examine witnesses, I try to understand the motivation of those who give evidence before me. When on the day that it is seen that there may be opposition—14 April—somebody sends a letter and when on the date of the Bill's Second Reading another letter is sent about dates being awkward, all I can say is that in six months' time a date when it is not awkward may have been found, when it would be more convenient not to snatch the baggage. I am sorry to say that I find the evidence ever more convincing that this is an attempt to steal the baggage. I shall develop that point later when I look at both Bills, having first given way to my hon. Friend.

Mr. Sayeed: I am grateful to my hon. and learned Friend for giving way. I am sorry that he appears to demonstrate a lack of trust in a Committee of the House. He suggests that a Committee is not permitted to attach conditions to a Bill. However, I have already sat for 24 days on the Felixstowe Dock and Railway Bill. The proceedings have not yet been concluded, one of the reasons being that although we are prepared to support the Bill in principle we have attached conditions and the Chairman will not sign the Bill until those conditions are met. A Committee of this House, which I believe all right hon. and hon. Members should be able to trust, should be able to attach conditions that ensure an equitable agreement between the promoters and the objectors to the Bill.

Mr. Fairbairn It has been suggested, I think, that I would not trust a Committee. I would trust Committees to do many things, although I am not sure that I am willing to list them. However, I do not expect a Committee to say that a Bill will be granted provided that the compensation that should be paid for the extinction of the 1972 Act is £122,000,846, £648,000 or whatever. It would be meaningless and inappropriate for a Committee to say, "And we expect you to come to an equitable agreement."

I have served on many Committees, and on perhaps more than my hon. Friend the Member for Bristol, East (Mr. Sayeed). I am confident, particularly given our eccentric procedures, that they frequently reach a decision that is quite different from that intended by any of those serving on them. Therefore, without casting any aspersions on the honour and excellence of our Committees, I would not trust a Committee to come to an equitable conclusion when one party hopes to take from the other powers granted to it by an Act of Parliament until 1992.

It is not right that this procedure should be used by one company to take from another powers granted to it by Parliament. That is fundamentally objectionable. I might also find it fundamentally objectionable that Parliament should grant the first company any powers, but that is another matter. However, I am certain that Parliament cannot grant rights to one company in a full Act of Parliament and then remove those same powers in an Act of Parliament that makes no reference to the previous Act, other than occasionally to imitate its language and to refer in schedule 2 to

1972 c. xxxvi	Bath Development Act 1972	Side	Bay	The whole Act.

When I studied jurisprudence, private international law and constitutional law, I became aware that one could not grant powers and rights under a private Act—and possibly even under a public Act—and then pass an Act that repeals the first Act without any reference to compensation for the rights under it. Something cannot be confiscated without any compensation for it, and that is borne out by nationalisation Acts, Appropriation Acts and even by compulsory purchase orders. Whether an Act is private, or is a private Act that involves something such as compulsory purchase, as was the case with the Forth Bridge and Tay Bridge Acts, compensation is provided for the powers granted against those involved. But where is there any mention of compensation in this Bill? Where does it demonstrate the extinction of rights granted by Parliament in 1972? Hon. Members may say that this is a private family row, and may ask what Scotland has to do with East Anglia. The answer is that Parliament is a place of principle. It is astonishing that anybody should agree, in the wake of the recent idiotic political, anti-American little-Englandism, that an American company should be allowed to come to Parliament to take away from a British company, whose managing director is Scottish—that does not matter—powers granted to it without any reference to compensation.

Some say that the Committee can always deal with that, but this is the Chamber in which our rights are held. I do not believe that the hon. Members for Wigan (Mr. Stott) and for Fife, Central believe that if one loses in this Chamber one's ideas are safe in the next. As a lawyer I do not say to my client, "It does not matter if you lose in the first court because there is always the appeal court." That is not the order of events. If one does not win in the first court, one's chances thereafter are extremely doubtful. It is a question of tossing the coin. The principle must be decided here and not left to some unknown and undecided Committee, the composition of which we do not know.

Comparing the Act and the Bill, I am torn between two concepts. The first is that the Bill is a crib and the second is that it is a bad crib. The reason is that the powers granted under the 1972 Act which empower Earlpar Development Company Ltd. to construct and operate works at Bath Side

bay are to be snatched from that company to allow Sealink Harbours Ltd. to construct works and to acquire land at Bath Side bay. The powers are approximately the same. The Bill also extends the limits of jurisdiction to Parkeston quay. Slightly different language is used, but we are talking about a snatch.

We are talking about a strange concept, because in private legislation all the suppositions and premises are stated, but they are in question. One states one's views and the Bill is the end result. It is interesting to note the comparisons between the two measures. The 1972 measure proceeded on the basis of a genuine proposition. It was said that the company had been formed for certain purposes and that

"existing port facilities and allied services . . . in the counties of Essex and East Suffolk are insufficient for present and future needs."

That proposition is not contained in the Bill. The Act stated:

"it would be of national benefit and local advantage if improved and additional facilities and services were provided".

That proposition is not in the Bill. If the hon. Member for Wigan believes in the fantasy concept of a national ports policy, it may well start off by saying that in the counties of Suffolk and Essex the ports are

"insufficient for present and future needs and it would be of national benefit and local advantage if improved and additional facilities and services were provided:"

To that extent, the 1972 Act provided a marvellous blueprint for a national ports policy. I notice that the Harwich Parkeston Quay Bill makes no claim upon either local requirements or national interests. To that extent, I hope I may get a nod of recognition from the hon. Member for Blaydon (Mr. McWilliam) for a policy I do not approve of — that is, if he is not too engaged with his hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar), whose interest in this matter I know to be crucial.

It is important to compare the two pieces of legislation. When we read the meat of the legislation in section 2 we understand what the authorised works are. In the original Act, the authorised works meant

"works described in and authorised by section 4 of this Act."

In the new Bill it means

"the works and operations authorised by section 4 of this Act."

In other words, this Bill is a crib of the original Act to thieve the benefits. That thieving process was suddenly discovered, apparently, through a matter of negotiations 14 days ago and again today.

The company under the original Act meant Earlpar Development Company. The company under the new Bill means Sealink Harbours Limited. If that is not plain downright theft by a company which decided to negotiate when it realised that there were some people who proposed that Second Reading should not happen for another six months, I do not understand what brought it to the wisdom of negotiation so coincidentally 14 days ago, and when another letter went out on this very day because the dates were not convenient—the day of the Second Reading.

There are many matters which are imitated. One is not imitated and I would be interested to learn from the winding-up speech what makes the difference. In section 2(3) of the original Act, there is a phrase of some importance:

"All directions, distances, lengths and widths stated in any description of works, powers or lands shall be construed as if the words 'or thereabouts' were inserted after each such direction, distance, length and width".

If one considers the new Bill, which for once does not plagiarise the original Act, it states under clause 2(2):

"All directions, distances and lengths stated in any description of works, powers or lands shall be construed as if the words 'or thereabouts' were inserted after each such direction, distance and length."

I do not know whether this is a one-dimensional scheme which is being proposed under the Harwich Parkeston Quay Bill.

I should like to know how the concept of width disappears in measurement, or are we to take it that the Committee will be composed of philosopher kings? We are told, "Leave it to them." It is like Socrates' republic. It was a marvellous idea, but they could not find the philosopher kings to put it into practice. The Committee is to work out compensation and equity and will say that this is all the most marvellous concept that the world has ever seen.

In advance of the philosopher kings being selected, how was it thought in the Harwich Parkeston Quay Bill that all directions, distances and lengths stated in any description should be construed as if the words "or thereabouts" should apply to them, but not the width? Width evidently has to be absolute because, under the 1972 Act, it also had to be "or thereabouts".

The Committee which is to have these powers of remarkable insight might be told by Sealink that the pier will be 180 yd long, 60 ft deep and 640 in wide. The Committee might say, "We will not allow the Bill to proceed unless you provide us with a pier which, in a micrometer screw gauge is 640 in wide because, 'or thereabouts' will not do. It will do for depth and it will do for length but it will not do for width."

I understand that the Committee will be able to negotiate in what must be one of the most difficult arbitrations — the worth of the work done by the company. That arbitration is quite outside the powers and rights of any Committee. Nevertheless, it will apparently have to say, "Ah now, come to width, old chap. There is no 'or thereabouts' about that. Unless you can provide your pier sand plan, bunch, munch or bung, or whatever it is, to the amount that we say, you do not get your Act", because the company has not taken the power to say, "or thereabouts".

If I am told that the Committee is to be so wise that it will arbitrate in what would seem to me, if I was given the brief as a Queen's Counsel, an extremely difficult financial negotiation and that it will be able to refuse the Bill if an arbitration which it believes is equitable is not reached, I must ask on what basis it will make that judgment. I should have thought that it would be extremely easy to make that judgment because those who propose the Bill to extinguish rights granted by the 1972 Act will have no reason to negotiate at all.

Sir Julian Ridsdale: As it appears that I shall not be given the opportunity to reply, I should like to tell my hon. and learned Friend that I only wish that Lord Lauderdale had come to me as the Member of Parliament for Harwich who helped him considerably with the 1972 Bill and told me the facts and figures. I would then have been able to arbitrate between him and Sealink. That course was never followed by the noble Lord. I was suddenly confronted by the £7·2 million and by this new Bill. I am anxious to ensure that the sorely needed jobs of my constituents will be there. Some of the things said by Scottish hon. Members are not correct, and I hope that they will have

[Sir Julian Ridsdale]

the confidence to rely on me not only to look after my constituents whose jobs are under threat but also to see that a fair arbitration takes place.

Mr. Fairbairn: I am obliged to my hon. Friend the Member for Harwich, and I take his remarks seriously. My hon. Friend will note that the motion that stands in my name and the names of the hon. Member for Fife, Central (Mr. Hamilton) and of my hon. Friends the Members for Tayside, North (Mr. Walker), Banff and Buchan (Mr. McQuarrie), Edinburgh, Central (Mr. Fletcher) and Southend, East (Mr. Taylor) makes the proposal that Second Reading should be postponed for six months.

There is in Scotland at the moment an arbitration about a hospital. That is a matter of no greater complication than this matter. It is estimated that that arbitration may take 12 years. If my hon. Friend the Member for Harwich thinks that six months is a long time in the life of an arbitration, I must tell him that I do not. I say with the greatest sincerity that it is a short time for any development that might come about in his constituency to provide jobs.

In that six months, if my hon. Friend can reach an equitable agreement after arbitration for work done under powers granted by Parliament which persist for another six years, I will be more than happy when he brings his Bill forward in six months time to do all that I can to ensure that every Scottish company and every asset is directed towards creating work in his constituency. Every hon. Member of whatever party wants to create work in his constituency.

It is not that I do not trust my hon. Friend, but given the history of non-negotiation and sudden negotiation it is clear that there is no real intent to negotiate by those who seek to extinguish the powers granted by Parliament to the Earlpar company. I would not be a party to the Second Reading of any Bill, public or private, that sought to remove powers and rights granted to a party where there was not in the whole Bill any mention of compensation or arbitration.

It may be of interest to my hon. Friend the Member for Harwich to have regard to the 1972 Act in which the matter of arbitration is specifically mentioned. My hon. Friend says that he will use his good offices to arbitrate and at the same time introduces a Bill to extinguish rights granted by Parliament. The Act granting those rights specifically deals with the matter of arbitration. The hon. Member does not mention arbitration, but gives his word as the result of a letter written on the day when those of us who are asking that this matter be postponed for six months happened to put our names down. There was another letter today, but that has not been received by those to whom it was sent because they are taking part in this debate.

I am sorry to say that, notwithstanding all the generosity within my heart, I do not believe the good will of those on behalf of whom my hon. Friend speaks. However, I shall believe in the equity and honour of those on behalf of whom he speaks if tonight we decide that the Bill's Second Reading should be postponed for six months. I do not know the procedures that apply in the consideration of these matters and perhaps the hon. Member for Fife, Central does. However, if we are successful and the Bill is not considered for a further six months, we may come to know within the rules of the House that by chance and coincidence rather than chastening the matter has been resolved. That might be tomorrow, next week, or in two months' time. If that happens and if there is anything that we can do to hasten the building by one company or the other of the facilities that will provide employment in my hon. Friend's constituency, I am sure that we shall do it.

If my hon. Friend wishes to have employment in his constituency, what is wrong with the contracts that were entered into to undertake developments under the powers given by Parliament in the 1972 Act, which would provide employment in my hon. Friend's constituency? What is so special about employment that is created by Sealink, the American company, and what is so poor about employment by Earlpar?

I do not know what steps my hon. Friend took. He may have been industrious, and, if he was, I shall applaud him. He may have taken steps with the Department of Transport and other Departments to stop all the blocking of attempts by Earlpar to continue its development over the years. If my hon. Friend is so concerned about employment in his constituency, I do not know whether he took those steps. What I do know is that I can see a rogue deal at a great distance.

We are discussing a minor private measure which involves a principle which my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) and others have raised in the House. We have heard much about the patriotism of the British people being shattered. It is a terrible concept that Americans should own a British company or invest in Britain in any way. This is a private measure that seeks to allow an American company that is based in Bermuda to take from a British company based and registered in England — I use "England" in its proper sense, but there is suitable Scottish representation and guidance — powers that have been granted by Parliament, and to do so without compensation. I find it extraordinary that my hon. Friend should propose that the House should approve a measure which goes contrary to all the principles that are held by those on the Government Benches.

Mr. Stott: Capitalism.

Mr. Fairbairn: With the greatest respect to the hon. Gentleman, removing something from somebody by legislation without compensation has never been conceived, even by Socialism, or achieved in the House, and I hope that it will never be, although it is sometimes threatened.

It is contrary to the principles of Conservative Members, and to the concept announced with apparently shattering effect on the Government and Cabinet, that a foreign company based in Bermuda should be in a position to take away from a British company its right to development. My hon. Friend the Member for Bury St. Edmunds may be right in saying that East Anglia is, in some way, the heaven on earth of Great Britain, but that is not the view that I have formed. I thought that Scotland had certain advantages that were rather greater, especially in Perthshire and the port of Perth, which has great capabilities that I hope the hon. Member for Wigan will not forget in his national docks policy.

The English often forget that Scotland also has an east coast. There is no particular advantage in East Anglia that there is not in east Lothian, east Perthshire or east Fife. The greatest European trade, and the cause of Christianity

coming to Scotland in the first place, was the trade between Flanders and Fife. They missed out East Anglia, and did so wisely, if the East Anglians are as perverse as they appear to be in introducing legislation that attempts to remove from those who are granted them by Parliament powers on trade and development, without compensation or without reference to compensation.

It is extraordinary to use a private Bill to attempt to extinguish powers granted by an Act of Parliament merely by referring in schedule 2 to the extinguishing of a whole Act without compensation or justification, extent or reason. There is no question that the work that has been done under the 1972 Act was passed, in good faith and in confidence, to British Rail and by it to Sealink which was, to all intents and purposes, British Rail. That being so, the company should have been rewarded.

Why is it claimed, as I think that it has been by my hon. Friend the Member for Harwich, that some negotiations are available, which were put in prospect when we tabled the motion objecting to the Bill, suggesting that six months is not too long a time to do a little arbitration? If there was no claim by the Earlpar company, Sealink has nothing to fear and, if it has a claim, it is outrageous that Parliament should be asked to extinguish that claim through legislation. That is a constitutional wrong of which the Minister should take account. For Parliament to extinguish a civil claim by legislation is wrong. If there is no civil claim, why is the company negotiating, and why is it trying for an Act of Parliament to extinguish that claim? That is why ——

Sir Julian Ridsdale *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 98, Noes 16.

Division No. 160] **[9.59 pm**

AYES

Alexander, Richard
Amess, David
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(Dorset N)*
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Buck, Sir Antony
Burt, Alistair
Butterfill, John
Carttiss, Michael
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Cranborne, Viscount
Crouch, David
Dalyell, Tam
Dorrell, Stephen
Dunn, Robert
Durant, Tony
Emery, Sir Peter
Eyre, Sir Reginald
Fookes, Miss Janet
Forth, Eric
Fraser, Peter *(Angus East)*
Garel-Jones, Tristan
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Hon A. *(Epsom)*
Harris, David
Hayes, J.
Howell, Ralph *(Norfolk, N)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Knowles, Michael
Lennox-Boyd, Hon Mark
Lester, Jim
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
McCrindle, Robert
MacKay, John *(Argyll & Bute)*
Maclean, David John
Malone, Gerald
Marek, Dr John
Marland, Paul
Marshall, Michael *(Arundel)*
Mather, Carol
Maude, Hon Francis
Neubert, Michael
Newton, Tony
Norris, Steven
Onslow, Cranley
Penhaligon, David
Powley, John
Rathbone, Tim
Rhys Williams, Sir Brandon
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Spicer, Michael *(S Worcs)*
Squire, Robin
Stevens, Lewis *(Nuneaton)*
Tebbit, Rt Hon Norman
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thurnham, Peter
van Straubenzee, Sir W.
Viggers, Peter
Waddington, David
Wallace, James
Wardle, C. *(Bexhill)*
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Whitfield, John
Wolfson, Mark
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Sir Julian Ridsdale and
Sir Eldon Griffiths.

NOES

Callaghan, Jim *(Heyw'd & M)*
Cocks, Rt Hon M. *(Bristol S)*
Davies, Ronald *(Caerphilly)*
Dixon, Donald
Duffy, A. E. P.
Eadie, Alex
Evans, John *(St. Helens N)*
Gourlay, Harry
McCurley, Mrs Anna
McKay, Allen *(Penistone)*
McQuarrie, Albert
Maxton, John
Prescott, John
Sheerman, Barry
Skinner, Dennis
Stewart, Andrew *(Sherwood)*

Tellers for the Noes:
Mr. Nicholas Fairbairn and
Mr. Bill Walker.

Whereupon Mr. SPEAKER *declared that the Question was not decided in the affirmative, because it was not supported by the majority prescribed by Standing Order No. 32 (Majority for Closure).*

It being after Ten o'clock, the debate stood adjourned.

Industrial Training

10.11 pm

Mr. John Cope (Treasurer of Her Majesty's Household): In the absence of my hon. Friend the Minister, who will be here shortly——

Mr. John Evans (St. Helens, North): Where is he?

Mr. Cope: —I beg to move,

That the draft Industrial Training Levy (Engineering Board) Order 1986, which was laid before this House on 14th April, be approved.

The order is before hon. Members today because one part of it involves a levy in excess of 1 per cent. of emoluments. Therefore, it requires an affirmative resolution of each House under section 12(6) of the Industrial Training Act 1982. I shall outline the full details of the levy order.

Hon. Members will be well aware, as I am in my constituency and as my hon. Friend the Parliamentary Under-Secretary is in his, of the importance of the engineering industry, which is the largest manufacturing sector in terms of employment. In 1985 engineering output rose by 5 per cent., the fourth consecutive year of growth.

Mr. Dennis Skinner (Bolsover) *rose*——

Mr. Speaker: Order.

Mr. Cope: Mechanical engineering in particular experienced its strongest growth since 1974 with output 6 per cent. above its 1984 level. If the industry is to build on those achievements, it is important that all firms play their part in training. We must ensure that employers continue to develop the skills of their work force in order to increase both productivity and growth.

I refer to the details of the levy. It is expected to raise about £171·5 million before taking exemption into account, and over £19 million after exemption. The levy will cover a period of 12 months to 31 August 1986, and it makes no changes to arrangements currently operating, which were approved by the House last year. It is in two main parts. In the mainstream of engineering establishments of 1,000 or fewer employees, where there is a levy of 1 per cent. of emoluments, 0·06 per cent. of the levy is non-exemptible. In larger establishments 0·06 per cent. is non-exemptible in respect of the first 1,000 employees, and 0·054 per cent. is non-exemptible in respect of the remainder.

For establishments in the mechanical and electrical engineering construction industry sector, the levy is in several parts, and my hon. Friend the Parliamentary Under-Secretary will give the details of that if the House requires it. The employer and employee members of the Mechanical and Electrical Engineering Construction Industry Sector Committee agreed to the levy unanimously and the proposals were subsequently endorsed by the board without dissent. Letters of support have been received from the two major employer organisations in the sector. There is thus consensus in the industry for the proposals, as required by the 1982 Act.

I therefore recommend the order to the House. It has widespread support and is necessary to meet the industry's future training needs. If there are any further points that any hon. Member would like to raise, my hon. Friend the Parliamentary Under-Secretary is here to deal with them.

10.16 pm

Mr. Barry Sheerman (Huddersfield): This is an historic evening, with the Government failing to get their business by two votes—*[Interruption.]*—and then with the appearance by the Minister, too late to bat when he was supposed to. I am sure the speech by the Whip, the hon. Member for Northavon (Mr. Cope), was every bit as good as the one that we might have had, had the Minister got here.

Mr. Evans: It was much better.

Mr. Sheerman: It is important to concentrate on the background against which we see the introduction of the order. I shall seek first to set the order in context because it was the original purpose of the engineering industry training board levy in the 1960s to assess the training needs of the engineering industry, which is so crucial to the industrial effort of our country. It was then the intention of the legislation that the engineering industry training board should levy the requisite amount of money to fund and carry out training appropriate to the needs of the industry and the country.

Originally, that levy was set at 2·5 per cent. It was based on a firm's payroll—the numbers employed—but it was intended to meet the real costs of training for that industry. Sadly — on reflection — there was such an outcry from industry and the employers' organisations that there was an early reduction to 1 per cent. of the payroll. That forced the original intentions of the EITB off the track. Since that time it has never been fully equipped to do the job envisaged for it by the initial legislation. That was to identify the training needs of the industry and the country, in the national interest, and to ensure that they were carried out.

Indeed, the EITB has been forced off the track particularly since the introduction of exemption certificates to the levy. Sadly, the income to the EITB has withered away. We see that 97 per cent. of firms in the engineering industry can claim exemption, and indeed do so. So much of the industry is exempted that the budget of the EITB is far too small to begin to perform the task that it should be doing. The basic criterion for exemption was too low and the system, as the Minister must know, does not work. The Government know that very well.

The effects of that background and the disastrous policies pursued by the Government on education and training since 1979 are clear in the even more clearly reduced circumstances of the industrial training boards in general, the closure of most of them and the fact that the engineering industry training board is supposed to stand on the sidelines while market forces and the philosophy of voluntarism triumphs.

After the abolition of most of the industrial training boards, and taking into account the cowed position of those which remain, 97 per cent. of engineering firms are exempted. The levy is too low and the exemptions are too many. The criteria for training done by industries to enable them to get out of training and paying the levy are laughable. There is a serious need to return to the original spirit of the engineering industry training boards when they were established. The reasons for that are clear if we consider the broad picture of education and training in Britain, and especially in engineering. In this crucial sector of our manufacturing industry, we see a total collapse, skill shortages and the decline of the skill base

of the engineering industry. Firms are poaching rather than training. The commitment to training has reached rock bottom. That is a sad position for a once great and proud industry. So much for the Government's devotion to the watchword "voluntarism" as though that was all that ever mattered.

The House would not wish me to rely merely on rhetoric to advance the seriousness of the position. I need rely only on the facts published by the board. The board's influence has withered away and its ability to influence industry has been undermined by the exemption certificate system. For the past three years and longer, the Opposition have warned the Government about what would happen to engineering training if they treated the problem as lightly as they have, and more pressure has been mounting to give exemptions to training so that they are almost universal.

The board compared April 1978 with April 1985. It carried out a spot check on one day in each month and these revealed that the numbers of those in training declined much faster than the decline in manpower in engineering. We are not juggling the figures. Even if we took into account the acknowledged decline in the industry's employment, we can see from the figures for engineering technicians that, in April 1978, there were 140 technicians in training for every 1,000 technicians in the industry. Sadly, that figure has declined to 90 for every 1,000 technicians. For craftsmen, the position is even more disastrous. In 1978, there were 145 men and women in training for every 1,000 engineering craftsmen. The figures today are down to 75 in 1,000, and that is a disastrous drop from 145 per 1,000.

Let us look at another interesting category. We may not associate industrial training boards with graduates, but in 1978 there were 160 graduate engineers per 1,000 in training in the industry. That was down to 120 in 1,000 in 1985. Those are the most reliable statistics. They are more sensitive and accurate than those published by the Department, because the EITB is so much closer to the industry.

What are we seeing in engineering apprenticeships overall? We know that between 1979 and 1986 they have halved, and that is during a period when we have seen a lack of skilled young men and women in industry. In 1979 we had 20,000 craft and technician apprentices. We now have fewer than 9,000. That is a disastrous decline.

It is estimated that we need between 4,000 and 5,000 apprentices coming out of training every year simply to meet the natural wastage caused by retirement. The sad fact is that we are not even producing enough apprentices to meet the natural wastage. The number has fallen from 20,000 to 9,000 and we are on a spiral into decline and frustration for our country and its economy.

I understand that just last week there was an MSC review of engineering industry training board funding which was generally pessimistic. We can expect even further cuts in the board's budget. I remind the Minister that in the past three years that has declined from £17 million to £5 million this year. That is the result of a wicked policy of moving away from the proper funding of proper training to short-term, pump-priming, gimmicky training that does no one any good.

Put those hard facts in the context of a recent independent survey which showed that Britain'ss manufacturing industry spends 0·15 per cent. of turnover on training yet our major industrial competitors spend between 1 per cent. and 2 per cent. That is the measure of the problem that we in Britain face and the context in which the order is being moved this evening.

Put it in the context of a speech made by the chairman of the MSC, Mr. Bryan Nicholson, on 21 March, just a few days ago. He said that Britain' work force is "a bunch of thickies" compared with our competitor countries. That is a sad comment on seven years of Government control of our training programmes.

The MSC has also published a study by a respected firm of accountants — Coopers and Lybrand — entitled "A Challenge to Complacency". When it was published, Mr. Bryan Nicholson wrote to a large number of manufacturing companies in this country, but he received such a pathetic response that even he, whose appointment was made by this Government, is beginning to believe that the Government's adherence to voluntarism and market forces urgently needs to be reviewed.

The lessons to be learned in engineering could not be clearer. Any intelligent Government response would be properly to assess, plan and evaluate British engineering needs. When those needs had been assessed the Government ought to plan ahead for manpower needs, not to rely upon the day-to-day response of market forces. However, this Government do not like to plan ahead. Government resources and legislation would be required to raise the money to meet British engineering needs. That would be in the interests of both the industry and the country.

That brings me back to the order absolutely square-on. That was the original intention of the Engineering Industry Training Board and the levy system. How sad it is for this country's future productivity that we have moved so far from the original intention.

A comprehensive national strategy covering education and training is needed, of which the EITB should be a key part. Instead, the EITB, together with a few other training boards, is embattled, isolated and fragmented. It cannot train properly, because it is not part of a proper training system and is unable to grapple with the immense problems that face the engineering industry and this country. It has no hope of dealing with cross-sectoral problems and the regional problems that are so important to any industrial training plan.

Face-saving gestures are not needed, such as a department of education and training. That would not deal with the problems. It would divert the attention of the public away from the real gaps in our training strategy. We need a commitment to rise from the dead—I use that term reluctantly—this nation's education and training system and to introduce innovation, dynamism and growth.

Inadequate though it is, the Opposition do not intend to oppose the order. The EITB is still part of the slim 25 per cent. of industry that comes under the umbrella of the industrial training boards. Consequently we shall not vote against the order. However, that is not to be seen by anybody, particularly by the Minister, as meaning that we do not believe that the training system is in tatters. The EITB deserves more than the passing of this order. It needs to be completely reframed and resuscitated.

10.33 pm

Mr. David Penhaligon (Truro): My view is that the situation is rather worse than that which has been outlined by the hon. Member for Huddersfield (Mr. Sheerman). I

[Mr. David Penhaligon]

do not argue about his statistics, but one of the ironies about this great nation, where the Industrial Revolution started, is that, although that historic fact can be denied by no one, Britain is an anti-technology and anti-industrial country. I say that, having reflected upon the attitudes expressed by members of the Civil Service and the education service, and by those in schools and universities and, indeed, Parliament.

I am one of the few hon. Members who is a qualified engineer. Among the middle classes and the better educated people there is a belief that one cannot be proud of engineering and technology, especially of the more mechanical sort, and that a career in engineering and technology is to be pursued only if other opportunities do not present themselves. That fundamental weakness is now catching up with us in terms of our competence in various skills.

I began my apprenticeship with an engineering company 24 or 25 years ago. On reflection, I recognise that the level of skills being taught then was insufficient, but that unsatisfactory state of affairs 24 or 25 years ago has become a great deal worse since then.

I do not intend to defend the former apprenticeship system. It had many merits, but it also had some weaknesses. It was a time-serving operation as opposed to a skill-acquiring operation. However, one is tempted to believe that, although the time-serving part of the apprenticeship system has been abolished, the skill acquisition side of it has not been introduced to the extent that is needed.

The order is all right as far as it goes, but, if we are to pull the country up in terms of competition and industrial production, a different attitude must be adopted at many different levels. For example, far too much of Britain's production engineering is designed by skilled engineers, not using the skills which exist within their companies, but making up for the skills not available within their companies. Job elements are reduced to the minimum so that someone with a few weeks or days training can do the job. That will not build an international reputation for the level of competence in engineering products that we must have to survive as an industrial country.

The Government are in charge and they have power to influence such matters. I urge the Government to re-examine the level of skills acquired in our nation—at all levels. I am not talking only of manual skills. Manual skills are of tremendous importance and I do not underestimate them, but some people seem to believe that all that we have to acquire are manual skills. That is not so. We must acquire low technician skills, high technician skills and entrepreneurial, fresh and new engineering skills. All those skills are required if the country is to get out of the mire.

I have been a Member of the House for about 12 years, and the more that I become influenced by my friends in London, as opposed to my friends in Cornwall, the more I am persuaded of the view that there is, at a middle and upper class level inwards, an anti-technology and anti-making things attitude. Britain's living standards rely upon those who can make things, mine things, grow things or catch things. The country has no other means of wealth production.

The mining people are experiencing difficulties in Cornwall — to put it mildly. For all that, we cannot develop a series of policies which expand Britain's poor capacities when in the long run, in this great nation of ours, there is nothing like an economic future for them. Some Government of the future must turn around this long-ingrained attitude that exists in the British person and British society which, ironically, is anti-technology. That is amazing in view of Britain's history of industrial revolution and innovation over the last 50 to 100 years.

10.38 pm

The Parliamentary Under-Secretary of State for Employment (Mr. David Trippier): I apologise unreservedly to the House for my discourtesy in not being present when the debate began.

The hon. Member for Huddersfield (Mr. Sheerman) said that he would set the order in context, but he failed to do that. He ended his remarks by saying that the Opposition did not intend to oppose the order because he thought that to a certain extent it was fair enough. There was something of a dichotomy in what he said to the House. He suggested that the budget was far too small for the engineering industry training board and the purpose for which the board wished to use that budget. However, the House is aware that the board is made up of representatives of the trade union movement and employers. The board was unanimous in its decision that this order should be presented to the House.

There is no difference of opinion between the hon. Member for Huddersfield (Mr. Sheerman) and myself as to the importance of training. We both consider it an important investment and not a cost. When the hon. Gentleman suggests that the levy is too low—I think he used those specific words—why did the ITB decide to agree unanimously to the measures which we are considering tonight?

The hon. Gentleman referred to the decline in engineering, and, more specifically, to the decline in apprenticeships. However, the decline in apprenticeships was arrested as a result of the introduction of the youth training scheme. There is evidence of that fact and I discussed that when we considered the matter in Committee at an earlier date.

I am concerned about some of the hon. Gentleman's allegations about those training organisations which now come under the umbrella of non-statutory training organisations. The hon. Gentleman will be interested to hear that I have recently written to all the NSTOs previously covered by ITBs asking them precisely what they are doing at the moment. It is some time since we introduced legislation to rearrange the training and to keep some statutory training organisations and some non-statutory. I shall be interested to learn what is the current state of play and whether they have honoured the undertakings they gave when they were applying to the consultation exercise with regard to tackling certain ITBs. I am sure the hon. Member for Huddersfield will be interested in their answers.

I welcomed the intervention of the hon. Member for Truro (Mr. Penhaligon). He also referred to apprenticeships and I sympathise with what he said. The hon. Gentleman suggested to the House that there was an anti-technology feeling in Britain. I would go further and suggest there is an anti-industry or anti-manufacturing feeling in Britain.

That is one of the reasons why the hon. Gentleman and I welcome Industry Year 1986. This is another opportunity

for us to dispel the dirty overalls image of manufacturing industry. I know that the hon. Member for Huddersfield will welcome the fact that much is being done by the trade unions in Industry Year, as well as by the CBI, the Institute of Directors and other employer organisations. These bodies and the Church are trying to get the message across about the improved interface between industry and education.

We should have done this 40 years. I am not making a party political point; it does not matter who was in power at the time. The effort has been made a little late in the day, but it is never too late. Many moves are afoot to try to dispel the dirty overalls image of industry and that must be for the betterment of improved relations between industry and education.

Mr. Trippier: Some time ago I had the privilege of launching a video, which has gone to every secondary school in the land, entitled "To be an engineer". This works to dispel the dirty overalls image of engineering. I hope it will improve the image of engineering specifically, and I hope it will convince not only youngsters to consider engineering but also their parents. That is important.

Mr. Andrew Rowe (Mid-Kent): My hon. Friend mentioned the interface between education and training. Does he agree that the dramatic shortage of mathematics teachers in schools——

Mr. Deputy Speaker (Mr. Harold Walker): Order. We are discussing the industry training board levy, not training and education in general.

Mr. Trippier: I know that my hon. Friend has an important interest in this subject. I am sure that I am to blame for leading him down that path. Those who concentrate on that subject in school would have a natural bent towards engineering later in life.

I pay tribute to the hon. Member for Truro (Mr. Penhaligon) for introducing this important aspect of what we are trying to achieve in 1986—a matter that draws all sides of the House together.

Mr. Sheerman: Surely the Minister is aware that, on a public relations level, of course the matter draws the House together, but we are deeply divided by the fact that the Government have not put in the resources for the training that is needed. Voluntarism does not work. The Minister has not said how he will get the Government to see that, and get money into training.

Mr. Trippier: The hon. Gentleman says that voluntarism does not work. He is prejudging the results of the consultation exercise that I am conducting, which will be open to public scrutiny when it is completed. I am sure that the hon. Gentleman welcomes the fact that I have written to the NSTOs inviting their views about what is going on. The hon. Gentleman may be in for a surprise. Perhaps I might put it a little more strongly. The hon. Gentleman may be in for a pleasant surprise—it was to me—to discover that some of the NSTOs have gone a little further and done much more than they ever did when the training bodies were statutory. The hon. Gentleman is a little premature suggesting the outcome of the consultation exercise.

Mr. Penhaligon: If a young man or woman has designs on becoming a competent technician engineer, not a graduate or craft engineer, how would the Minister suggest he or she goes about it? Surely he is not telling us that YTS, although it has some advantages, is the most obvious course?

Mr. Trippier: The hon. Gentleman is not making a valid point. Apart from the normal channels, which have been open for some time, YTS can play a significant part in the youngster gaining credit towards a proper craft apprenticeship which would be recognised by a validating body, which would enable him or her to be qualified.

I welcome the fact that, broadly, the alliance welcomes YTS. The hon. Member for Huddersfield is invariably supportive. I despair of some of his hon. Friends, who try at every possible opportunity to knock or rubbish it. It has proved the most successful training scheme that we have had and it bears comparison with international programmes or schemes.

We have had a useful and interesting debate. I am grateful to the hon. Member for Huddersfield for saying that the Opposition will not oppose the order, and I commend it to the House.

Question put and agreed to.

Resolved,

That the draft Industrial Training Levy (Engineering Board) Order 1986, which was laid before this House on 14th April, be approved.

10, Downing Street (Chief Information Officer)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boscawen.]*

10.48 pm

Mr. Tam Dalyell (Linlithgow): The genesis of this debate on the post of chief information officer at No. 10 is to be found in the exchange on the Floor of the House on Monday 14 April, which is in *Hansard* at column 575.

I interject that I welcome the presence of the Leader of the House. It is good parliamentary practice when Mr. Speaker can oblige those of us who in genuine circumstances have had to resort to the time honoured phrasing, "On a point of order. In view of the unsatisfactory nature of the reply, I beg to give notice that I shall seek to raise the issue on the Adjournment at the earliest opportunity."

I am acutely aware that in our system a civil servant cannot directly answer criticisms of him made on the Floor of the House, so let me say at once that my criticisms are directed not at Mr. Bernard Ingham, but at his boss, the Prime Minister, a politician who can answer back, and at the way at which she has allowed and encouraged Mr. Ingham to go about his business.

Mr. David Harris (St. Ives): Shameful.

Mr. Dalyell: An hon. Member on the Government side shouted "Shameful."

I am not alone in these opinions, and I should like to quote from one of the grandest mandarins in Whitehall in the 1970s, Sir Frank Cooper, permanent secretary to the Ministry of Defence. In the Suntory Toyota lecture, he said:

"A further paradox is that the more it has become technically easier to communicate the less good has that communication become between Government and the governed. Indeed, the aim now is the management of the media with a very much higher degree of central control from No. 10 Downing Street and with the connivance of a part of the media. There is now public relations — which I would define as biased information. I suggest that the post of Chief Informatiion Officer at No. 10 Downing Street is in fact a political job in a party sense and is not a job which it is proper for a Civil Servant to fill unless he or she resigns from the Civil Service on appointment. Moreover, what is said ought to be said on the record. The participation of the media in the lobby system is a public disgrace."

That is Sir Frank Cooper's view.

Mr. Harris: I am the person who shouted "Shameful" at the hon. Member for Linlithgow (Mr Dalyell) for his attack on a civil servant. The hon. Gentleman was a parliamentary private secretary to the late Richard Crossman. After the debate, perhaps I could refer him to the Crossman diaries. The section dealing with 28 September 1966 says that the hon. Gentleman's boss spent most of the day trying to work out how he could manipulate the press and the Government information services for the then Labour Government. Will the hon. Gentleman refresh his memory about what happened in those days of a Labour Government ?

Mr. Dalyell: I can refresh my memory clearly. There are different views on this. Sir Donald Maitland, for example, would not have acted in the way that a number of other chief information officers have acted. I take seriously the remarks by the hon. Member for St. Ives (Mr. Harris), because I remember 1966 only too well.

There are problems here. That is why I was careful to say that I was getting at the politicians, not the civil servant who cannot answer back, rough though that civil servant may have been. It is not a cheap attack. In page 60 of Henry Porter's "Lies, Damned Lies" we are told that the advice that Mr. Ingham gave was that

"remedial action should be taken against troublesome journals, whether national, provincial or specialist."

Porter and others have at least to be answered.

What I am saying is a serious reflection on the job specification. Is it appropriate, for example, for a civil servant on his own initiative to offer cover for selectively leaking a Law Officer's letter? What sort of position did Mr. Ingham imagine that he was putting Miss Collette Bowe into when he required her to phone Mr. Chris Moncrieff with the selective contents of the Solicitor-General's letter over Westland? Can one imagine Sir Donald Maitland, the late William Clark, Sir Tom McCaffrey or any other holder of the office deeming it proper or ethical to make any such request of a civil servant colleague? *[Interruption.]* If the hon. Gentleman would like to name names, I shall listen to him.

Mr. Harris: The hon. Gentleman says that he is not attacking this civil servant. The allegations that he has made are a blatant attack on a civil servant who, because of the rules of procedure, is incapable of answering back. As I said in a seated interjection earlier, I think that that is shameful.

Mr. Dalyell: The reply is that any traditional civil servant proposing to do that which ethically he knew he should not do would seek a prime ministerial instruction. Did Mr. Ingham ask the Prime Minister on 6 January about the leaking of the Solicitor-General's letter? After all, the Prime Minister was next door in the very same 10 Downing street building and the then Secretary of State for Trade and Industry was in his Yorkshire constituency. Why are the Prime Minister and Mr. Ingham so coy about appearing before the Select Committee on Defence that is considering the Westland affair on behalf of the House? It was the Prime Minister who endorsed the reference of the Westland affair to the Select Committee of which my right hon. Friend the Member for Dudley, East (Dr. Gilbert) is a distinguished and leading member.

There is one of two explanations. Either Mr. Ingham asked the Prime Minister about the Solicitor-General's letter, or Mr. Ingham knows the Prime Minister's mental processes so well that he knows instinctively what she would want done. If an answer were given at all, was it along the lines, "You know what I think and would want done"—wink, wink?

It would seem most unlikely that the Prime Minister felt that the former Secretary of State for Trade and Industry had done anything very wrong in her eyes, bearing in mind that at the time of his resignation she was reported to have spent over an hour trying to dissuade him from resigning. After his resignation, the Prime Minister was reported as indicating that she hoped it would not be long before he was back in a senior position in the Government.

I have no brief for the right hon. and learned Member for Richmond, Yorks (Mr. Brittan), but, to put it bluntly, he was the fall guy. Many of us would agree with what Mr. Alan Watkins has stated in print—that he has heard from leading Conservatives that "Poor Leon is carrying the can". We all have to judge one another in this place. I do not find it believable that the former Secretary of State for

Trade and Industry, a careful QC, let alone a former Home Secretary, would dream up the device of selectively leaking a Law Officer's letter. Cover having been offered to Collette Bowe, there is only one explanation why Mr. Ingham was not dismissed in the aftermath of the Westland affair — that either implicitly or explicitly the Prime Minister approved of Mr. Ingham's action in giving cover.

We should go into these matters in some detail. On 5 February the Select Committee questioned Sir Robert Armstrong in case he might be able to provide answers which would make it unnecessary to call the five civil servants, including Bernard Ingham and Collette Bowe, as Sir Robert had interviewed them all during his inquiry. However, the Committee still reserved its right to call them if not satisfied with the information obtained from Sir Robert.

It is clear that the Committee was not fully satisfied, because it asked Sir Robert to appear before it again to answer some further questions. This he did on 5 March. However, there were a number of questions which Sir Robert was not prepared to answer. My right hon. Friend the Member for Dudley, East, who is present, asked about the officials' knowledge of the special status of the Law Officers' letters. Sir Robert would not answer. My right hon. Friend asked him if the only person who could answer was Mr. Ingham. Sir Robert said that he could answer but was not prepared to do so. My right hon. Friend then asked:

"Then the only person who can answer is Mr. Ingham?"

Sir Robert appeared to indicate that that was so. My right hon. Friend asked Sir Robert:

"If you can't answer, the only people who can are Mr. Powell and Mr. Ingham."

In reply to several questions Sir Robert took refuge in repeatedly quoting the Prime Minister's reply to me on 27 January, the oft-repeated reply:

"I gave my consent."—[*Official Report*, 27 January 1986; Vol. 90, c. 656.]

It is of interest to note that on 5 March Sir Robert Armstrong said that the five civil servants were not responsible for the way that the leaked letter was handled, as the former Secretary of State for Trade and Industry had taken full responsibility for the way in which the information was disclosed. It is of even greater interest to note that on his earlier appearance on 5 February, Sir Robert made a different statement. He said that when the letter arrived at the Department of Trade and Industry, the then Secretary of State was out fulfilling a luncheon engagement, that an official had read the letter over the telephone to him, and that the then Secretary of State had decided that it should be brought into the public domain.

Sir Robert emphasised that while the then Secretary of State had authorised the disclosure, it had been the officials who had decided on the method to be used. Sir Robert summed up by telling the Committee that, although the former Secretary of State wanted the information brought into the public domain before the Westland press conference that day, he did not say how this was to be done.

From all this, and particularly in view of Sir Robert's inability or unwillingness to answer questions himself, I believe that on 5 March the need to call for evidence from certain key civil servants had been positively established. To save time, I shall refer to the article by Richard Norton-Taylor in *The Guardian* on 11 March.

On 1 April, Mr. John Carvel wrote in *The Guardian* that Labour members of the Committee were planning to repeat their request to examine the officials, particularly Mr. Ingham. He also wrote:

"The Committee has been advised that a request from Mr. Ingham would be refused by the Prime Minister, but that if the Committee instructed him to attend, he would turn up and say nothing."

Although, in theory, the Committee's wish to see the civil servants was still on the table, arrangements were being made to have the final hearing, which a Minister would wind up. On 10 April, *The Guardian* reported that, at a private meeting of the Committee, the Labour members' move to summon the five civil servants or just Mr. Ingham was defeated.

A question along the following lines could properly be put to the Prime Minister. "It was reported in *The Guardian* on 1 April 1986 that the Defence Committee had been advised that a request for Mr. Ingham to attend would be refused by the Prime Minister but that if the Committee instructed him to attend he would turn up and say nothing. Is it true that the Prime Minister would refuse to allow Mr. Ingham to appear and, if so, bearing in mind Sir Robert Armstrong's inability to answer questions put to him by the Committee, on what grounds would the Prime Minister refuse to allow Mr. Ingham to appear?" If the Prime Minister replied that she would not refuse to allow Mr. Ingham to appear, the following question might then be asked: "Would the Prime Minister think it appropriate for Mr. Ingham to appear before the Committee and then to refuse to answer its questions?" Why should a civil servant — the chief press officer — be subject to special treatment before Committees of the House of Commons that does not extend to the generality of civil servants?

Westland is not simply a one-off episode. There is a whole litany of operations unbecoming to a civil servant. As one who gave evidence to the Franks Committee for an hour and 25 minutes, I was appalled at the way that the chief information officer gave that complicated report to the Lobby correspondents at 3.30 pm when their deadlines were at 5 pm. This is not the kind of guidance that a civil servant should give on behalf of the Prime Minister, but it is not the civil servant that I blame; it is the Prime Minister, because I bet that the instructions were hers. Did not Mr. Ingham have to apologise to the Lord Chancellor for suggesting that Judge Jeffries might be the appropriate judge to preside over the trial of Clive Ponting at the Old Bailey?

We are tonight not considering the role of a mere press secretary, but dealing with the position of a man who is an adviser on central decisions of Government in Britain, and whose power has grown exponentially, along a geometric progression, with the years during which he has occupied the office. The longer a man occupies this office, the more power accrues to him.

I do not think that I exaggerate if I say that, with the arguable exception of Sir Robert Armstrong, Mr. Bernard Ingham has evolved as the most important man making decisions in British politics. When I put this view to a senior Conservative Privy Councillor, he shook his head sadly and said that he could not dissent.

The blame must rest not with Mr. Ingham but with the Prime Minister who has become so dependent and has allowed this to happen. This is an unsatisfactory position.

11.5 pm

The Minister of State, Privy Council Office and the Minister for the Arts (Mr. Richard Luce): The hon. Member for Linlithgow (Mr. Dalyell) is well known for his persistence on many issues. He certainly gave the House notice recently that he would raise this issue about the chief press secretary at No. 10. Having listened to him, I believe that he is misguided in his views. Indeed, I would go further: the hon Gentleman is continuing to demonstrate his ability to develop obsessions—I can think of no other word—about issues, and to formulate some allegations which are completely unsubstantiated but which become genuine figments of his imagination. I can give an exact example of that from the end of his speech when he referred to Mr. Ingham as one of perhaps two men in Government who take the most important decisions. That is an exact description of a figment of his imagination. Nothing could be further from the truth.

The hon. Gentleman proceeded to talk about the so-called Westland affair, and, more precisely, the events surrounding the disclosure of the Solicitor-General's letter which have been fully explained to the House by my right hon. Friend the Prime Minister on both 23 and 27 January. My right hon. and learned Friend the Member for Richmond, Yorks (Mr. Brittan) contributed to the debate on 27 January. The events were the subject of an inquiry conducted by the head of the home Civil Service who subsequently gave evidence to the Defence Select Committee on 5 February and 5 March. The role of officials in this matter has thus been fully described and explained to the House and the public, and I have nothing tonight to add to what has been said. If the hon. Gentleman thinks that there is some great or sinister matter still to discover, I can assure him that he is completely mistaken. This issue is worn to a frazzle.

I shall seek to answer the debate by concentrating on the role of the chief press officer and the most unfair allegations that the hon. Gentleman makes about Mr. Ingham.

Mr. Jonathan Sayeed (Bristol, East): Will my hon. Friend say whether he believes that Mr. Ingham has acted in any way different from the way in which Mr. Joe Haines acted when he was chief press officer to Lord Wilson of Rievaulx when he was Prime Minister?

Mr. Luce: I can establish that. I know that Mr. Ingham has managed to maintain a steady and continuous relationship with the Lobby which has not always been the case in the past.

The hon. Gentleman argued that the post of chief press secretary should be a party political appointment, and that it is no longer possible or right for the holder of that office to be a civil servant. He cites in support of that the views of Sir Frank Cooper, ex-permanent secretary at the Ministry of Defence, in a recent lecture. Obviously, both Sir Frank and the hon. Gentleman are entitled to their views on this, as on any other matter, but I do not agree with them.

It is important to stress the role of the chief press officer or any information officer. It is to promote an informed press and public about the Government's policies and measures, and to advise Ministers and officials on presentation.

Obviously, the chief press officer will aim to ensure that the merits of those policies and the arguments in their favour are brought as fully as possible to the public's attention. He would be failing in his job if he did not do that. But it is his job, as it is the job of all civil servants, to serve his Minister as a member of the Government to th best of his ability, to give him well-informed, dispassionate and impartial advice, and to give effect to the Minister's decisions with skill, vigour and loyalty. The present chief press secretary at No. 10 Downing street does just that.

On 23 January this year, my right hon. Friend the Prime Minister said:

> "I should like to say that Mr. Ingham has served successive Governments with devotion and dedication, and I have great confidence in him."—[*Official Report*, 23 January 1986, Vol. 90, c. 459.]

That is absolutely right.

Let us look at Mr. Ingham's career—19 years as a professional journalist and about 19 years as a civil servant, of which 17 have been as an information officer. He has endless experience in information services within government. It is notable that Mr. Ingham has served loyally as an information adviser both Labour and Conservative Governments. It is notable that he has been an information officer to Mr. Varley, and to Barbara Castle. Above all, quite apart from his service to the Prime Minister, he has been an information adviser to the right hon. Member for Chesterfield (Mr. Benn). If Mr. Ingham is capable of serving the right hon. Gentleman and my right hon. Friend the Prime Minister, that is a sharp demonstration of his ability to provide an impartial service as a loyal civil servant with a great deal of integrity. The allegations of the hon. Member for Linlithgow should be totally and utterly refuted.

Mr. Dalyell: If Mr. Ingham has such integrity and is a loyal civil servant, why, with all that experience, did he give cover to Collette Bowe in giving information to Mr. Chris Moncrieff of the Press Association in the form of a leaked Law Officers' letter? A man of such integrity and experience would not have done that unless he either knew the Prime Minister's mind or had prime ministerial instruction. It is the Prime Minister who is at the root of that trouble.

Mr. Luce: As I have already said, this issue has been gone over time and time again. My right hon. Friend the Prime Minister and Sir Robert Armstrong have given substantial evidence on it. Of course, we await the report of the Select Committee on Defence.

The feeling seems to be that the fact that the chief press secretary deals with the media somehow makes it party political. I agree that the need to deal with the media means that particular skills and qualities are required of an information officer that may not always be required for other jobs in the Civil Service. That is why many, although by no means all, information officers come, as the chief press secretary at No. 10 came, from within the Government Information Service. Information officers must, of course, have the ear of their Ministers but must also have a detailed knowledge of their Department and its responsibilities so that they are well placed to present them to the media. That does not make the task a party political one—indeed, it is the task, for example in the Conservative party, of the party chairman and others to speak for the party.

I wonder whether the correspondents who deal from day to day with information officers would prefer them to

be political appointees. The reputation and the effectiveness of information officers depend on our contacts being able to rely on what they say. If they were party political appointees, there would be a much greater danger of suspicion that the information coming out of the Department was being distorted for party political considerations. It is a matter of establishing credibility and trust.

It is worth quoting from a speech in May 1983 in Cardiff by Mr. Ingham to a conference of the Guild of British Newspaper Editors in which he said:

"no one will, or should, take the slightest notice of a word I say if I cannot be relied upon to get it right; my crucial stock-in-trade is reliability; otherwise I lack credibility and cease to be useful either to Government or media".

That is correct. I believe that it is true that Mr. Ingham is widely respected and generally respected by the press for that.

I do not agree that there is something special about the post of the chief press secretary at No. 10, apart from the fact that it is one of the two top jobs in the Government Information Service. Like any other job in the Prime Minister's office, the holder of this must be exceptionally able. A close relationship with Ministers and the ability to command the respect of the press are the essential requirements of the job, as the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) emphasised in his evidence to the Treasury and Civil Service Sub-Committee. As I have just said, to serve a Minister successfully, any civil servant must gain his confidence. Therefore, there is no difference there. Any senior civil servant, chief information officer or permanent secretary, must advise a Minister clearly and in an unbiased manner and carry out the Minister's instructions. Therefore, there is no difference there. All senior civil servants, in advising Ministers, are serving the Government and not a political party. Again, there is no difference with No. 10.

Of course, the chief press secretary at 10 Downing street, like departmental chief information officers, has to have an understanding of political sensitivities and of the political framework and environment within which his Minister and the Government of which he is a member are operating. However, there is nothing unique about that. It is no less true of all civil servants who are in the business of advising Ministers and executing their policies.

History shows that civil servants are no less capable than others of carrying out the duties of the chief press secretary effectively and acceptably. Over the past 20 years there have been both civil servant and journalist holders of the No. 10 chief information officer job. The civil servants concerned have shown themselves perfectly capable of presenting the policies of whichever administration was currently in power. I believe that journalists would agree that the civil servant holders have performed no less satisfactorily than professional journalist occupiers of the post.

I have sought to demonstrate why, in the Government's view, Mr. Ingham is doing an excellent job and why there are strong advantages in having an experienced civil servant to do the job. I think that in answering the debate generally I must take the opportunity to say that my experience as a Civil Service Minister points to the fact that civil servants as a whole, including Mr. Ingham, serve this Government, as they would serve any Government, loyally, professionally and with integrity, and I believe that we can be proud of them.

Mr. Dalyell: If the emphasis is to be put on obeying ministerial instructions, we are now left with the fact that it was the Prime Minister's instructions, implicit or explicit, which offered the cover to Miss Bowe to leak the Solicitor-General's letter against one of her own Ministers. The Minister's reply does not put Mr. Ingham in a bad light but the Prime Minister. If all that he says about the chief press officer's virtues is true, the Prime Minister has to say how, if she was so loyally served by a man obeying ministerial instructions, cover was given to leak a letter against one of her own Ministers. After tonight it is the Prime Minister, not Mr. Ingham, who is in the dock.

Mr. Luce: The hon. Gentleman is continuing to try to make political capital out of an issue from which it is no longer possible to make any political capital. The issue has been covered time and again by my right hon. Friend the Prime Minister, the Secretary to the Cabinet and the head of the home Civil Service who has given evidence to the Select Committee on Home Affairs.

Question put and agreed to.

Adjourned accordingly at eighteen minutes past Eleven o'clock.

House of Commons

Tuesday 29 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

GREAT YARMOUTH OUTER HARBOUR BILL
As amended, considered; to be read the Third time.

HARWICH PARKESTON QUAY BILL *(By Order)*
Order read for resuming adjourned debate on Question [28 April], That the Bill be now read a Second time.
Debate to be resumed Thursday 1 May.

ULLAPOOL HARBOUR ORDER CONFIRMATION BILL
Considered; to be read the Third time.

Oral Answers to Questions

SOCIAL SERVICES

Social Workers (Attacks)

1. **Ms. Harman** asked the Secretary of State for Social Services what evidence he has about the incidence of attacks of violence against social workers by their clients.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): My right hon. Friend the Secretary of State expresses his regret that he is unable to be with us this afternoon, as he is overseas on official business.

Detailed information about violent attacks against social workers is not collected centrally on a systematic basis, but the evidence that we have had, distressing though it certainly is, is sadly not inconsistent with the nature of a social worker's job, which inevitably brings him or her into contact with emotionally disturbed or mentally disordered clients. It must be for employing authorities to assess the level of risk to their staff and to take the necessary action.

Ms. Harman: Is the Minister aware of the nationwide research which has been carried out at Cambridge university which shows that social workers are likely to be attacked by their clients on average once a year? In view of the recent deaths of two social workers at the hands of their clients, why are the Government taking such a complacent attitude about the matter? Will the Minister co-ordinate the actions of local authorities, which are trying to reduce the risk to their social workers and encourage and enable them to do something constructive? Will he ensure that people coming out of institutions into the community get proper back-up support so that they do not become a danger to themselves or to the social workers who care for them?

Mr. Whitney: The Government are in no sense complacent about this very difficult issue, and we remain in close contact with the employing authorities. We will, of course, maintain such contact to discover whether further guidance can properly be given centrally. We are also in close contact with the parents of those involved in the specific case in which the hon. Lady has taken a close interest.

Mr. Dickens: Is it not true that there are recruited into the social services many odd-bods who are long-haired, unshaven and who wear political badges on their lapels, who provoke attacks upon themselves by their very attitude?

Mr. Whitney: I am not prepard to generalise about odd-bods in the social services. I believe that social workers have a very difficult job to do, and these cases raise difficult and sensitive issues.

Mr. Wigley: The House will be somewhat surprised that the Minister was not stronger in his condemnation of the question from the hon. Member for Littleborough and Saddleworth (Mr. Dickens).

Does the Minister accept that the risks to social workers would be considerably lessened if there was proper assessment of the needs of people leaving long-stay hospitals with mental illness or other forms of mental disorders? Does he agree that, to enable that to happen, it would be greatly advantageous if the Disabled Persons (Services, Consultation and Representation) Bill, now in another place, could have its commencement orders on these sections as soon as possible?

Mr. Whitney: Many of the issues involve clinical decisions, which, of course, the Government carefully monitor, but which are not directly in our control. The House will be well aware of the Government's helpful attitude to the Disabled Persons (Services, Consultation and Representation) Bill, to which the hon. Gentleman referred.

One-Parent Benefit

2. **Mr. Knox** asked the Secretary of State for Social Services what is the percentage take-up of one-parent benefit.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Major): The percentage take-up has steadily improved over recent years, and the latest available estimate shows that about 75 per cent. of those who stand to gain by claiming one-parent benefit are receiving it.

Mr. Knox: I accept that there has been a great improvement during the last few years, but does my hon. Friend not think that the figure is still disappointing? Does he have any plans to try to improve the percentage take-up?

Mr. Major: I share my hon. Friend's wish that the take-up should be improved. We shall continue with the brief television fillers, which have proved to be particularly successful in encouraging people to claim this benefit, as well as with the traditional advertisements, which appear in child benefit books and on leaflets and posters in a variety of places, notably surgeries, health centres, post offices, law centres and elsewhere. I hope that in this fashion we will increase the take-up.

Mr. John Mark Taylor: Would my hon. Friend care to speculate upon how many people do not take up the one-parent benefit, although they are entitled to it, and upon what the cost would be if they did?

Mr. Major: I do not have the most recently available figures, but, broadly, about 100,000 families who could have claimed one-parent benefit did not take it up. According to the latest figures, the cost would have been about £18 million a year. I hope that in about three months' time we will be able to update those figures.

Invalid Care Allowance (Married Women)

3. **Ms. Richardson** asked the Secretary of State for Social Services whether he will seek to extend invalid care allowance to married women; and if he will make a statement.

The Minister for Social Security (Mr. Tony Newton): This matter is currently the subject of legal proceedings before the European Court, to which the Government are giving close attention.

Ms. Richardson: Will the Minister accept that if the women, under 100,000, who do not qualify for the invalid care allowance because they are married were not there to provide informal care, the Government would have to fork out between £5 billion and £7 billion in order to provide formal residential care, and that the £85 million that it would cost to extend the benefit to married and co-habiting women is chickenfeed because of the worth of the care that these women provide? Will he recognise that women all over the country are boiling over with anger and frustration because of this anachronistic Government, who should pay up or go?

Mr. Newton: Our most up-to-date estimate is that the cost would be £100 million rather than £85 million. I acknowledge entirely the immense value of the work of these carers and of many others who do not qualify for the invalid care allowance, whatever the law on the invalid care allowance may be. The issue, among others, alongside the legal issue, is about the best way to help such carers in the devoted work that they do.

Mr. Ashley: Why must the Government be dragged, kicking and screaming, into making this payment? Did the Minister read the article in *The Sunday Times* about the woman who was overwhelmed with caring for her husband who was suffering from multiple sclerosis, and whose family was devastated? Does he appreciate that without the invalid care allowance these women suffer even more because they are confined to their home and lack all help? If the Government do not help them, they lack all hope as well.

Mr. Newton: I have met a number of women, and others, who have been providing this kind of care, and I very much appreciate what they do. However, I repeat to the right hon. Gentleman that it is not automatically clear that a payment of £23 a week, which is what we are talking about, as distinct from the wider availability of respite care or other support services, is the best way to help such women.

Mrs. Virginia Bottomley: Many people will be pleased to hear the Minister's remarks about those who are caring at home for relatives, but is he aware that many Conservative Members very much hope that he will be able to see his way to extending the invalid care allowance to married women?

Mr. Newton: I am very well aware that feelings on this matter extend to both sides of the House.

Mrs. Clwyd: Why does the Minister think that this country is brought before the European Court more often than any of the other countries in the European Community? Is he not thoroughly ashamed of that fact?

Mr. Newton: Quite possibly—I say this in, I hope, a reasonable spirit—that is because of the number of grotesquely discriminatory pieces of legislation that we inherited from the previous Labour Government.

Mentally Ill and Mentally Handicapped People

4. **Mr. Chapman** asked the Secretary of State for Social Services if he is satisfied with co-ordination between health authorities and local authorities in the proper provision of community care for the mentally ill and mentally handicapped with particular reference to financial provision.

Mr. Whitney: Good progress is being made in many areas in the joint planning of community care, but there is room for improvement over the country as a whole. The joint finance and care in the community arrangements enable health authorities to give financial support for community care provided by local social services authorities and voluntary organisations.

Mr. Chapman: I am grateful to my hon. Friend for his reply. Is he aware of the confusion and contradiction, at least in my borough, between the local health authority and the social services department of the council as to their exact responsibilities over the provision of care for the mentally ill and the mentally handicapped? That has been tragically underlined in the case of a constituent who is severely mentally handicapped, who within 48 hours lost both her parents who were looking after her at home. In view of that confusion and contradiction, will my hon. Friend look into both the particular case and the general responsibilities so that it is possible unambiguously and unequivocally to assert where the responsibility lies?

Mr. Whitney: This is undoubtedly a difficult matter. As I said in my earlier reply, the good progress is not universal. There may be room for improvement. It may well be that my hon. Friend's constituency is a case in point. I am glad to tell my hon. Friend and the House that a multi-disciplinary meeting on that tragic case will be held on 13 May. I believe that that meeting will demonstrate the good co-operation that exists across the authorities in this tragic and worrying case.

Mr. Carter-Jones: Is the hon. Gentleman aware that, for historical reasons, severe distortions often take place with respect to moving people from long-stay hospitals into the community? Will the hon. Gentleman take into account the anomalous position for Salford health authority and Salford city council regarding his policy on Prestwich hospital?

Mr. Whitney: I shall look into the details. The local health authority and local authorities must work closely together against the background of support facilities, including joint finance, which the Government have provided and continue to provide.

Mr. Sims: Does my hon. Friend accept that, although the policy of moving mentally ill and handicapped people into the community is commendable, it is expensive and shifts the burden on to the social services department and the local authority? It is essential that adequate funds are provided so that the scheme will be successful.

Mr. Whitney: We accept that there are financial pressures. That is why we urge maximum co-operation, to go at the pace of the possible, depending on the local circumstances. That is why we have produced the funding that is now available.

Mr. Kennedy: Is the Minister aware that everybody, including the Government, accepts that successful community care cannot be a cheap option? How, therefore, can there be the co-ordination necessary to ensure the success of the policy when, for example, local authorities are starved of sufficient funds? They require those funds to provide the type of housing and the range of back-up facilities in the community that will enable people coming out of long-stay institutions not to be in a position where they lack sufficient community support or where they simply end up being re-admitted to the very institutions from which they moved. Will the hon. Gentleman consider other aspects of Government policy that operate against the interests of community care?

Mr. Whitney: Local authorities must choose their own priorities. No one would pretend that that was an easy task. Priorities must be set against a background of rising expenditure in the local authority area. The hon. Gentleman should take note of the financial facilities that are being made available. For example, this year, the joint finance allocation will be about £111 million.

Mr. Richard Page: Does my hon. Friend accept that there is considerable concern among parents, especially elderly parents, about their children, often young adults, who are returned to the community without adequate support or back-up? Will he clarify the guidelines between the appropriate authorities so that they cannot argue and bicker among themselves, and so that they will know exactly what their individual responsibilities are?

Mr. Whitney: There should be no question of individuals being returned to places outside the health authority scheme unless suitable and adequate arrangements have been made. That is precisely why the JCCs and the joint care planning teams are provided. They should ensure that the problems to which my hon. Friend referred are solved locally.

Mr. Meacher: Is the Under-Secretary of State aware that a recent survey of private rest homes for the disabled and the elderly found that degradation and exploitation were the norm, not the exception? Is the hon. Gentleman aware that residents were forced to strip in front of others to wash; milk was watered down to save money; incontinent residents were left without underwear; and YTS trainees were made to dispense drugs without knowledge of dosage side-effects? Is it not utterly repugnant that the Government should be encouraging huge commercial profits to be made in this way by private rest homes at the expense of frail and vulnerable patients?

Mr. Whitney: The Government are determined that the highest standards should be maintained in residential and nursing homes and similar accommodation, whether they are operated in the public or the private sector. That is why we instituted the inspection systems. For example, to help local authorities, we have increased the scale of registration fees and introduced regulations under the "Home Life" publication. If the hon. Gentleman sought to suggest that badly maintained homes exist only in the private sector, I invite him to consult his hon. Friend the Member for Peckham (Ms. Harman) to instruct him on the dreadful conditions found in the Nye Bevan home in Southwark.

NHS Accommodation

5. **Mr. Dubs** asked the Secretary of State for Social Services what representations he has received about his proposals on National Health Service accommodation.

7. **Mr. Canavan** asked the Secretary of State for Social Services what recent representations he has received about accommodation for National Health Service employees; and if he will make a statement.

The Minister for Health (Mr. Barney Hayhoe): Since the new national policy was announced last July, about 200 letters have been received. In some cases concern has been expressed that staff might be evicted as a result of this policy. But, as my right hon. Friend made clear in his written answer on 25 April, no one will be required to move from his or her present accommodation without being offered a suitable alternative place to live.

Mr. Dubs: Is the right hon. Gentleman aware that, despite the parliamentary answer to which he referred, there is still widespread concern among NHS staff—nurses, ancillary workers and others—that they will be pressurised to leave their homes? Will the right hon. Gentleman give an assurance that no one who works for the NHS will be forcibly evicted or removed from his home?

Mr. Hayhoe: As I made it clear, no one will be required as part of this policy to move from his present accommodation without being offered a suitable alternative place in which to live. I am glad that this question gives me a further opportunity to clarify the position and, I hope, to put straight the record, which some people are deliberately seeking to misrepresent.

Mr. Canavan: As many Health Service employees in Scotland live in genuine fear of eviction, will the right hon. Gentleman extend his absolute guarantee to Health Service employees north of the border who live in such accommodation? As much of the NHS living accommodation is in an appalling state of disrepair, because Crown immunity exempts health authorities from the obligation to carry out the necessary repairs, will the right hon. Gentleman abolish Crown immunity in that respect, too, so that Health Service employees have the same rights as other tenants?

Mr. Hayhoe: One objective of the present policy of disposing of vacant and surplus property is to produce the resources which can be ploughed back to modernise and bring existing property up to a decent standard.

Mr. McCrindle: Because of the emotive way in which the matter is being dealt with by the Royal College of Nursing of the United Kingdom and, evidently, the Opposition, will my right hon. Friend take this opportunity to restore a sense of perspective by reminding us of the

number of employees who live in property owned by the health authorities and the percentage of total employees who do so?

Mr. Hayhoe: This residential accommodation is designed particularly for certain professional employees—junior doctors, student nurses, and other staff—especially in inner city areas. A little more than half the junior doctors, a little under half the student nurses, and fewer than one in 10 qualified nurses live in such accommodation.

Mr. Norris: Does my right hon. Friend agree that the real outrage would occur if the Government neglected the massive amount of property owned by the NHS which deserves to be developed for the better care of patients rather than distributed haphazardly, as at present?

Mr. Hayhoe: My hon. Friend is right. If we extend the matter way beyond the residential accommodation that we are discussing, it is clear that substantial resources are locked up in those properties, which could be disposed of and the resources used for the benefit of patients in general.

Mr. Evans: Where will the NHS get the suitable accommodation from?

Mr. Hayhoe: That will depend upon local circumstances.

Mr. Robert Atkins: What representations has my right hon. Friend received about NHS accommodation for young arthritically disabled children at the Wrightington hospital in Lancashire, bearing in mind the importance to local people of this regional centre of excellence, which the North-West area health authority proposes to close?

Mr. Hayhoe: May I write to my hon. Friend on this matter? Clearly the individuals whom he he has in mind are not NHS employees.

Mr. Kirkwood: The Minister said that no one would be evicted unless suitable alternative accommodation was offered. Is he aware that there are areas where there is no such suitable alternative accommodation? What happens if the offer is turned down? Who defines what is suitable?

Mr. Hayhoe: That must be a matter for local judgment, but it is wholly reasonable that, as part of this policy, one should seek to make more effective use of the NHS estate. If someone is seeking unreasonably to prevent that from happening and suitable alternative accommodation is made available, he is being treated fairly.

Mr. Rogers: Does the Minister accept that often, especially in rural areas where there are psychiatric hospitals well away from any conurbation, there is great difficulty in finding suitable alternative accommodation? In urban areas, where suitable accommodation may be available, because of the low salaries paid to those involved in the Health Service they cannot afford it.

Mr. Hayhoe: More than 90 per cent. of qualified nurses do not live in such accommodation, and, as I said, the stress points are in the inner-city areas.

Mr. Meacher: Is the Minister aware that up to 50,000 nurses and auxiliaries could be forced to leave their NHS homes within the next two years? Is he also aware that, contrary to the impression he has given, some health authorities have already jumped the gun and started to evict staff, even though they are supposed to have at least a year to make alternative arrangements? How can a third-year learner nurse on £4,500 a year find another home in London, where flats are at least £50 a week, which is almost her entire take-home pay?

Mr. Hayhoe: The hon. Gentleman has his figures wrong. I made them clear, but the sort of figures he gave are wholly inaccurate. The intention is that provision should be made for all student nurses, but just under half the student nurses occupy such accommodation.

Prescription Charges

6. **Mr. Roy Hughes** asked the Secretary of State for Social Services if he will make it his policy to charge patients only the actual price of a prescription when the cost of the prescriptions is below the current prescription charge.

Mr. Hayhoe: I have no present plans to change the arrangements for prescription charges.

Mr. Hughes: Does the Minister recall that in April 1979 the prescription charge was 20p and that today, updated with inflation, it should be 40p? However, Government policy means that it is now £2·20 per item? How does he reconcile that with the Prime Minister's statement that the National Health Service is safe in her hands? Even this Government should not charge people more than a prescription is worth.

Mr. Hayhoe: The crucial aspect of the matter, which the hon. Gentleman has not acknowledged, is that about 75 per cent. of prescriptions are dispensed entirely free of charge and that even 5 or 6 per cent. are dispensed under the season ticket arrangements. That leaves only about one in five prescriptions for which the full charge is payable.

Sir Kenneth Lewis: Would it nevertheless be advisable to tell people who pay for their prescriptions that they can obtain them cheaper by going straight to the chemist? Would it not be better if they did not continually return to their doctors for prescriptions? It would save doctors' time and Health Service money.

Mr. Hayhoe: When an item can be bought more cheaply without a prescription, that arrangement can be followed by the individual and the chemist concerned.

Netley Castle Convalescent Home

8. **Mr. Stephen Ross** asked the Secretary of State for Social Services if he will take steps to ensure that the Netley Castle convalescent home near Southampton remains open for National Health Service patients.

Mr. Whitney: Management of this hospital is the responsibility of the Southampton and South-West Hampshire health authority, which yesterday considered its future use. I understand the authority decided that this hospital should remain open.

Mr. Ross: I have had to turn again to the Minister for support, as I have been campaigning for three or four months to ensure that the hospital remains open. However, I am delighted at the news announced after last night's meeting. Is he aware that my constituents, some of whom are cancer sufferers, have very much relied on that home for the past 10 or 15 years? I pay tribute to the care and attention given by the staff at the home, which is very

highly regarded in my part of the world. May I tell the Minister that I am grateful that that decision has been reached.

Mr. Whitney: I am somewhat overwhelmed, but I welcome and agree with the hon. Gentleman's points.

Sir David Price: Is my hon. Friend aware that that quite admirable home is in my constituency and that I have looked after it for the past 31 years? *[Interruption.]* Is my hon. Friend further aware that virtually all of the home's patients come not from the Southampton/south-west Hampshire area but from the Isle of Wight and the Channel Islands? We are delighted about that, but the funding arrangements vis à vis areas that send patients to that home are for from adequate. Given the squeeze on Southampton and south-west Hampshire, the pressure is on to obtain a better contribution from the districts that use the home.

Mr. Whitney: I am very happy to endorse the remarks of my hon. Friend who, over the past 31 years, has made a powerful contribution to his constituency. This year, the allocation to the Wessex area regional health authority, which involves that whole district, has been increased by 7·7 per cent. I very much hope that the authorities concerned will be able to fulfil my hon. Friend's wishes.

General Disability Premium

9. **Mrs. Ann Clwyd** asked the Secretary of State for Social Services how many representations he has received in support of the Government's proposals for a general disability premium.

Mr. Newton: Responses are not generally in a form that can sensibly be used to provide a simple breakdown of views. But the proposed simpler structure, with the associated aim of improved regular weekly income support for less well-off sick and disabled people as a whole, is welcome. However, there are reservations about some aspects and we are giving continued consideration to how they may be overcome.

Mrs. Clwyd: Does the Minister agree that several thousand of our most severely disabled people will suffer a cut of about 60 per cent. in their standard of living because of the proposals in the Social Security Bill? All the disability organisations have expressed concern. How does the hon. Gentleman square that with the Government's claim to be targeting those in greatest need of help?

Mr. Newton: I very much doubt the figures that the hon. Lady has given, although I know that they have been put forward. According to our latest information, about 2,500 claimants were receiving quite significant domestic assistance payments, but only to an average of £3·60, which does not correspond with the hon. Lady's information. I recognise the anxiety that exists, but we are trying to overcome it.

Mr. Alfred Morris: Will the Minister accept that the Government's proposals could inflict gratuitous extra hardship on some of the most severely disabled people in this country, and could force them into the sort of sub-human existence that Granada's "World in Action" documentary so strikingly exposed last night? Is he prepared to consider an as-of-right community care addition to meet the additional requirements of disabled people? Would it not be self-defeating as well as inhumane not to do so?

Mr. Newton: The right hon. Gentleman knows very well that that sort of community care consideration is very much in our minds in relation to the social fund. I am reasonably confident that we can find a way of meeting the right hon. Gentleman's objectives and mine.

Family Credit Scheme

10. **Mr. Evans** asked the Secretary of State for Social Services how many representations he has received in support of the Government's proposals for a family credit scheme.

Mr. Major: Many organisations and individuals responded to the proposals in the Green Paper "Reform of Social Security". The responses were not generally in a form permitting a simple breakdown of numbers for or against specific proposals, but many supported the main objectives of family credit, including the need to improve help for low-income families with children and the need to improve work incentives.

Mr. Evans: Will the Minister confirm that every women's organisation and every employer and trade union organisation representing women has protested in the strongest possible terms about this disgraceful proposal? Why do Tory Governments persist in treating women with contempt?

Mr. Major: I cannot precisely confirm the hon. Gentleman's first observation. To say that we are treating women with contempt is a curious comment to make about a benefit that doubles the number of beneficiaries and ensures that every beneficiary gets more money than before. That is the sort of contempt most people would welcome.

Mr. Squire: Given that the trigger mechanism for activating family credit is identical to the trigger mechanism for family income supplement, but that it is no longer paid to the caring parent, is my hon. Friend satisfied that it will lead to a reduction in family poverty?

Mr. Major: I understand the meaning behind my hon. Friend's remarks. I must point out to him that most two-parent working families rely on one wage and accept responsibility for deciding how to use it. There is no reason why that principle should not apply when family credit is part of the income.

Dr. Godman: What rate of take-up is anticipated for this benefit?

Mr. Major: The take-up for family income supplement is about 50 per cent. We anticipate that family credit will have a 60 per cent. take-up. That, of course, is a matter of speculative judgment and one cannot be sure, but we are relatively confident that it will have a substantially higher take-up than family income supplement.

Mr. Meadowcroft: Does the Minister accept that Governments of various colours have recognised that this benefit ought to be paid to the woman? What made the Government decide to move away from that crucial principle?

Mr. Major: The hon. Gentleman misunderstands the nature of the benefit. It forms a substantial element of help to low-income families. On that basis, it is entirely logical to illustrate its links with employment by payment in the fashion that we propose. We think that it will prove to be a popular benefit.

Mr. McCrindle: I endorse the sentiment underlying the idea of family credit. Has my hon. Friend received any representations from small employers expressing anxiety about the additional workload that will be placed upon them?

Mr. Major: There is considerable misunderstanding about the amount of work that will fall to employers. We intend that the Department of Health and Social Security will make the calculations for family credit and the re-calculations when a new period of benefit is due. We shall shortly issue a consultation paper for employers to comment upon and we shall enter into discussions with them about the way in which the benefit will work.

Mrs. Beckett: Does the Minister acknowledge that a more truthful answer to my hon. Friend the Member for St. Helens, North (Mr. Evans) would have been "one"? Does he also acknowledge that about like 100,000 families who will lose their entitlement to free school meals are not likely to welcome this benefit, especially as their compensation, when offset against housing benefit, is likely to be about 44p a week?

Mr. Major: In reply to the first part of the hon. Lady's question, I have nothing to add to what I said in reply to her hon. Friend. The hon. Lady mentioned school meals. She should bear in mind that the element of family credit that is applicable to school meals is £2·20 a week. Moreover, that is paid for 52 weeks of the year, whereas free school meals apply generally, but not inevitably, merely for 30 weeks of the year.

Mrs. Virginia Bottomley: Does my hon. Friend agree that giving more financial assistance to parents with older children by means of family credit is an important step towards helping those greatly in need?

Mr. Major: I entirely agree with that observation.

Students (Benefits)

11. **Mr. Andrew F. Bennett** asked the Secretary of State for Social Services if he has yet received the report of the Social Security Advisory Committee concerning the eligibility of students to claim benefits; and if he will make a statement.

Mr. Newton: We received the committee's report at the end of last month and are giving it careful consideration.

Mr. Bennett: Will the Minister publish the report as soon as possible? Does he agree that more and more students have been drawn into the social security net because of the inadequate level of student grants? Rather than taking from students the right to claim benefit, would it not be far more logical to put up student grants, so that students do not need to claim benefit? Does he not think that it would be grossly unfair if, as a result of these changes, students were forced down to the level of the social security safety net?

Mr. Newton: We shall publish the Social Security Advisory Committee's report at the normal time, that is, when we are publishing the Secretary of State's response to it. The hon. Gentleman will be aware that part of the proposition put to the SSAC was for an increase in the grant, countervailing some parts of the social security proposal.

Mr. Latham: Will my hon. Friend confirm that he is approaching the report, whatever it says, with an open mind, and not with a preconceived policy objective?

Mr. Newton: That may be implicit in the fact that we received the report towards the end of last month and are giving it careful consideration.

Ill Health and Poverty

12. **Mr. Tony Lloyd** asked the Secretary of State for Social Services what assessment he has made of possible links between ill health and poverty.

Mr. Whitney: It has been widely accepted for many years that there are differences in health experience between socio-economic groups. However, the causes of these differences have proved extremely difficult to establish and are certainly complex. Research in the area continues to be supported by the Medical Research Council, the Economic and the Social Research Council and by universities.

Mr. Lloyd: I do not know much about the Minister's constituency, but I know about my own, where some of the poorest people in Britain live. I know that the chances of my constituents' children surviving birth is lower than the national average, that they will have worse health than the national average, and that they will die earlier. What will the Minister do about that?

Mr. Whitney: I do, indeed, know about my constituency, and I know something about the hon. Gentleman's constituency. Never has so much money been spent on health care in real terms as it now is in the Manchester area.

Mr. Thurnham: Does my hon. Friend agree that the findings of both the Black report and the Holland report, linking poverty and ill health, show that there should be no delay in the provision of urgently needed new hospital facilities in Bolton?

Mr. Whitney: We are continuing to provide new hospital facilities in the north-west region, which has one of the highest capital spending programmes of all the regional health authorities. Therefore, our concern is manifested by the real resources being devoted to new hospitals.

Mr. Dobson: If the Minister acknowledges—he can scarcely do otherwise — that there are differences in health and life expectations between social classes, why are the Government not doing anything to implement the recommendations of the Black report, which clearly sets out proposals intended to reduce those differences?

Mr. Whitney: The differences to which the hon. Gentleman refers have existed for many years and long before the Black report, which did not explain the causes. The proposals which have been implemented by the Government, for example the significant increase in expenditure on national health provision, and the expenditure on inner cities, the urban programme and such initiatives, clearly demonstrate effectively the Government's practical concern.

Mr. Bill Walker: Does my hon. Friend agree that while there must always be a connection between a lack of facilities, wherever they are, and health problems, there are also genuine problems which are created by over-indulgence in many different ways as a result of affluence?

Mr. Whitney: I am happy to agree with my hon. Friend. A great deal of good health depends on healthy living styles, which we seek to promote directly through the Government and through the activities of the Government-funded Health Education Council. I agree with my hon. Friend that the level of income is by no means the deciding factor.

Ambulance Service (Quota Systems)

13. **Mr. Pike** asked the Secretary of State for Social Services what guidance he gives to health authorities on the use of quota systems in ambulance services.

Mr. Whitney: Our guidance on the provision of ambulance transport is based on criteria related to medical need. I understand that the Preston health authority has introduced a quota system for non-emergency services, but that there is no question of not meeting all cases of emergency medical need.

Mr. Pike: Will the Minister examine more closely the quota system which has been introduced for the whole of Lancashire? Will he stress to that authority that patients' needs are more important than cutting and saving cash? Will he make sufficient funds available to provide an adequate ambulance service for the people of Lancashire?

Mr. Whitney: I shall reconsider the point that the hon. Gentleman makes. During the five years to 1984-85 the Government have increased ambulance provision nationally in real terms by 9·2 per cent.

Disabled Persons (Services, Consultation and Representation) Bill

14. **Mr. Dormand** asked the Secretary of State for Social Services whether he has yet made an assessment of the resource implications of the Disabled Persons (Services, Consultation and Representation) Bill; and if he will make a statement.

Mr. Newton: The local authority associations were consulted on the likely cost of the Bill, if amended on the lines of the Government consultation paper issued in February. They estimated that cost as being in excess of £100 million in a full year. The associations and others are now being further consulted on the cost implications of the Bill in the form in which it received its Third Reading.

Mr. Dormand: Is the Minister aware that his answer confirms the suspicions felt by me and by many of my hon. Friends that the Government do not intend to honour their commitments on this measure, which received massive support when it was introduced by my hon. Friend the Member for Monklands, West (Mr. Clarke)?. Are not the Government being a bit hypocritical in giving it an ostensibly warm welcome some two weeks ago, and in now saying that they cannot provide the resources for it?

Mr. Newton: There is no basis whatever for the hon. Gentleman's allegation. The Government, in completely good faith, have made it clear throughout that there were resource implications and that those implications would have to be considered in determining the date of the commencement orders.

PRIME MINISTER

Engagements

Q1. **Mr Gerald Bowden** asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

Mr. Bowden: In view of the widespread alarm about the reports of leaks from a nuclear installation in the Soviet Union, will my right hon. Friend take this opportunity to reassure the House and the nation that our own security checks and monitoring system will prevent such an occurrence in the United Kingdom?

The Prime Minister: My hon. Friend is aware that we have very high standards of safety, design, construction, operation and maintenance of nuclear plants in the United Kingdom. There is a question tabled on this subject which will be answered later today. I would just like to reassure my hon. Friend that preliminary measurements have failed to detect any increase in the level of radioactivity in this country.

Mr. Benn: Because this is a serious accident at a Soviet nuclear power station, and because the Americans themselves have refused to build a pressurised water reactor in the United States for nine years due to anxieties about their safety, will the Prime Minister give the House an absolute assurance that there will be no decision about building a PWR at Sizewell until the full report on the American accident—*[Interruption.]*—has been given to the inspector and until there has been an opportunity for the House to take into account the very large number of issues raised, including leaks at Sellafield and the decision to sell British plutonium to America for its weapons programme?

The Prime Minister: The right hon. Gentleman is in a position to know the very high standard of safety which we exact in the construction of our nuclear plants and the very high standards of the Nuclear Installations Inspectorate. As I have already indicated, we are not in a position to make a full assessment, but there has been no increase in radioactivity in this country that we have been able to detect. We shall have to await the report on the inquiry into Sizewell before taking any action.

Mr. Maxwell-Hyslop: Has my right hon. Friend had time today to correct the impression given by Kate Adey's report on BBC television that the stick of bombs that fell on some flats in Libya were aimed at a target approved by my right hon. Friend, when, in fact, they came from an aircraft damaged by anti-aircraft fire? The BBC showed none of the targets approved by my right hon. Friend as being used by those taking part in terrorism against this country and successfully struck in that attack.

The Prime Minister: My hon. Friend makes his own point very effectively. As I have indicated in previous statements, the parameters which we set for permission to use those aircraft were strictly confined to targets which had demonstrably been involved in terrorist attacks elsewhere. I believe that what my hon. Friend says is correct.

Mr. Hattersley: Does the Prime Minister still hold the view that she expressed on BBC on Sunday—that there is never any possible justification for terrorism and violence?

The Prime Minister: I do not wish to put a gloss on what I said in that interview. It was a long interview and I believe that I explained my views fully.

Mr. Hattersley: Since, as part of that full expression of the Prime Minister's views, she said that violence and terrorism are never justified in any circumstances, will she now join us in condemning the violence and terrorism of the Contras in Nicaragua and in condemning President Reagan for providing military and financial aid to that terrorism?

The Prime Minister: I also referred to that in the interview and I neither wish to add to nor detract from what I said.

Mr. Hattersley: It was because I heard the Prime Minister refer to that that I wanted to express the nation's contempt for her double standards in that matter and give her a second opportunity of joining with the Opposition in condemning all terrorism—terrorism in Nicaragua and Libya. Why does she not do that now?

The Prime Minister: Because the right hon. Gentleman will also recall that I said what our policy on Nicaragua was. It was to support the Contadora process and get out all advisers from Nicaragua, including the many thousands of Cubans.

Q2. **Mr. Andrew MacKay** asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. MacKay: Will my right hon. Friend find time today to confirm that she supports the view of the overwhelming majority of law-abiding people in Britain that the police are doing an excellent job, often in difficult circumstances, and not the view of Sharon Atkin, the prospective Labour candidate for Nottingham, East, who tells us that they are on the rampage and out of control?

The Prime Minister: I join my hon. Friend in believing that the police do an excellent job in Britain, completely impartially. I condemn those politicians who never hesitate to take a chance of criticising the police and the powers that enable them to carry out their task.

Mr. Dubs: When did the Prime Minister first learn of a plot to intimidate Mr. Gerry Gable of *Searchlight* magazine, and when was she told that a Conservative Member of Parliament was implicated in that allegation?

The Prime Minister: If the hon. Gentleman has any information of any kind he should give it to the police. Police matters, as he is well aware, are not for me.

Mr. Alex Fletcher: Was not the Soviet Union's failure to give the earliest possible warning to neighbouring countries about the dangers of nuclear fallout, and to say nothing about the lack of advice to their own citizens, a most callous and irresponsible act? Will my right hon. Friend take the earliest opportunity to condemn that action of the Soviet Union, both directly and through the offices of the EEC and the United Nations?

The Prime Minister: As I say, there will be an answer to a private notice question later, but I understand that the Swedish and Finnish Governments were informed of the accident only after radioactive clouds had reached their territory. It is, of course, a duty upon an authority that belongs to the International Atomic Energy Agency to report accidents to that agency.

Mr. Alton: What help and advice have been requested of the United Kingdom's Atomic Energy Authority in combating the fires that are now raging following the disaster in the Soviet Union yesterday? What transfrontier agreements exist between the Soviet Union and other countries for combating leaks of radioactive waste, and what agreements exist dealing with the disclosure of information after such leaks occur? Does the right hon. Lady not think that the disaster yesterday should cause us at least to reflect on the desirability of proceeding with the reprocessing of nuclear waste at Sellafield?

The Prime Minister: As I said, there is a reply to a private notice question, I believe, coming up later. We have not, as far as I am aware, received any requests for help, which is perhaps not surprising in all the circumstances. We are not in a position to make an assessment, and I have already indicated my views on the British nuclear industry, which has very high standards indeed.

Q3. **Mr. Stern** asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Stern: Will my right hon. Friend confirm that the apparently small increase in the old-age pension this July is caused by the fact that it is an interim increase, with a further amount due next April? Does she further agree that this Government's record in caring for the old-age pensioner is second to none, not least by bringing down the rate of inflation to a level that would have been declared to be both impossible and unattainable by the Labour Government?

The Prime Minister: My hon. Friend is correct. The increase that takes place in July is an interim increase following the major increase last November, which was £2·50 for a single pensioner and £4 a week for a married couple. There will, of course, be a further increase next April. I also agree with my hon. Friend that it is a great advantage to pensioners and to their savings to get down the rate of inflation. I hope that that advantage will continue. It will, for as long as we have a Conservative Government.

Mr. Raynsford: Does the Prime Minister agree that had the increase in the pension continued to be based on the increase in inflation or earnings, whichever was the greater, as was the case under the Labour Government, the average pensioner would be several pounds a week better off now?

The Prime Minister: Yes, but a Labour Government would have been broke long before they could implement their policy. Whatever the hon. Gentleman says, the pension under a Conservative Government buys more than it did after the last increase of Labour.

Mr. Alexander: In view of the wide appreciation in the United States of my right hon. Friend's support for the

Libyan bombing, will she take the opportunity at this week's summit to ask President Reagan whether he will take further steps to curb the activities of Noraid, which promotes and subsidises terrorism in parts of the United Kingdom?

The Prime Minister: My hon. Friend is correct. Of course this subject will be discussed at the summit and in the margins of the summit. I should like to thank both the President and most — indeed, all — Members of the Administration for the strenuous efforts that they have made to condemn terrorism and violence in Northern Ireland and to stop any finances coming from the United States to feed that terrorism. I shall make the point again to the President, and hope that the Senate will pass the extradition treaty.

Q4. **Mr. Meadowcroft** asked the Prime Minister if she will list official engagements for Tuesday 29 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Meadowcroft: Does the Prime Minister recognise that the concern expressed following the accident at the nuclear power station in the Soviet Union obviously expresses the concern that everybody feels about such accidents? Will the Prime Minister recognise that international action is required, and will she initiate action under principle 21 of the United Nations declaration on the human environment of 1972—*[Interruption.]*

The Prime Minister: I wish that I could have heard all the hon. Gentleman's question, but, as I indicated, there will be replies to supplementary questions on a private notice question afterwards. The record of our own nuclear industry is absolutely superb. If there are any accidents overseas of the kind that we have seen in the Soviet Union, they should be reported to the International Atomic Energy Agency, so that the lessons can be learnt universally.

Mr. Sayeed: Will my right hon. Friend take time today to consider how best to use her very considerable abilities and standing in the world to persuade the USSR to abolish the use and production of chemical and biological weapons, so that the United States does not feel it necessary to develop binary weapons?

The Prime Minister: Yes. My right hon. Friend the Minister of State had something to say about this yesterday. The Soviet Union possesses over 300,000 tonnes of chemical warfare agents. Like the United States, we in Britain are committed to seeking a negotiated ban, and a successful outcome to the Geneva talks would obviate the need for the United States to pursue modernisation. The fact that the Soviet Union has continued to build up its stockpile, while no United States weapons have been produced since 1969, is conclusive proof that one-sided disarmament does not work.

Q5. **Mr. Austin Mitchell** asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Mitchell: Will the Prime Minister take time to reflect on, and explain to the country, what she sees as the moral difference between killing and maiming innocents by exploding bombs underneath them, and killing and maiming innocents by throwing bombs on their heads?

The Prime Minister: If the hon. Gentleman is saying that one must never be prepared to use force against those who attack us with force, he is giving in to terrorism.

Mr. Rowe: On a point of order, Mr. Speaker, arising out of questions. As is so often the case, it took the Opposition Front Bench three attempts to make a point that a Back-Bencher would have had to make in one. Was it in order for the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) to have made his third attempt in a form that was not even a question?

Mr. Speaker: Order. The hon. Gentleman has been here long enough to know that a certain latitude is always given to the Front Benches.

Soviet Nuclear Accident

3.31 pm

Dr. John Cunningham (Copeland) *(by private notice)* asked the Secretary of State for the Environment if he will make a statement on the dangers to the British Isles of fallout from the accident at the Soviet nuclear plant at Chernobyl, near Kiev.

The Secretary of State for the Environment (Mr. Kenneth Baker): The whole House will want to join me in expressing sympathy to the people of the Soviet Union. We do not know with any certainty the precise nature of the incident, but it is clear that there may have been significant casualties.

A disturbing feature of this incident is the way in which knowledge of it has come not from the Soviet Government, but from monitoring in other countries. I would urge the Soviet Government to give a full account of what has happened and the steps that have been taken to bring the incident under control.

We for our part are monitoring, through the United Kingdom Atomic Energy Authority, the National Radiological Protection Board and the Ministry of Agriculture, Fisheries and Food, levels of radioactivity in the United Kingdom. Present evidence suggests that there is no danger to the United Kingdom, but the situation will continue to be monitored carefully.

Dr. Cunningham: I thank the Minister for that statement. Will Her Majesty's Government make strong and immediate representations to the Government of the Soviet Union on the need for the most full and urgent disclosure of all information about the nature and the scale of this accident? Can he confirm that a graphite moderated reactor in the station, comprising four light water reactors without, apparently, any secondary containment, has been on fire for several days?

Do Her Majesty's Government have any information about the nature of the radioactive emissions that are taking place? Will Her Majesty's Government respond positively to any requests from the Soviet Union for assistance? Can the Minister confirm that there are no nuclear stations of this type and design in the United Kingdom? Will any additional monitoring in the United Kingdom be required and what liaison is taking place with other European Governments on the nature of the contamination?

Will Her Majesty's Government join other European Governments to request international inspection of the site and the consequences of the accident? Does the Secretary of State know whether there are any British citizens in the vicinity of the plant? Finally—[HON. MEMBERS: "Hear, hear."] I am astonished that Conservative Members apparently do not regard this as a serious matter. Will the Secretary of State convey the sympathy of my right hon. Friend the Leader of the Opposition, my hon. Friends, myself and the House to the Government and people of the Soviet Union?

Mr. Baker: On the hon. Gentleman's last point, I am sure that the beginning of my statement will cover that. I speak on behalf of the whole house. There have been casualties and clearly we are concerned. On the matter of strong representations to the Soviet Government, my right hon. Friend the Secretary of State for Energy this morning asked that full details of the accident and what is happening be made available. I cannot confirm details about a continuing fire at the moment.

We have not received any request for assistance through our embassy, but I can assure the House that if we receive a request for assistance of a scientific nature and we can be helpful assistance will be made available.

I can confirm that we have no power stations of the type involved in this incident in the United Kingdom. There has been extensive monitoring in the United Kingdom by the National Radiological Protection Board in Oxford and Glasgow with gamma monitors. There is no evidence of increased radioactivity at present. The Ministry of Agriculture, Fisheries and Food is checking deposit in the United Kingdom. It has collecting posts on the east coast and also on high rainfall areas in north Wales. Milk samples will continue to be taken this week.

All the Central Electricity Generating Board power stations have monitoring equipment and there is no indication of an increase in radioactivity. On the issue of international inspection, the Soviet Union is a member of the International Atomic Energy Agency, and, as such, I hope that it will make information about the accident available through that body—because that is part of the principle of it. It is valuable for the world nuclear industry to know as much about it as possible.

The hon. Gentleman asked about British citizens. At this stage we do not know whether any British citizens were affected, but the embassy in Moscow is making inquiries.

Mr. Patrick Jenkin (Wanstead and Woodford): Is it not clear that many of the questions asked by the hon. Member for Copeland (Dr. Cunningham) would have been better addressed to the Soviet Government? Is there not a remarkable contrast between the reticence of the Soviet authorities about what is obviously an extremely serious accident and the openness of the system in western Governments, most recently exemplified by the statement of the new chairman of BNFL, Mr. Harding, which has been so warmly welcomed by environmental interests in this country?

Mr. Baker: Unfortunately, there is a striking contrast. We have to be concerned about public opinion and it is only right and proper that we should put our cards on the table and be open—as we are—on these matters. I have been speaking this morning and this afternoon to representatives of our large team of nuclear inspectors and confirming that in our nuclear policy safety is absolutely paramount. In fact, if nuclear energy is to be generated, as we believe that it should be, it must carry the conviction of the people. That can be done only by very rigorous safety standards.

Mr. David Alton (Liverpool, Mossley Hill): Is the Minister aware that the British Council has said that there are some 100 British students and several teachers in the Kiev region? What have the authorities in Moscow and Leningrad done to try to make contact with them to ascertain their safey? Will he also agree that it is somewhat wry for the Government to criticise the lack of information coming from the Soviet Union, regrettable though that is, when the Government have a very tight rein over the information made available from our own nuclear industry? Far too much secrecy shrouds our nuclear industry.

Mr. Baker: The hon. Gentleman does his cause no good by exaggerating. There is openness and frankness in this country in dealing with the nuclear industry. It is one of the most regulated industries we have, with a vast number of checks and balances on environmental grounds and safety in the plants. The embassy in Moscow is checking on the students. We know that there are some students in Minsk which is just 100 km to the north of the incident.

Mr. David Crouch (Canterbury): Will my right hon. Friend, in conjunction with his right hon. Friend the Secretary of State for Energy, stress to the Government of the Soviet Union the importance of the complete release of all the information concerning this tragedy so that we may share the information regarding such a disaster and learn from it?

Mr. Baker: Yes, I will certainly do that. The information will be of interest to us and to the Scandinavian countries which have been more directly affected. It is important that the information is available, as we all make strong representations to the Soviet Government.

Mr. Tony Benn (Chesterfield): Before the right hon. Gentleman is too ready with his criticism of concealment of information, which I too regret, would he accept that a major nuclear explosion at Kyshtym in the Soviet Union in 1958 was monitored by the Central Intelligence Agency which notified the Atomic Energy Authority in Britain but told the British agency not to make the information public for fear that it might cause anxiety about the use of nuclear power? There are many other examples of such concealment.

Apart from the risks of a radioactive cloud reaching Britain, which I agree is unlikely, will the right hon. Gentleman undertake to ensure that, before any authority is given to proceed with the pressurised water reactor, there is a full report of the cause of the light water reactor accident at Chernobyl? Is it not time that the House had an opportunity for a debate on nuclear power as a growing number of people believe that the time has come to phase it out?

Mr. Baker: The right hon. Gentleman's last point is not a matter for me. However, with regard to his first point, the right hon. Gentleman would be on stronger ground if the Soviet Union had told the world about the accident when it occurred rather than our learning about it from the monitoring equipment in other countries. I strongly contest the right hon. Gentleman's view that there is anything less than frankness in our dealings with the nuclear industry in Britain. I dare say that, over the coming weekend, the protests about nuclear energy will be much stronger in the West than in the Soviet Union.

Mr. Michael McNair-Wilson (Newbury): Does my right hon. Friend not agree that the disaster illustrates the international dimension to nuclear accidents? As a result, does he think that it is now time for some international monitoring, or better still, international safety standards for nuclear reactors?

Mr. Baker: My hon. Friend will know that we are a member of the International Atomic Energy Agency; that involves obligations of openness and a willingness to allow inspection and examination of records and things of that kind. That is very important as it stresses the international nature of the nuclear industry.

Mr. Donald Stewart (Western Isles): Does the right hon. Gentleman agree that the catastrophe has demonstrated again that such accidents cannot be confined to national boundaries, like other less deadly forms of pollution? Will he intercede with his right hon. Friend the Secretary of State for Scotland to postpone the present inquiry into the Dounreay reprocessing plant until the countries which might be affected by any radioactivity from that plant have been consulted?

Mr. Baker: The right hon. Gentleman should appreciate, as I am sure he does, the very good safety record of the British nuclear energy industry. There has been no full-scale major incident in 25 years in the operation of several power stations. The highest standards of safety are used in the design and construction of British nuclear power plants.

Mr. Richard Alexander (Newark): Will my right hon. Friend consult his right Friend the Home Secretary to discover the best way to deal with the hordes of CND and Greenpeace protestors who are no doubt at this moment massing outside the Soviet embassy?

Mr. Baker: As I said in reply to the right hon. Member for Chesterfield (Mr. Benn), the protests are likely to be much greater in western capitals this weekend than in Moscow.

Mr. Frank Cook (Stockton, North): I have taken note of the opinion expressed by the Secretary of State, that the nuclear industry in Britain has been open and frank about its operations; I am reassured by that. However, in view of the difficulty experienced in obtaining information about Sellafield in the past, will he assure us that the information that is made available by the Soviet Union will be freely available in Britain? Furthermore, will he ask his right hon. and learned Friend the Foreign Secretary to ensure that his Department makes representations on behalf of people like my constituent Mr. Robin Denham who is currently studying at the university of Kiev and who has been exposed to grave danger as a result of the accident? Will the Secretary of State arrange for the British authorities to make arrangements for the evacuation of British subjects, should it prove to be necessary?

Mr. Baker: On the hon. Gentleman's last point, I shall draw to the attention of my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs the name of the hon. Gentleman's constituent. I assure him that the British embassy in Moscow is making urgent inquiries about the number of students in both Kiev and Minsk. The information that we get will be made publicly available.

Mr. Robert Banks (Harrogate): Does my right hon. Friend agree that there are many lessons to be learnt from this disaster, not least that it is immensely important for a nation to have the insurance of trained civilian personnel to deal with emergencies and to offer advice and protection from radiation to those who seek it?

Mr. Baker: I agree with my hon. Friend that there are elaborate emergency arrangements in all civil nuclear power plants which are tested fully; and the staff are

[Mr. Baker]

trained to deal with emergencies. I emphasise again that the design of the Russian reactor—a light-water-cooled graphite moderated reactor—is unique and that there are no other stations like it in the West. I understand from the Central Electricity Generating Board that British experts have evaluated this design and rejected it as unstable.

Mr. D. E. Thomas (Meirionnydd Nant Conwy): Will the Secretary of State accept the deep concern and sympathy of those who have nuclear power stations in their constituencies for the community which has been affected by this disaster? Will he take new initiatives at the international level, through the International Atomic Energy Agency, to ensure that new safety standards worldwide are implemented? It is clear that radiological emission is no respecter of nations and state boundaries.

Mr. Baker: Yes, but that also implies that other countries have to conform to this country's standards. If there had been an accident of that kind in this country, there is no question but that we would have been open and frank about it straight away and that it would have been treated in that way. It is regrettable that that did not happen in this case.

Mr. David Madel (Bedfordshire, South-West): In view of the slow way in which the Russian Government let out this information, will Her Majesty's Government make a formal request to the Russian Government for international inspection of the disaster area?

Mr. Baker: My right hon. Friend the Secretary of State for Energy passed a message to the Soviet Government this morning asking for the fullest information. I am in no position to say whether or not the Soviet Government will respond to that message. Their response may be delayed, but I very much hope not. All sides of the House have made it clear that it is in everybody's interest that as much information as possible should be made available about this incident as soon as possible.

Mr. D. N. Campbell-Savours (Workington): If the present rules of the International Atomic Energy Agency do not provide for the earliest possible disclosure, will the Secretary of State set out to amend those rules, particularly as the Soviet Union is a participator in that agreement?

Mr. Baker: It is no good taking a unilateral position unless the other parties to the agreement are prepared also to be frank and open. The international agreement allows for international inspection of civil power stations. The CEGB was, and is, prepared to conform to that agreement, but I am afraid that that is not the case, as far as we know, in Russia.

Cornish Tin Industry

3.47 pm

Mr. David Penhaligon (Truro) *(by private notice)* asked the Secretary of State for Trade and Industry if he will make a statement indicating the Government's intention regarding the future of the Cornish tin industry.

The Minister of State, Department of Trade and Industry (Mr. Peter Morrison): The Government have made it clear that they are willing to consider applications for assistance towards the cost of projects which will make the mines competitive in a free tin market. An application from Geevor tin mines is already being considered. An application from the RTZ group is expected shortly. Both will be assessed as rapidly as possible.

Mr. Penhaligon: I remind the Minister of the seriousness of the situation, as these mines are in an area where average male unemployment is in excess of 25 per cent. Already this saga has been going on for six months. Furthermore, I remind the Minister that he still has the £50 million that was offered to the tin dealers. Will the Minister accept that because of the current price for tin very few mines in the world are breaking even, let alone making a profit? If, therefore, Rio Tinto Zinc could be persuaded to give the mines and the £15 million that they would incur in closure costs to a management-employee buy-out and if the employees could be persuaded to take a pay cut in lieu of some form of long-term profit sharing, would the Government be prepared to make a significant contribution towards enabling a new company to be relaunched on the market so that advantage could be taken of the rise in the price of tin when it occurs?

Mr. Morrison: As the hon. Gentleman knows, I am aware of the serious position in Cornwall. With every respect to him, his question about management buy-outs by those involved in the RTZ mines was hypothetical. As I said in my original answer, we expect a proposition to be put forward by RTZ on the ground that it will make the mines viable at some future stage. Like all Governments, we need to have a test of viability foremost in our minds.

Mr. David Harris (St. Ives): Is my hon. Friend aware of the desperate situation facing Geevor mine—that, unless help is forthcoming this week, it is almost certain that the pumps will be switched off at the weekend and that the mine will be flooded, probably never to reopen? I make an earnest and urgent plea that, before this week is out, the Government will make assistance available to Geevor, at least to keep those pumps going while negotiations continue on the Geevor application.

Mr. Morrison: I assure my hon. Friend that it is important to expedite the Geevor application. Whether we can have care and maintenance in the meantime will depend upon that.

Mr. Dennis Skinner (Bolsover): Do not the Government have a cheek to talk about a test of viability regarding the thousands of people who have lost or will lose their jobs in the tin mines in Cornwall and the south-west when the Government never applied that test of viability to the Export Credits Guarantee Department, when it was £350 million in the red, but used taxpayers' money to bail it out? The Government found £252 million to bail out the Common Market, because it had run out of funds, and more than £100 million to bail out Johnson

Matthey Bank, because their friends were involved. The Government talk about a test of viability. Why do they not give people a chance to earn some money instead of throwing them on the scrap heap and paying out dole money which the taxpayers have to find?

Mr. Morrison: If I recall correctly, the hon. Gentleman supported a Government during the 1970s——

Mr. Skinner: Supported a what?

Mr. Morrison: —supported a Government during the 1974-79 period that used the test of viability to close down the Ebbw Vale steelworks in the constituency of the right hon. Member for Blaenau Gwent (Mr. Foot). They used the test of viability, as we must.

Mr. Robert Hicks (Cornwall, South-East): Is my hon. Friend aware of the rising sense of frustration and annoyance at the delay in resolving the tin question with specific reference to the Cornish tin-producing mines? Will he assure the House that the various suggestions and applications that have been made will be dealt with immediately by his Department in the context of our county, which is already in a hard-pressed economic position?

Mr. Morrison: The simple answer to my hon. Friend is yes. If my hon. Friend were to discuss the matter with the management of Geevor and of RTZ, he would be informed that my officials have dealt with the matter as expeditiously as possible in terms of the preparation of submissions, and so on. Therefore, the simple answer is yes.

Mr. Michael Foot (Blaenau Gwent): I advise the hon. Gentleman to check his facts a little more carefully before he again refers to Ebbw Vale. Regarding the specific question which he is supposed to be answering today—on the Cornish tin mines—will he look back and see what a Labour Government did to put money into those mines and to keep them going thereafter? Without that money, the closures might not have taken place in the late 1970s. Many miners in Cornwall know that that is the truth, even if some of their representatives in this place do not.

Mr. Morrison: I am delighted to be reminded by the right hon. Gentleman that I should check my facts more carefully on the steel works which I mentioned. I certainly am aware of what happened under the previous Administration.

Sir Peter Emery (Honiton): I remind my hon. Friend that, as long ago as Easter, the Select Committee on Trade and Industry published an interim report urging the Government to be prepared for the possibility of the action that has now come about and to be ready to take interim measures to sustain the position until final decisions can be made. Will my hon. Friend express a greater assurance which we can pass on to management and workers in Cornwall and which will allow them to continue until a final decision has been made? Surely it would be fatal to have the matter closed now, because the Government might come forward with a favourable decision in four or five weeks.

Mr. Morrison: I am aware that the Select Committee on Trade and Industry spent a considerable time looking into the matter. Its report goes into detail in many ways about the whole tin problem. I am aware also that the Select Committee recommended certain proposals that the Government should adopt. I hope that my hon. Friend agrees that it would not be sensible to reply to the Select Committee's proposals until we have had an application from RTZ—we shall reply as soon as we can—because that would be the wrong way to proceed. I listened carefully to my hon. Friend's other question.

Mr. Stan Crowther (Rotherham): Would it not be disgraceful if this small but important industry, which contributes many millions of pounds a year to the national economy, were allowed to die from lack of help from a Government who claim to be devoted to the free market philosophy but who have actively supported an international cartel which was set up to manipulate the market and whose activities the Select Committee found came pretty close to the borders of criminality? If Ministers are prepared, as they said they were, to put £50 million of taxpayers' money into trying to rescue the dealing end of the business, does it not make sense to accept the Select Committee's recommendation that the Government should invest at least that amount in the producing end of the business where the real wealth creation takes place?

Mr. Morrison: With respect, I do not think that the hon. Gentleman listened to my original answer. I said that my Department was looking carefully at applications to ascertain whether they passed the test of viability. That is precisely what we are doing and, I think, what the hon. Gentleman would want us to do. I can assure the hon. Gentleman that we could not be looking more closely at the applications.

Mr. Robin Maxwell-Hyslop (Tiverton): Is the problem for my hon. Friend as a Minister the fact that the test of viability depends upon predicting the world price of tin after the banks have finished unloading the tin warrants they hold as security and after the mines throughout the world have finished unloading the stock which they thought they had sold ahead but for which the contracts have gone bad? Will my hon. Friend follow the much more positive recommendations of the Select Committee on Trade and Industry, as expressed by my hon. Friend the Member for Honiton (Sir P. Emery), and support the development work in the mines which will reduce production costs, whatever the price in five years' time? None of us can possibly foresee that price. As this crisis will drive out many marginal producers in the world, is it not sensible to take a "risk"—no one can predict the price four or five years ahead — and support employment rather than suffer unemployment?

Mr. Morrison: I agree with my hon. Friend that one important element is the price of tin in three, four or five years. I agree also with his proposition that, if there is to be investment in any of the mines in Cornwall, it must be aimed at reducing production costs. The judgment to be taken is based more on the former than on the latter. We shall have to take those matters into account, as will the companies concerned.

Mr. Tam Dalyell (Linlithgow): Judging from the example of Polkemmet in my constituency, once the pumps have been turned off in any mine, one might as well call it quits. May I ask a question of fact? How much tin will actually be anaesthetised by any decision to close down the mines and cut off the pumps? It may not be

[Mr. Tam Dalyell]

possible to regain the tin at any time. Frankly, is this not another case of accountants in the City of London making decisions on matters for which they have little feeling?

Some of us support strongly the views of the Cornish tin miners. As one who has attended party meetings in Cornwall, I know how strongly they feel. Their factual questions have not been answered. What are the reserves of tin which will be anaesthetised? Does the Department know, or does it have no notion?

Mr. Morrison: Of course the Department knows. The amount of tin produced at the current price, which is just under £4,000 a tonne, is equal to the sum of £25 million a year. Of course the hon. Gentleman will appreciate that tin is an international commodity——

Mr. Dalyell: What are the reserves? The Minister is not answering the question.

Mr. Morrison: I have answered the question. One of the points which must be taken into account is that there is, to a great extent, over-production; that is why the price of tin has come down gradually.

Mr. Kevin McNamara (Kingston upon Hull, North): Will the Minister confirm that, in 1979, RTZ was offered money under the Labour Government scheme to develop the mine? The company turned down that offer because it was confident that it would prosper under the present Government. More important, is the Minister aware that over 1,000 members of my union and other unions are likely to be made unemployed as a result of this action? While the Minister is waiting for RTZ and the other companies to state the schemes to make the mines viable, what are the Government prepared to offer the firms to maintain jobs? That is what Cornish people want to know, and that is what my union want to know. What are the Government prepared to offer the companies to keep people in jobs?

Mr. Morrison: The hon. Gentleman asks a hypothetical question. The answer depends entirely on what applications are made. The hon. Gentleman is aware that, under regional grant and regional assistance, aid is not cash-limited so the answer is as long as a piece of string.

Mr. Ian Wrigglesworth (Stockton, South): If these mines are closed there will be dire consequences for Cornwall, the industry and the country. In view of that, will the Minister explain more fully to the House what he means by viability? When considering viability, will the Minister take into account the long-term position of these mines, and the enormous cost to the public purse as well as the companies involved of closing any pits?

Mr. Morrison: I hope that it goes without saying that the long term is what we must take into account. Obviously, at this stage, there is no question of the mines being anything but unviable. Any investment will be in terms of production costs and the price of tin in three, four, or five years' time.

Mr. Dalyell: What a bloody way to run the country.

Mr. Alan Williams (Swansea, West): Why is the Minister reluctant to show any relevant initiative when he is faced with this critical problem? Will he recognise that this is not a normal rescue case? In addition to needing the appropriate investment decision to which he has referred, there is a desperate need for interim aid to meet the crisis which has followed the collapse of the International Tin Council. The Minister has sat back for six months. He has watched the situation develop, he has done nothing and now he has been caught unawares.

Does not the hon. Gentleman realise that it is not just a matter of 1,300 jobs at Geevor and RTZ, but also of more than 2,000 other jobs in the Cornish community which depend on those mines? The present 3,000 jobs in Cornwall will be impossible to replace now that regional aid has ben diminished to a cosmetic sham. When the Minister eventually makes his penny-pinching calculations, will he recollect that these mines put £26 million a year into the local Cornish economy? What is at risk is not just the viability of the mines, but the viability of a sub-region.

Will the Minister reflect on the fact that, last year, the same mines saved the country £40 million in import substitution? The Minister could rescue the mines for less than the annual £80 million cost of keeping 3,000 miners and dependent workers on the dole queues for two years.

Mr. Morrison: I do not think the right hon. Gentleman is correct when he says that no real initiatives have been taken. During the last few weeks my Department could not have done more in terms of encouraging applications, sifting them carefully and giving guidance on how best they could be put forward. That is the fact of the matter. The right hon. Gentleman suggests that we should go down the route of operating subsidies regardless. On reflection, that would not be the right course to pursue.

Prison Officers' Dispute

4.5 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): Mr. Speaker, I will with permission make a statement on the dispute with the Prison Officers Association.

The House will recall that I set out the issues in the dispute in my reply to a private notice question from the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 17 April. Since then I have twice met representatives of the national executive committee of the Prison Officers Association. Following my first meeting, I put to them, in writing on 22 April, a package of proposals for resolving the dispute. When I met them again yesterday, POA representatives accepted that my proposals provided a way forward. They undertook in return to consider my request that they call off industrial action in order to allow a resolution on this basis to proceed.

In the event, the POA declined yesterday to go beyond the offer of an undertaking that it would instruct its members not to take action while talks on the basis of my proposals were proceeding. In effect, that amounted to an offer to suspend, but not to call off, its industrial action. But its previous undertaking to suspend had proved ineffective, and damaging industrial action had taken place despite it. So its position yesterday represented no advance on the situation it had taken in talks last week and was not acceptable. The Government cannot conduct talks under the continuing threat of further industrial action in this vital public service.

The POA therefore broke off discussions and has announced that it is considering ways of extending its industrial action, which may include strike action. As I make this statement, it is still not clear what action the POA may take in practice.

I deeply regret this action by the national executive committee of the POA, which shows no regard for the longer-term interests of its members or, equally importantly, for the prisoners in its members' charge. The sort of industrial action that we have already seen at Gloucester prison—where prison officers yesterday took control of the prison and refused to accept the orders of their governor and where they are still refusing to return to normal working—is unacceptable. The Government will take all possible steps both to sustain the right of governors to manage their prisons and to protect prisoners and the public from the consequences of POA action. In this context, a circular will be issued tomorrow to the courts containing advice on the implications for them of the dispute. A copy will be placed in the Library of the House. I shall consider any further measures which may be necessary.

I take this opportunity to make a further appeal to prison officers to look at the package of proposals I have placed before them and to judge whether it is worth throwing that away by taking further industrial action. As I have publicly acknowledged many times, prison officers do a difficult and often dangerous job. They deserve to be well paid. But the heavy burden of overtime must be lightened and there must be increased efficiency.

Progress towards formal discussions about a range of new systems designed to meet all these objectives was being made when the NEC call for industrial action went out. The agenda for talks, set out in my letter of 22 April, represents a positive way forward for prison officers and, indeed, the whole prison service. I very much hope that even now, prison officers will end their action to avoid lasting damage to the prison service and to their own interests.

Mr. Gerald Kaufman (Manchester, Gorton): Two years ago the Government were insisting that industrial action was unacceptable without a ballot. Now they are insisting that industrial action is unacceptable with a ballot: a ballot with 78 per cent. voting and 81 per cent. in favour of industrial action, and a ballot held under the Government's own legislation.

Prison officers carry out a dirty and dangerous job in increasingly difficult conditions, caused by the collapse of the Government's law and order policy and the record crime wave under this Government, which has produced a huge increase in the prison population and unprecedented overcrowding, with as many inmates now as the Home Office forecast for 1993. Prisoners are often three in a cell. They may be locked in their cells for 23 hours and the workshops may be closed.

The Government are spending more money on building prisons but are seeking to save money on running them, with prison officers being left to carry the burden, especially with the extra duties that they now have in servicing the unprecedented number of prisoners on remand. The prison officers have made it clear that they fully agree that it is not their role to control manning levels, but why will the Home Secretary not agree to a proper and sensible role for them in deciding safe manning levels, particularly as the POA has offered to instruct its members to take no further action while talks are going on?

That would be the sensible way of solving these difficulties, and would be much more sensible than the ridiculous antics going on at Gloucester prison. Last night, the deputy governor arrived at the prison gate and announced that he was bringing fish and chips for the governor. Under cover of that fast food, four assistant governors rushed in to take over the prison. Will the Home Secretary repudiate such tactics, and admit that the Government have been planning for this very dispute for many months?

That is demonstrated by the 80-page document that I have with me, which was circulated months ago. It is headed:

"Confidential

Association of Chief Police Officers of England, Wales and Northern Ireland

Industrial Action In The Prison Service

Police Contingency Planning

Notes of guidance."

Among other things, the document says:

"Confidentiality is most important in relation to contingency planning. Should it become known to the POA that such planning was taking place by police it may result in the escalation of an already delicate situation."

It is a delicate situation, and the contingency planning has become known.

The Government long ago decided that, after other groups of workers whom they had chosen, the prison officers would be their next enemy. I warn the Home Secretary that with his intransigent bungling in this exceptionally delicate area he is recklessly playing with fire.

Mr. Hurd: I always hope for better from the right hon. Gentleman but I am always disappointed on occasions like this.

The neglect that the whole prison service suffers from is the neglect of previous Governments to do anything about prison building—*[Interruption.]* My right hon. and noble Friend the Lord President of the Council started the prison building programme after years of neglect by others. By now the right hon. Gentleman should know that we have recruited 18 per cent. more prison officers since 1979 while the number of prisoners has increased by 12 per cent. Consequently, it is completely false to say that we are not staffing to match the increased prison population. We have staffed over and above the increase in prison population.

The POA and I thought that last week we were very near agreement on the POA's role in being consulted over manning levels. I wrote the POA a letter which I hope that the right hon. Gentleman will study. The POA wrote back indicating that the contents were very near to what it had in mind. Industrial action then followed. The POA said that it would be willing to suspend industrial action, but it was not suspended. In those circumstances, I am sure that discussions can only fruitfully take place if the POA calls off industrial action.

I entirely disagree with what the right hon. Gentleman said about Gloucester. Yesterday, the situation there was serious, because POA members refused to run the prison in the way that the governor directed. Later, as a result of the governing grades' ingenuity, a number of governing grades were able to enter the prison. The situation is now under control. However, if they had followed the right hon. Gentleman's advice, the situation in Gloucester prison would be out of control.

Of course there are contingency plans. If we had reached this position and it had appeared to the House and the right hon. Gentleman that there were no contingency plans, he would have been the first to jump up and down in excited indignation, wanting to know why we had not foreseen this possibility. But as I said at the end of my statement, I believe that we were close to agreement last week. I also believe that we are close to an understanding now. However, I hope that the POA will understand that it is not possible for any of us to get on with the agenda that we are anxious to discuss while the threat and reality of industrial action hangs over us.

Mrs. Sally Oppenheim (Gloucester): I concur with my right hon. Friend in his general line, and deplore the militant action that has taken place. But will he bear in mind that—as he will know from correspondence that he has had with me—prison officers in Gloucester have been under considerable pressure? That pressure is the result, among other things, of the presence of a special unit in the prison and of at least one prisoner who is suffering from AIDS. Those prison officers have a long history of fine service and non-militancy, and I hope that my right hon. Friend will bear that in mind when discussions resume. Will he give an undertaking to take whatever steps are necessary to protect the citizens of Gloucester if things get out of hand?

Mr. Hurd: Yes indeed. I do not believe that there is any threat to the security of Gloucester prison, thanks to the timely action that the right hon. Member for Manchester, Gorton (Mr. Kaufman) criticised. What my right hon. Friend has said about the role of prison officers is true, not only in relation to Gloucester but elsewhere. However, in view of some of the things that have been said, I should make it clear that no one has been dismissed as a result of these activities. If the POA staff agree to work normally under management's instructions, they will be reinstated.

Mr. Stephen Ross (Isle of Wight): As I have three prisons in my constituency and two of them are high security prisons, may I support the call for saner counsels to prevail? Is it not a fact that on Sunday, at least, prison officers at Leicester went back to work at the POA's request? Is the Secretary of State aware of the niggling things that have been introduced into the prison service, particularly in Albany, that payments due to prison officers have been withheld, niggling restrictions have been imposed, and the number of prison officers on night duty, in particular, has fallen to a dangerously low level? Surely it would be possible to renew negotiations with a postponement of industrial action, even though that action has been voted for by a very large majority of the POA. That would be better than calling for absolute abandonment, which is totally unrealistic.

Mr. Hurd: Yesterday I was holding discussions with representatives of the POA. In theory, action was suspended, but in fact action of particularly damaging and disruptive kind was under way at Gloucester, Swansea and Northallerton. One cannot allow such a situation to continue. With his knowledge of these affairs, the hon. Gentleman will understand that we have been recruiting prison officers at a substantially faster rate than the rise in the number of prisoners. However, we are not using them correctly.

There are all sorts of rigidities and inflexible practices which, if we could discuss them constructively with the POA, would be resolved. We could say goodbye to a good many of them, and that would increase the resources available for other purposes within the prison service. That is what I want to get on with, but I cannot do so in the sort of circumstances that obtained yesterday, when in theory action was suspended but in practice it was raging.

Mr. Peter Bruinvels (Leicester, East): Will my right hon. Friend accept that, as a Leicester Member of Parliament, I did not agree with the industrial action taken by some of Leicester's prison officers? However, they are under some strain because of the secure wing. May I have my right hon. Friend's confirmation that there will be no surrender, that the courts will not be deterred from passing custodial sentences, and that everything possible will be done to ensure not only that there are custodial sentences but that there is a proper ballot by all prison officers before any further strike action is taken?

Mr. Hurd: My hon. Friend will know that there was a ballot that empowers the national executive to take industrial action but does not compel it to do so. I agree with my hon. Friend and hope the executive will decide in the interests of its members and of the prison service not to use that mandate. My hon. Friend will wish to look carefully at the circular to the courts. I hope he will agree that it does not run counter to the principles he talked about.

Mr. Merlyn Rees (Morley and Leeds, South): I accept that the problem of running the prisons has been with us

for a long time. It goes back to the Administration in which I was Home Secretary, but also goes back beyond that, to previous Home Secretaries. An approach in narrow party political terms, suggesting that it is all the fault of the Labour Government, will get the Home Secretary nowhere. *[Interruption.]* The Home Secretary can answer for himself and he does not have to respond. I realise that this is a difficult subject. What was this agreement of a mere few days ago from which all would have been well? Would it not help public discussion to see who was wrong and who was right if the Home Secretary told us what the agreement was?

Mr. Hurd: I responded temperately to the attack by the right hon. Member for Manchester, Gorton (Mr. Kaufman) who said it was all our fault. I had hoped that such an attack might not be made on this occasion but it was made. The right hon. Member for Morley and Leeds, South (Mr. Rees) will absolve me from too much intemperateness in my reply to his right hon. Friend.

My letter of 22 April has already been made fairly well known and is in the Library. That is the letter to the general secretary of the POA in which I set out the understanding upon which we were close to agreement on the role of the POA in being consulted and in discussing manning levels. I went on to discuss the pay claim, which should be about to be negotiated with the Treasury. Obviously, such negotiations cannot take place in present circumstances. I also discussed tax compensation on housing allowances and the whole matter of working practices, which I have already discussed. That is the agenda that I want to get on with and, given his experience, the right hon. Gentleman will understand the importance of that.

Mr. David Crouch (Canterbury): There is a prison in my constituency and I have been meeting prison officers for the last 20 years. I have a high regard for the officers and for the service that they provide, both to the public and to the prisoners. However, I wholly condemn their approach in taking industrial action, just as I wholly condemn the attitude of the right hon. Member for Manchester, Gorton (Mr. Kaufman) who exacerbated the problem by what he said. Can we do something to assist this somewhat silent, forgotten and hidden service? The prison service is somewhat hidden when compared with the police. The officers do not have a parliamentary spokesman and sometimes think that they are somewhat forgotten. I hope that my right hon. Friend can assure them that taking industrial action is not the way to be remembered or noticed.

Mr. Hurd: I entirely agree with my hon. Friend. The prison service has suffered from under-discussion — if there is such a term. It would be a good thing if the House, the political parties and the public in general outside the specialist groups, took a greater interest in the state of the prisons and in what we are doing to remedy the conditions that we find.

Mr. Chris Smith (Islington, South and Finsbury): Is it not entirely understandable that officers at Pentonville prison in my constituency are anxious and angry about the conditions under which they have to perform their duties? That prison was built for 600 and is now housing 1,000 prisoners. Three workshops are being closed down and, because of under-staffing, wings are left for hours at a time without being patrolled. Those are the problems. What action does the Home Secretary intend to take to tackle those basic issues that lie at the heart of this dispute?

Mr. Hurd: The hon. Gentleman describes the scandal of overcrowding. If he had carried out his research correctly he would know where to attribute the blame for that. As the hon. Gentleman knows, the knotty part of the problem is the high level of overtime. It averages 16 hours a week per officer and makes up for 30 per cent. of average earnings. By any standard, that is too much. We want to discuss with the POA the proper balance between staffing hours and increased manpower and overtime. As the hon. Gentleman will see from the figures that I have given, an increase in manpower is coming through. Out of such discussions could come a new deal that would get rid of some of the present rigid and restrictive practices and add substantially to the prospects for the prison service as a whole.

Mr. John Hannam (Exeter): I deplore the action taken by the Prison Officers Association but I should like to pay tribute to the prison officers in Exeter prison. It is a remand prison and conditions there have deteriorated over the years. There is severe overcrowding and a shortage of staff. Will my right hon. Friend look again at a subject that worries prison officers — the policy of enforced early retirement? That was imposed in recent years and is a source of great anxiety to prison staff.

Mr. Hurd: I shall certainly look at that, although my hon. Friend will know the reason for it. I agree with my hon. Friend that the rise in the remand population is disturbing. He will know about the efforts that we are making, for example through trials on time limits, to encourage the processes of law to work faster so that there are fewer people on remand.

Mr. Jeff Rooker (Birmingham, Perry Barr): I was recently given an answer to a question about Featherstone prison which was wholly misleading. It was about the overcrowding there and the pressure on officers. It is that kind of false information from management to Ministers that causes Ministers to get into the mess that they are in now. I shall be grateful for an early alteration to the answer that I was given.

It is better for Ministers and others who visit prisons such as Winson Green to do so in the early hours of the morning, at slopping out time, instead of at midday. If they did that they would see the real effects of overcrowding and understand why the prison officers have explained that they cannot any more do random searches of the cells. We have reached a ludicrous state of affairs and it is aggravated by people being sent to prison for less than seven days. It is inexplicable that this kind of thing can go on, because it puts unnecessary pressure on already overcrowded prisons.

Mr. Hurd: It is important for Ministers to visit prisons. As the hon. Gentleman knows, I try to do that and my noble Friend who deals with the prison service also visits the prisons. I reject the hon. Gentleman's remarks about the advice and information that we receive from a highly competent prison management. Of course, he is right about slopping out. That sort of thing is a scandal and has its roots in Victorian times. The arrangements made by the Victorians were perfectly acceptable by the standards of that day, but they are not acceptable now. It takes a long

[Mr. Hurd]

time and a lot of money to put that right, but he will know that we are building 16 new prisons and proposing to refurbish 100 more. A large part of that work will deal with sanitation. We are getting on with the work and the prison officers are well aware of that.

Mr. Ivor Stanbrook (Orpington): Many people will be surprised to find that it is possible for prison officers lawfully to engage in industrial action or to go on strike. Can my right hon. Friend think of anything more vital to the internal security of the country than the prison service? Should we not consider instituting a no-strike agreement in any settlement of this dispute that may be obtained?

Mr. Hurd: I have a lot of sympathy for my hon. Friend's view. He is not the only person to whom this thought will have occurred. We need to give consideration to the matter.

Mr. Greville Janner (Leicester, West): Any enforcement on prison officers of a no-strike agreement would be deeply resented and would remove from them one of the freedoms to which they are entitled. Does the right hon. Gentleman not realise that they have an extremely rough job that is greatly aggravated by wicked overcrowding? If he does recognise that, will he answer two questions? First, will he tell the House something about the circular that will go out to the courts tomorrow, and not leave it to the press to find out about it so that the House cannot question it? Does the circular include provisions for alternatives to imprisonment for people sent to prison for debt? Secondly, has he plans to deal with overcrowding in Leicester prison, which was built for 200 prisoners and is holding 400? It is staffed by people trying to do a good job in the most difficult and sometimes dangerous circumstances.

Mr. Hurd: I shall certainly write to the hon. and learned Gentleman about the plans for Leicester prison. My hon. Friend the Member for Orpington (Mr. Stanbrook) talked specifically about a no-strike agreement, and, indeed, the hon. and learned Gentleman used the same phrase. It is not a question of imposing, but of considering an agreement. That is what my hon. Friend suggested, and that is what I said required consideration.

The circular letter will refer to the fact that if industrial action is taken — I hope it will not be taken — the business of the courts will inevitably be disrupted. The letter will seek the understanding of magistrates courts, and will suggest ways of reducing the burden on the police; for example magistrates courts may be able to adjourn some cases or to grant bail immediately in others. We shall draw attention to difficulties and ask the courts to bear them in mind, while making it plain that we are not seeking to interfere in judicial decisions. As I understand it, that follows closely what was done on a previous occasion. The full text of the letter will be put in the Library.

Sir Kenneth Lewis (Stamford and Spalding): Is it not important that the POA and its membership recognise that however much sympathy they may have from the public now—the public recognises the difficulties of their job —it will soon be lost if there is a disaster caused by disruption, especially when the public knows that talks are available to them?

Mr. Hurd: My hon. Friend is right. The public has sympathy for the job which prison officers do. I should like to see more publicity for what they do and the problems that they face. That is entirely understandable. The public also knows that prison officers are not badly paid, in recognition of the difficulties of their job, and that we are willing and anxious to consult them about the future of the prison service.

Mr. Robert Maclennan (Caithness and Sutherland): Recognising that the resumption of talks is essential if this grave position is not to deteriorate still further, will the Home Secretary say what his present conditions are for the resumption of talks? Is he waiting for the NEC of the POA to extend the effectiveness of its call for the suspension of industrial action, or is he looking to the NEC to take a different line?

Mr. Hurd: I want the NEC to call off the industrial action. In that way we can get on with the real job of discussing real matters.

Mr. Harry Ewing (Falkirk, East): Does not the Home Secretary's circular come to the nub of the problem? If, as the Home Secretary says, the circular will explain to the courts the problems of overcrowding in the event of a strike by prison officers, and will recommend a number of options to be exercised by the courts and the police in the event of a strike, why on earth cannot those same options be operated when there is no strike and no industrial action? Could they not go a long way towards preventing the position that the Home Secretary has brought the prison service to?

Mr. Hurd: Obviously they can. The hon. Gentleman is right. The granting of bail and the timing of cases are at the discretion of the courts. The hon. Gentleman will know that recently I have several times gone out of my way to urge the courts to consider tough and practical alternatives to custody for relatively minor offences. Indeed, I have to some extent stuck out my neck on that point. It is also right in these circumstances, where we may be under a serious threat of industrial action, that in striking the balance in each case, the courts should have regard to the position. That is the purpose of the circular.

Mr. John Ryman (Blyth Valley): May I draw two specific points to the Home Secretary's attention? The first relates to prison officers' pay. Is not the crux of the problem that the basic rates of pay are so bad that officers are forced to engage in what are sometimes considered to be excessive overtime duties, such as accompanying prisoners to court, because without overtime their wages are unreasonably low? Is not the answer to raise the basic pay so that officers are not forced to rely on overtime? One may disagree as to whether they are working excessive overtime, but that is the motive behind it.

Secondly, does not the Home Secretary's circular, undoubtedly couched in moderate and temperate language, interfere with the judicial process? The judiciary is well aware of its powers of sentencing other than a sentence of immediate imprisonment. Surely it is not for the Home Secretary but for the Lord Chancellor to guide the courts on sentencing policy?

Mr. Hurd: I would not dream of issuing even a modest circular of this sort without the approval of my right hon. and noble Friend the Lord Chancellor. It specifically does not seek to interfere in judicial decisions. The hon.

Gentleman is entitled to his view about what decent rates of pay are, and there is obviously room for argument and negotiation on that. It is an irony that negotiations precisely on that point were about to begin between the POA and the Treasury, which has responsibility for such negotiations. Obviously, such negotiations cannot take place while industrial action is under way or threatened.

Political Parties (Income and Expenditure)

4.35 pm

Mr. David Winnick (Walsall, North): I beg to move,

That leave be given to bring in a Bill to provide for a limit on the amount of money which may be spent by or on behalf of a political party during the period of a general election campaign; to require companies to establish a political fund from which all political donations shall be made; to provide for a ballot of shareholders and employees before a political fund is established; and to ensure an entitlement for each shareholder to an additional dividend from the company in lieu of any donations to which such shareholder has objected.

For more than 70 years it has not been possible for unions to donate money for political purposes without balloting their membership about whether a political fund should be established. There was never any controversy about that, and unions never complained that a political fund was required by law. However, the Government were not satisfied with the position, so legislation was introduced to require unions to ballot their members every 10 years if they wish to retain a political fund. The first such ballot had to take place by the end of March this year.

The legislation was, understandably, clearly seen as a rather crude and clumsy attempt by the Conservative party to undermine financial support for its main opponents. In the event, every union with a political fund secured a massive majority for a "Yes" vote. Indeed, two unions which did not have political funds won majorities to establish them. Who knows, other such unions may secure such a majority.

If it is right for unions to have to establish a political fund to contribute to a party, why should not the same apply to companies? Why the glaring difference in law? Today, I am seeking leave to introduce a Bill — an extremely modest measure — to ensure that companies must ballot shareholders, and employees with more than 12 months service — that is only fair — on whether a political fund should be established. Under the measure it would be illegal to donate to a political cause without such a fund. In this matter the law should apply to companies and unions alike.

It is also right and proper that in any such arrangement provision should be made for shareholders who do not want to contribute to a political fund to be compensated by some extra shareholding, in the same way as during the past 70 years trade unionists who did not want to donate for political purposes could contract out. I am merely seeking the same provisions for companies as apply to trade unions.

The Economist of 22 June 1985 commented:

"In practice, the directors of a company now arbitrarily decide how much to give to a party—usually the Conservative party or one of its front organisations. Their decision is simply noted in the directors' report, which is usually passed on the nod at the company's annual meeting."

In the same article *The Economist* said that, unlike the Labour party, the Tories, Liberals and SDP do not publish a full set of financial accounts. As we all know, the truth is that the whole area of Conservative party finance is rather murky. It is understandable that there are some Conservatives, such as Mr. Eric Chalker, who believe and have campaigned that the Conservative party should publish full accounts. I also note that Mr. Chalker is keen on democratic accountability in the Conservative party, and on the chairman being elected.

[Mr. David Winnick]

A recent MORI poll on public attitudes to political donations found that 51 per cent. of those asked felt that companies should not be allowed to make political donations and only 35 per cent. were in favour. In the same poll, 82 per cent. believed that companies making donations should first consult their shareholders. So public opinion on this particular issue is very clear. I see no reason for discrepancy between trade unions and companies which make contributions in the political sphere.

Since this Government took office seven years ago—I do not want to be personal, but I think that this information should come out—64 industrialists have been awarded knighthoods. Of these, 69 per cent. are directors of companies which have given £4·5 million to the Tory party since 1979.

Mr. Tony Banks (Newham, North-West): It is a fiddle.

Mr. Winnick: Of the 11 industrialists who have gone higher, who have been given peerages, six are directors of companies which are among the top 10 financial donors to the Tory cause.

Mr. Tony Banks: Come back, Lloyd George.

Mr. Winnick: These companies give money either directly to the Tory party or to front organisations like British United Industrialists. I am not sure on occasion which has more front organisations, the Conservative party or the Communist party.

In turn the Government favour their friends and financial backers, as in the Finance Bill, which is to be debated today, and in previous Budgets. There is a clear need for reform as quickly as possible.

The next reform that I seek in this very modest measure is to ensure a limit on expenditure by political parties during a general election campaign. We all know that there is a limit on expenditure on behalf of parliamentary candidates. There is no controversy about that. It is right and proper that no very rich candidate is able to secure election by buying votes. If it is correct for there to be quite a tight limit on expenditure by candidates, why should there not be a limit nationally for political parties? Why should a political party be able to spend as much as it likes? Here again there is a clear discrepancy between the national and local scene. In the last election the Tories had some £15 million to £20 million to spend. It may well be that they decided not to spend the lot, but they could have done so, and they could have spent much more. My party had as its maximum some £2·5 million. So we need to ensure that this reform is effected.

If I am asked what should be the ceiling on political party spending during a general election campaign, being a generous-minded sort of person I would say that, at present-day prices, it should be around £5 million. This amount could always be updated just as the amount of money that can be spent on behalf of a candidate is periodically updated to take account of inflation.

I do not know whether my Bill is to be opposed. If there are Conservative Members who oppose in any way what I have put forward, I hope that they will have the guts to oppose it today. That is far better than to get the Whips to oppose me and to shout "Object" one Friday afternoon.

If the Conservative party believes that my proposal is wrong, why does it not oppose me and vote against it today? If I am to be defeated in a Tory-dominated House of Commons, so be it, but if I am to be given leave, it is only right that the Cabinet should find time for me to process my Bill. I see no reason why, at the Cabinet meeting, say, on Thursday, this item should not be top of the agenda, or why the chairman of the Conservative party and perhaps the Leader of the House should not ensure that, having been informed that this Bill has been passed without opposition, I have sufficient Government time to make progress and to ensure that my proposals become law before the next general election.

That is only right and fair, so I shall assume that if there is no opposition today the Cabinet will decide along the lines that I have suggested.

Question put and agreed to.

Mr. David Winnick: It is clearly the unanimous wish of the House of Commons to support the Bill, Mr. Deputy Speaker, and that only strengthens what I have said about being given Government time to progress the Bill.

Bill ordered to be brought in by Mr. David Winnick, Mr. Tony Banks, Mr. Dennis Canavan, Mr. Terry Davis, Mr. Derek Fatchett, Mr. James Lamond, Mr. Austin Mitchell, Mr. Allan Rogers, Mr. Brian Sedgemore and Mr. Robert Sheldon.

POLITICAL PARTIES (INCOME AND EXPENDITURE)

Mr. David Winnick accordingly presented a Bill to provide for a limit on the amount of money which may be spent by or on behalf of a political party during the period of a general election campaign; to require companies to establish a political fund from which all political donations shall be made; to provide for a ballot of shareholders and employees before a political fund is established; and to ensure an entitlement for each shareholder to an additional divident from the company in lieu of any donations to which such shareholder has objected; And the same was read the First time; and ordered to be read a Second time upon Friday 6 June and to be printed. [Bill 147.]

Orders of the Day

Finance Bill

Order for Second Reading read.

[Relevant document: Fourth Report of the Treasury and Civil Service Committee, House of Commons Paper No. 313 of Session 1985-86.]

4.45 pm

The Chief Secretary to the Treasury (Mr. John MacGregor): I beg to move, That the Bill be now read a Second time.

The Finance Bill embodies the legislative implications of my right hon. Friend's Budget six weeks ago. That Budget was set in the context of an unprecedented drop in the oil price, which meant the prospective loss of half our oil tax revenues from the North sea. But the underlying strength of the United Kingdom economy, and particularly the healthy growth of profits, mean that non-oil tax revenues are buoyant. So my right hon. Friend was still able, within the context of a prudent and cautious Budget, to propose a further net reduction in the burden of taxation of almost £1 billion, while at the same time announcing a modest reduction in the planned public sector borrowing requirement for 1986-87 to £7 billion.

Against the background of the fall in oil revenue, the imaginative proposals in this very positive Budget have come as a pleasant surprise to many who had perhaps underestimated the underlying strength of the economy and overestimated the degree to which, so it was thought, we remained an oil-based economy. Both perceptions have now changed, not least internationally.

The Budget has also received an encouraging initial response which has been maintained ever since. It was welcomed by representatives of business, large and small. To quote a survey of business opinion by Binder Hamlyn:

"Businessmen are by and large happy with Nigel Lawson's Budget last week. The result is seen as good for their companies, with positive effect on macro-economic indicators, too."

The moves to spread share ownership further were welcomed by the stock exchange and the Wider Share Ownership Council; the moves on charities were given a unanimous welcome by all those involved in charitable work and the arts. The Secretary-General of the Arts Council saw the move as

"an important and much-needed supplement to basic government funding."

The Association for Business Sponsorship of the Arts was reported as seeing a direct benefit of £7 million a year —with the potential to go much higher. The president of the Union of Independent Companies described the scrapping of capital transfer tax on lifetime gifts as

"the most significant shot in the arm for the unquoted independent company sector for 50 years".

The fact that the Chancellor did not need to increase duties on drink raised the spirits of the Scotch Whisky Association and the brewers.

But the positive reaction was not confined to those with a direct interest in the Budget. The prudent yet imaginative course that the Chancellor was able to steer has meant that interest rates have fallen—base rates have come down 2 per cent. since Budget day. That, in turn, has allowed major building societies and banks to lower their interest rates, by 1·75 to 2 per cent., with an extra reduction of 0·5 per cent. for many of those with endowment mortgages. This will be of direct help to the eight million home owners with a mortgage loan. That, in turn, has contributed to the prospect of a rapid fall in inflation. Even before the mortgage reductions, inflation had fallen from 5·1 per cent. in February to 4·2 per cent. in March.

So the prospect now is for low inflation combined with sustained growth. That was acknowledged by the Treasury and Civil Service Select Committee in its report on the Budget, which was published with its usual impressive speed last Friday. Today is not the time to discuss the Committee's report in detail, as it makes no comment on the tax changes in the Budget, which is what today's debate is about, but concentrates on the conduct of monetary policy, which my right hon. Friend the Chancellor discussed comprehensively in a speech to the Lombard Association on 16 April. The Government will respond to the Committee's recommendations in due course.

In this year's Bill, the most important change, in terms of its impact on the majority of taxpayers, is the reduction in the basic rate of income tax to 29 per cent. in clause 15.

The Government's objective has been, and remains, to reduce the burden of income tax for people at all levels of income. In 1979 my right hon. and learned Friend the then Chancellor cut the basic rate from 33 per cent. to 30 per cent., helping the vast majority of taxpayers, and reduced the higher rates to a much more realistic level, improving incentives for those in the higher income brackets. I note that the Labour party has already declared its intention of restoring — indeed, even worsening — the position of those people. To raise the £3·6 billion of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) from this group would mean not only increasing the severity of capital taxation and reintroducing investment income surcharge at the indexed equivalent of their 1978-79 levels, but imposing a 70 per cent. tax rate on all taxable incomes above £18,600 — hardly the way to retain incentives in the economy and encourage enterprise and risk-taking. I firmly predict that if the Labour party ever returned to power, that commitment, like so many of its others, would be a job destroyer.

Up to 1985-86 there was no further change in the basic rate, while the main personal allowances were progressively increased in real terms by a fifth over their 1978-79 levels, taking 1·4 million people out of the income tax net altogether compared with an indexed 1978-79 tax regime.

This year, as my right hon. Friend explained in his Budget, as I did during the course of the Budget debates, we decided that it was right to concentrate tax cuts on the 95 per cent. of all taxpayers for whom the basic rate of tax is their marginal rate, both to reduce their tax burden and to improve their incentives. It was for that reason, against the background of the substantial real increase in allowances under the Government, that my right hon. Friend this year announced a cut of 1p in the basic rate. That cut also improves incentives for unincorporated businesses, 90 per cent. of which pay tax only at the basic rate, and we have mirrored it with a reduction to 29 per cent. in the small business corporation tax rate.

The reduction of 1 per cent., which is all that could be prudently afforded this year, is in itself relatively modest. But, as my right hon. Friend explained, that 1 per cent.

[Mr. John MacGregor]

reduction is a further step towards achieving our long term objective of reducing the basic rate to no more than 25 per cent.

I have already dwelt at some length during the Budget debate itself on the case for this cut in basic rate this year as against concentrating resources entirely on thresholds, so I shall not dwell on those arguments again today. But let me add one further point. The case for reducing the basic rate this year is reinforced when one looks at our international competitors. The United Kingdom's income tax thresholds, which, as I have said, we have increased substantially in real terms since 1979, are around the middle of the range compared with other major developed countries. Indeed, as a proportion of average earnings, our thresholds are significantly higher than those in the United States, Canada and West Germany. However, they are still below the levels of certain other countries, notably France.

It is on the starting rate of tax that we are really out of line. In the United States and Japan the starting rate is 15 per cent., or less. In France, West Germany and Italy the percentage rates are no higher than the mid-20s. Our starting rate of 29 per cent. is still the highest of the seven major industrial countries, and that is a further reason for acting on the basic rate this year.

But the Government remain committed also, to raising the level at which people start to pay tax. The Green Paper on personal tax reform shows how we could increase thresholds in a way which is more cost-effective and recognises the changes in a family's needs over its life cycle.

This year, not only have we reduced the basic rate, but the main personal allowances will still be indexed under the provisions of section 24 of the Finance Act 1980, so there is no need for this to be provided for in this year's Bill. As the House knows, the higher rate thresholds are all increased by £1,000—less than the amount needed to index fully the thresholds for the 45 per cent. and above higher rates. The effect is to reduce the gains from the basic rate cut for those on higher incomes, so that the 60 per cent. taxpayer, for instance, gets broadly the same as under statutory indexation without a basic rate cut.

The overall effect of the income tax changes this year is not at all inconsiderable. The cumulative effect of successive Conservative Government Budgets is very considerable indeed. Income tax liabilities in 1986-87 will be about £8 billion lower than if the rates and allowances which we inherited from the Labour Government in 1979, indexed to 1986-87 levels, were in force. That is the true mark of the difference between us so far. As for this year's changes, one has to take into account not the tax changes alone, but the beneficial effects which have flowed from the interest rate changes since the Budget itself and which a prudent Budget helped to encourage.

For a married man on average earnings, with a typical outstanding mortgage of £15,000, the Budget income tax changes, combined with a 1·75 per cent. cut in mortgage rates since the Budget, can mean a total gain of £5·80 a week. That is a significant figure, and I repeat the message that I gave in the Budget debate: that employers and employees should take heed of this boost to real take-home pay—a boost which does not damage the competitiveness of British goods—and take it very much into account in their pay negotiations.

Mr. John Townend (Bridlington): Did the Treasury take that into account when it recently made an offer of 6 per cent., which I would have thought is rather high in view of the estimated level of inflation?

Mr. MacGregor: That was obviously one of the factors that was taken into account, but I remind my hon. Friend that the negotiations that he is talking about in relation to Civil Service pay relate to the pay year for which most settlements have already been decided. Therefore, it is significantly below the settlement for the same year for the local authority manual workers, the full amount that the teachers are getting in that pay year and the private sector generally. I am talking here particularly about the pay settlements that are to come.

A number of other major points arise from the Bill which I should briefly draw to the attention of the House, and I deal just with clauses 2 and 3. The House will recall that, despite the dramatic fall in oil prices and the consequent loss of tax revenue, my right hon. Friend introduced a Budget which was tax-neutral for the motorist, to the surprise and delight of everyone but the Opposition. The increase in road fuel duties over revalorisation was, of course, offset by the standstill on vehicle excise duty for cars and most other vehicles, so the burden of duty on the motorist was not increased in real terms.

When announcing that move, my right hon. Friend said that there was no need for the pump price of petrol to go up at all. The Opposition no doubt felt that they had to try to get some political mileage out of the motorists' package, so they attempted to pour heavy scorn on my right hon. Friend's judgment on that point. The right hon. Member for Sparkbrook said:

"I can't understand why Mr. Lawson said he believed they wouldn't pass it on, they are a monopoly, they rig their prices. The idea that they might say Mr. Lawson would like us not to pass the price on so we won't is frankly ludicrous."

In a television programme in which I took part the right hon. Member for Leeds, East (Mr. Healey) said that my right hon. Friend was

"silly and foolish to imagine that they"—

the oil companies—

"wouldn't add this tax to the price to the consumer."

The Opposition, led by the right hon. Member for Islwyn (Mr. Kinnock), demanded the immediate imposition of a windfall tax on oil company profits to force them to make the move.

Once again, competition, rather than Government interference, has had its effect and proved my right hon. Friend to be totally correct. His judgment, as against that of the Opposition, has been wholly vindicated. There is a marked variation in prices, because competition is working, and in some garages prices are now below 160p a gallon.

Mr. D. N. Campbell-Savours (Workington): In some areas.

Mr. MacGregor: But what is clear is that petrol prices have not only absorbed the increase in road fuel duties; they have actually come down since the Budget.

Mr. Campbell-Savours: Does the Minister accept that in many parts of the country there has been very little movement in petrol prices? It was to those parts of the country that we were addressing ourselves. What is he going to do about those areas? Does he intend to do nothing about them?

Mr. MacGregor: I believe that it was across the country as a whole to which the Opposition were addressing themselves when they talked about petrol prices. In most parts of the country petrol prices, as the AA confirms, are now well below the levels at which they were during the Budget. What is more, within individual parts there is wide variation. Therefore, taking the generality, what I say is right and my right hon. Friend has been proved to be correct.

Mr. Roy Hattersley (Birmingham, Sparkbrook): Will the Chief Secretary tell us whether he thinks the reduction in petrol prices reflects the reduction in oil prices before and since the Budget? Does he not understand that had there not been the imposition of this tax, there would have been a further movement downwards to reflect the reduction in oil prices?

Mr. MacGregor: That is extraordinarily different from what the right hon. Gentleman was saying at the time of the Budget, so he has admitted that my right hon. Friend's judgment was right. In tax terms there has been no real increase for the motorist at all as a result of the Budget. Therefore, the drop in petrol prices—which is, of course, because of the fall in oil prices before and after the Budget—has been properly reflected. What the right hon. Gentleman was trying to get over was that somehow or other petrol prices would go up in real terms as a result of the Budget changes. That has been proved to be totally wrong.

I wish next to draw the House's attention to clauses 26 to 30 of the Bill, which contain the provisions for my right hon. Friend's proposals to extend the scope for charitable giving. Our aim is to stimulate giving by both companies and individuals. Non-close companies will now be able to gain tax relief for single gifts to charities up to a limit of 3 per cent. of ordinary dividend payments, and individuals will be able to take advantage of the abolition of the higher rate limit on convenanted donations and the new payroll giving scheme which will operate from next April.

These provisions have been warmly received by charities. For instance, the Institute of Charity Fund-Raising Mangers has said:

"This is the most exciting and imaginative Budget for charities there has ever been."

The Charities Aid Foundation described them as

"more radical and far-reaching than we could have hoped for."

I am sure that the House will share those sentiments.

Mr. Patrick Jenkin (Wanstead and Woodford): Can my right hon. Friend offer some comfort that the Government will look at the provisions of clause 29, which makes a perfectly reasonable effort to curb abuse of the private foundations? There is a widespread view that the numbers written into the clause have gone too far and may damage some very important charitable bodies.

Mr. MacGregor: I know that my right hon. Friend shares our intent in the proposals in clause 29, to which he drew attention. These are aimed at misuse of the tax reliefs for charities, which it was felt were justified anyway, but especially now, I think, in the light of the substantial extensions of tax relief. They are not intended to apply to the ordinary charities that do not misuse them. They apply only to a restricted class of private indirect charities, not to charities which spend at least 90 per cent. of receipts on genuine charitable activities. I am aware of the concern of genuine charities, and I know that representations are being made. I believe that we shall have a full discussion of these points in Committee. I take note of my right hon. Friend's point.

Mr. John Butterfill (Bournemouth, West): I notice that my right hon. Friend did not refer to clause 31. I hope that he will take credit for that clause, which will make an important contribution to curbing some of the abuses that we are all anxious to curb.

Mr. MacGregor: I did not refer to it because I do not think that I can refer to all the clauses in what turns out to be, yet again, a rather large Finance Bill. However, I am grateful to my hon. Friend for his point, and I am glad that he has made it.

I turn briefly, to corporation tax. There are no major changes to business tax this year, which sees the completion of the reforms begun in 1984. These reforms were aimed to reduce the distortions imposed by the tax system — notably the bias in favour of capital and against jobs — to improve efficiency and encourage enterprise. We see no case for changing this structure, and believe business welcomes the stability and certainty which our approach provides. The United Kingdom's corporation tax rate is now, at 35 per cent., the lowest of any major industrial country, and the reduction in the basic rate of income tax has enabled us to reduce also the small company's rate of corporation tax to 29 per cent. When one bears in mind that at the time this Government took over from the previous Labour Government the small business rate was 42 per cent., one sees the significant reduction in the small business corporation tax to 29 per cent.

Chapter II of part II of the Bill does, however, include two detailed business tax measures—first, to bring the mines and oil wells allowances regime broadly into line with the new structure of capital allowances. Secondly, the Bill would allow a full measure of depreciation for tax purposes for short-life agricultural building and works by providing the option of making balancing adjustments on their disposal.

I deal next with the provisions in the Bill on stamp duty, two of which I wish to refer to particularly. As the House will recognise, it is not possible to consult fully ahead of the Budget on tax changes. First, the new tax proposed in the Budget on the creation of certificates representing the deposit of shares, such as American depositary receipts, or ADRs, has led to a good deal of misunderstanding of the Government's intentions. Let me correct that misunderstanding.

We do not want to discourage American investment in British shares. We recognise, as many of the British companies concerned have told us, that it can have advantages for them. It can make it easier for them to raise money and to expand sales in the United States. We have had extensive consultations with the companies and we understand their views about that.

Our concern is only to protect the tax revenue. Stamp duty on shares, even at the new 0·5 per cent. rate, should bring in £600 million during the current year, and we cannot allow that large sum to be put at risk by investors turning to the purchase of depositary certificates, which trade free of stamp, instead of the underlying shares. There is the possibility, especially after the big bang, of more use of ADRs by British investors, although I recognise that ADRs have some disadvantages for them.

[Mr. MacGregor]

The solution we have sought is to tax these depositary certificates —and similar arrangements—at a rate which will, broadly speaking, eliminate the incentive to use them for tax avoidance. This means that the tax on the creation of the certificate must broadly recompense for the loss of stamp duty on subsequent sales and purchases. From the point of view of the investor, he will be getting a transferable "season ticket." He pays more now, but subsequent transfers are free of duty.

We have re-examined the rate of the tax against this criterion and in the light of the representations we have received. We have decided that the revenue should be sufficiently safeguarded if the tax on conversion of shares into ADR and similar forms were put at 1·5 per cent.—three times what the duty on registered shares will be after the big bang. This is the multiple that has applied for some years to issues of shares into bearer form, and ADRs themselves are effectively bearer certificates. The tax on all bearer shares from the big bang will also therefore be set at the level—1·5 per cent.

The rate of 1·5 per cent. on conversion of shares into ADRs will apply from 19 March. This rate, we judge should be sufficient to safeguard the revenue without adding unreasonably to the financing cost of United Kingdom companies overseas. It compares with the rate of 1 per cent. that applied before the Budget. I must, however, give due notice that if after big bang it looks as if ADRs are being used as a means of avoiding stamp duty by United Kingdom residents, we would have to reconsider the rate of tax.

I now turn to loan stocks. The Budget proposed that most of these should bear stamp duty at the rate of 0·5 per cent.

Since the Budget there has been a sharp fall in long-term interest rates, and there are signs that the sterling corporate bond market is reviving.

Mr. Robert Sheldon (Ashton-Under-Lyne): Does the right hon. Gentleman know how much the Revenue will lose as a result of ADRs moving from 5 per cent. to 1·5 per cent.?

Mr. MacGregor: One has obviously to make estimates, but I shall come to that in a moment, if I may.

There is also some evidence that the withdrawal of exemption from stamp duty is diverting some borrowers in issuing bearer and Euro-sterling stock.

In the light of this, we have decided that it would be right to restore exemption for those categories of loan stock that were previously exempt. Registered convertibles will, however, continue to be taxed like equities, as they were before the Budget. We shall make proposals accordingly in Committee. If they are agreed, the exemption for ordinary loan stock would be restored one month later.

Details of these changes will be given in a parliamentary written answer and Inland Revenue press release later today. The estimated yield from stamp duty, as forecast at the time of the Budget, remains unchanged. Any reduction in revenue arising from the changes that I have just announced should be offset by the higher yield we now expect from the application of stamp duty to takeovers.

The adjustments that I have just announced to our proposals for stamp duty will help maintain the range of options available to companies in financing investment. They will also help maintain the depth and breadth of London's financial markets, and London's role as a major financial centre. I am glad also to be able to announce now a proposal that, though not part of the Finance Bill, should help further in both respects.

We have decided to remove the constraint imposed by the Banking Act which prevents companies from financing themselves by issuing sterling commercial paper—that is, by issuing sterling debt securities of less than one year maturity. The establishment of a sterling commercial paper market should provide a useful alternative for companies to bank borrowing and also extend the range of sterling markets available in London to investors. Further details are being provided in a written reply published in today's *Official Report*.

I should mention two further measures that the Government will have to introduce at a later stage. The first will set out provisions to withhold tax at source from payments made to non-resident entertainers and sportsmen, announced in the Budget. The second will give effect to the proposals announced by my right hon. Friend the Home Secretary in written answers, on 26 February at columns *564-5* and on 27 March at column *549*, to make changes to the structure of the ITV levy.

I move on now to the enterprise and small business package in the Budget. Some of the measures — for example, in relation to the loan guarantee scheme—do not require legislative action in the Finance Bill itself, but the business expansion scheme does. The scheme has proved a great success, attracting more than £100 million a year from subscribers.

The Peat Marwick report, published on Budget day, found that, on the basis of a survey of 1983-84 investments, 70 per cent. of the money invested would not have been raised by companies in the form of equity and almost half would not have been raised at all. Two thirds of the total BES finance raised in that year was invested in companies less than five years old — those which typically have greatest difficulty in raising finance through other methods. The BES has been particularly helpful to firms wanting to raise relatively small amounts of capital. More than half of the companies in the survey raised no more than £50,000.

That survey, and much anecdotal evidence of the benefits of BES since, have justified the introduction of the scheme and shown that, broadly speaking, it is achieving its objectives. Clause 38 provides for the indefinite extension of the scheme and for improvements to ensure that capital is not diverted to low-risk investment in companies with high asset backing—in other words, that it is targeted on the original objectives. This scheme is enhanced with the provision of capital gains tax exemption for the first sale of new BES shares.

These proposals have also been widely welcomed by the CBI, by the Union of Independent Companies and by other representative bodies. I was glad to see that the right hon. Member for Islwyn, in response to the Budget, was moved to say:

"we sincerely welcome some aspects of the Budget. I think, for example, of the provisions relating to the business expansion scheme both in its continuation and its exclusions, which appear to be sensible and helpful." — [*Official Report*, 18 March 1986; Vol. 94, c. 185.]

I am delighted that he has become converted to the encouragement of risk-taking and of venture capital investment through the tax system.

We have made a further important move to boost enterprise. We have had repeated representations from those who work hard to build up family businesses and family farms, and then, as they expand, face a potentially crippling capital transfer tax charge. That is no way to encourage enterprise and initiative. That is the main reason why we propose to abolish CTT on lifetime gifts to individuals. Part V sets out our proposals, which include detailed provisions to protect the continued charge on transfers on death. It is significant that 74 per cent. of the business men surveyed by Binder Hamlyn immediately after the Budget felt that the change would help here.

Mr. Campbell-Savours: They were not going to say no. Grow up, man.

Mr. MacGregor: I do not think that the hon. Gentleman has any conception of what it is to build up a small business, to expand, and then find, all over the place——

Mr. Campbell-Savours: I have built up a small business.

Mr. MacGregor: In that case, the hon. Gentleman has no conception of what most others in the business world say about the impact of capital transfer tax. It is significant that some of the fastest expanding small businesses regarded this as one of the most significant moves that could be taken in the Budget. It is also significant for family farms. We shall be introducing additional inheritance tax provisions at a later date, first, to ensure that regular premium payments made after Budget day under an insurance policy taken out before then are taken out of the gifts with reservation regime, and, secondly, to deal with the consequences for the heritage of the shift to inheritance tax.

Mr. Robert McCrindle (Brentwood and Ongar): Why does there appear to be some retrospective effect in this year's Budget? Any individual who effected a tax mitigation scheme on the morning of or up to 3.30 pm on Budget day is being caught in a retrospective way and in a fashion that I cannot recall having been introduced in a Budget before.

Mr. MacGregor: I know the point that my hon. Friend is making, but I am sure that he will recognise that my right hon. Friend the Chancellor must have a point at which tax changes are introduced, and they are normally when the Budget is introduced.

Mr. McCrindle: I apologise for pressing the point further. That would be understandable, but my hon. Friend will recall that the Budget was introduced at 3.30 pm on 18 March. I am referring to legitimate arrangements, effected before that time on that day, which are being eliminated. That introduces an element of retrospective legislation.

Mr. MacGregor: There is a difference between such changes in the law and when the Chancellor announces genuine retrospective legislation. This matter can be looked at when we come to the detailed points in Committee.

The final strand in our enterprise package is to encourage people to put their money into business. We have already made exceptional progress with our target of broadening share ownership. New figures from a poll carried out by National Opinion Polls reveal that the proportion of individual shareholders in the population has doubled since 1979, from 7 per cent. to roughly 14 per cent. With all the statistical qualifications that anyone might wish to make, there is no doubt that that shows that this is a solid and most encouraging advance. Interestingly, over half of all shareholders are now from socio-economic groups C, D and E. The revolution in attitudes towards individual investment has begun.

We are determined to build on this success. A key element will be the new personal equity plan. As the House knows, the Bill provides the outline of the scheme. Our intention is to allow tax-free build-up of investments of up to £200 a month in shares over a minimum period. The details will be set out in regulations, after consultation with interested parties.

Sir Peter Hordern (Horsham): My hon. Friend talked about research into the socio-economic groups that has been done through National Opinion Polls. Does he agree that some people in those groups who may not know much about investment would be better protected by being allowed to invest in investment trust shares, thereby gaining a wider spread? Will investment trusts be included under the Bill's proposals?

Mr. MacGregor: Again, this is a matter on which we have been receiving representations and my right hon. Friend the Chancellor will take them into account in the consultations. The consultations will enable us to tailor the scheme to meet the requirements of potential investors and plan managers, and thus ensure that it can be taken up as widely as possible. That is our intention. This scheme will give the private investor a substantial incentive to take a direct stake in British business, and it will also help to counterbalance the considerable fiscal advantages already enjoyed by institutional investors.

Finally, there is one area of remaining concern in the economy which, although not in the Bill, the House might expect me to mention—employment. Last Thursday, in the House, my right hon. Friend the Lord Privy Seal suggested that it could appropriately be discussed today. Of course, the latest unemployment figures were disappointing. However, perhaps that obscured the encouraging announcement of a fact that emerged at the same time of the success of the economy in creating net new jobs—almost 1 million since June 1983. Continued employment growth can be expected as output grows this year and next, and it will be faster still if pay increases more in line with productivity.

The Budget has supplemented what was already an ambitious and wide-ranging Government programme of specfic employment measures. By 1988-89 we shall be spending nearly £3 billion on employment measures, plus the youth training scheme. I shall not discuss them in detail today as we did that in the Budget debate. However, I must repeat that those are substantial sums.

We are often urged to spend more by Opposition Members and recently by the Select Committee on Employment, which put forward proposals aimed, so it claimed, at creating 750,000 extra jobs. The Government have considered the proposals in that report. On the Committee's own assumption it would be necessary to look for 1·25 million extra jobs to support the 750,000 the

[Mr. MacGregor]

scheme was designed to create. That could be done only at substantial extra cost. The Department of Employment estimated that the net cost would be £4 billion on top of what we are already spending.

The report was short on prescriptions on how to finance that. If it were financed by reducing expenditure elsewhere, the net effect on jobs would be much smaller. Indeed, it could be negative because it would be replacing more cost-effective employment measures. If it were financed by higher taxation, incentives would be damaged and that would lead to job losses. If it were financed by higher borrowing, the likely result would be higher inflation and interest rates and higher costs to industry. So the job creation programme on that scale would end up destroying jobs in the private sector. Temporary jobs would be bought at the expense of permanent jobs in the rest of the economy.

Those who wish to see a major expansion of employment measures also ignore the practical constraints. It is not clear that there is scope for a major expansion of places on the community programme or similar schemes. There are limits to the number of cost-effective schemes that can be developed. There are limits to the extent which health and social services could absorb unskilled labour. There are limits on the number of sponsors we could attract.

In contrast to the Select Committee, the Government's aim is based on providing direct practical help to the long-term unemployed who need it most. The restart programme will mean that everyone unemployed for a year or more will be contacted and offered an interview at a local jobcentre. They will then be offered a range of ways towards finding work.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I know that conventionally we have a wide-ranging debate on Second Reading, but the Minister is going very wide of the matter before the House. He has invited the House to debate employment measures rather than the Finance Bill.

Mr. MacGregor: I felt it necessary to make a brief reference to those matters because the Lord Privy Seal suggested that they might be raised in the debate.

Mr. Deputy Speaker: Order. The Chair will be responsible for the scope of the debate within the rules of the House.

Mr. MacGregor: I understand, Mr. Deputy Speaker, so I shall move straight back to the position on the economy as a whole.

These specific measures, which we have introduced in the Budget, although I agree not in the Finance Bill, should be seen against the background of the Government's overall economic policy. That strategy is designed to encourage enterprise and efficiency. Low inflation and lower taxes are vital to secure the growth that will produce more jobs. That strategy has produced nearly 1 million new jobs over the past three years. I accept that that is not enough to absorb fully the major increase in people coming on to the labour market, but it is a better record than the rest of our European partners combined.

That strategy would be severely undermined if we were to depart from implementing realistic, practical and cost-effective employment measures. A wholesale boost, at substantial additional public expenditure cost, would create a few temporary jobs, but at the price of putting brakes on economic growth and the accelerator on inflation. That is why I believe that the policies being implemented in the Bill are right.

Mr. Peter Rees (Dover): There is one area of the economy to which my right hon. Friend has not directed his attention, although there are few measures in the Financial Bill, and that is the production of oil in the North sea. I readily declare an interest as the director of an oil company. My right hon. Friend and the House will be aware that as the price of oil climbed, so the petroleum revenue tax was restructured in various degrees to ensure a proper take for the Government. As the price of oil has declined sharply to the point that it may discourage exploration and development in the North sea, would my right hon. Friend perhaps concede that there might be a case for a further and fresh look at the structure of PRT, especially advance PRT?

Mr. MacGregor: I know that my right hon. and learned Friend takes the closest possible interest in these and all other tax matters. As he knows, the present oil taxation system is durable and flexible and is highly sensitive to movements in oil prices. The Government are not convinced that any change is needed. However, we have made it clear that we shall continue to watch the situation closely and keep in contact with the industry.

I was concluding by saying that, given the financial constraints which limited my right hon. Friend the Chancellor's room for manoeuvre this year, the Finance Bill contains an impressive range of measures of tax relief and tax reform, which will reduce the burden of tax within a sound overall economic strategy. Those measures have been well received by business, those involved in fund raising and those who want to see more people own shares. The fall in interest rates since the Budget has demonstrated the markets' belief and confidence in the course the Chancellor has charted in the year ahead. I commend the Bill to the House.

5.26 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): On Budget day my right hon. Friend the Leader of the Opposition said that the Budget of 1986 would be remembered for two characteristics. The first was its irrelevance to the real problem facing this country, and the second was its divisiveness—the help it provided for the rich and its neglect of the least well off. Those two characteristics are reinforced and reproduced in the Finance Bill.

The Chancellor prudently pretends that items such as the niggardly increase in pensions and child benefit are none of his business. He deals with the other part of my right hon. Friend's criticisms by saying that the way in which the British economy has survived the fall in oil prices is a testimony to the fact that his management of the economy has been wise and prudent. He used the word "unscathed" from the fall in oil prices. He used it in the House on 18 March and to the Economic Club of New York on 11 April.

The Chief Secretary, who a moment ago led the cheers, was notably less ambitious, less buoyant and less bullish

about the claims he made over the way in which we have survived the reduction in the price of oil. That is not surprising, because since the Chancellor made his grandiloquent claims we have had the April balance of payments figures. Those figures are unique in their depressing quality. They show the folly of the Chancellor's boast that we could pass the reduction in oil prices without cost, and the folly of the policy which the Chancellor sought to justify. It is surprising, even allowing for the rules which from time to time constrain the Chief Secretary, that he did not deal with the principal criticism made of the Budget's application to the economy, the omissions which are, therefore, to be seen in the Finance Bill and the fact that nothing the Finance Bill does deals with the central issue of economic decline, which is that we are too dependent on oil and too vulnerable to changes in oil prices.

Mr. Neil Hamilton (Tatton): Rubbish.

Mr. Hattersley: The hon. Gentleman must have been elsewhere when the balance of payments figures were produced last week. They denoted the facts of the economy once the oil price is not there to boost and reinforce our neglected, declining and deteriorating manufacturing industry. The Budget and the Finance Bill do very little to deal with those fundamental problems which we tried to draw to the Chancellor's attention six weeks ago. The Chief Secretary takes refuge in the one piece of good news—at which I rejoice and about which I wish to express my pleasure—which is the reduction in the base rate and the fall in mortgage rates which followed.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will the right hon. Gentleman give way?

Mr. Hattersley: Not yet. I will tell the hon. Gentleman when.

The Chief Secretary told us the good news about the reduction in the base rate. I said during the Budget debate, and I repeat it today, that he obtained a cheer from Conservative Back-Bench Members because they are delighted that an intolerable interest rate has been reduced to an insupportable interest rate. We are still enduring and being burdened by the highest rate of interest in the OECD. The six-month Euro rate is as follows: in Denmark, 4·5 per cent.; in the United States, 6·75 per cent.; in France, 7·5 per cent.; and in the United Kingdom, 10 per cent. Those are the notional figures. If the figures for real interest are compared and calculated, the British interest rate is 2 per cent. higher than the average of our OECD competitors. The fact that there is rejoicing among Conservative Members that the figure should now be only 2 per cent. above the average rate shows how easily they are satisfied. It also shows that the excuses that we have heard for seven years about interest rates have worn thin and disappeared.

Mr. Budgen *rose*——

Mr. John Butterfill (Bournemouth, West) *rose*——

Mr. Hattersley: I shall let the hon. Gentlemen know when I am ready to give way.

Originally, we were told that interest rates would be brought down below those of our competitors because the Government would cut public expenditure. That did not work. We were told that our interest rates were high because of the rates in competitor countries, but now they are higher than those rates. Sooner or later, the Government will get round to the idea that interest rates are too high because of the follies and failures of Government policy, and not least because the Government are keeping up the interest rate so that they can help to maintain sterling at an artificially high rate as an alternative to a monetary policy.

Mr. Budgen: I thought the right hon. Gentleman said that high oil prices were to the advantage of manufacturing industry. Will he explain that passage of his speech?

Mr. Hattersley: I explained that in my Budget speech, but I shall repeat it now. A reduction in oil prices would be to the benefit of an economy in which manufacturing industry was strong and ready to expand. I said that, thanks to the folly of the Government in allowing the collapse of manufacturing industry, we could not take advantage of a reduction in raw material costs which some of our more successful competitors will enjoy. Last week's balance of payments figures underline the wisdom of the Opposition's insistence that to rely on oil revenues as the Government have done is a disaster for Britain.

It is also a disaster for the Chancellor of the Exchequer, for it allows him to pin another medal on his chest. He can add the largest visible balance of payments deficit ever to the highest level of unemployment ever, to the highest real interest rates ever and to the lowest value of sterling ever, which he has contrived to ricochet up to a height which is so great that it penalises our manufacturing industry and cripples our exports. Yet the Chancellor remains incapable of even imagining that he might be wrong. He does not even acknowledge, far less attempt to resolve, the two great crises to which the Finance Bill should have directed the nation's attention. Those are the crises of unemployment and poverty. Instead of facing those issues direct, with each Finance Bill the Chancellor takes refuge in irrelevancies. This year, the chief irrelevancy was built around and hidden behind the slogan "people's capitalism". The diversion was intended to deflect attention from the Government's failures of personal equity plans in clause 37 and schedule 8.

I hope that when the Financial Secretary replies this evening he will have the grace to concede that personal equity plans help the small investor almost not at all. The small investor already benefits from the £6,300 threshold on capital gains tax.

Mr. John Maples (Lewisham, West) *indicated assent.*

Mr. Hattersley: I am delighted to receive endorsement from at least one Conservative Member.

The PEP provides little or no incentive for new share ownership. It offers a further tax privilege to existing share owners, many of whom are already very rich and most of whom will convert their existing holdings into PEP. Those two facts typify the Chancellor's record. It is a gimmick intended to obscure the Budget trivialities, and as well as providing a couple of days' headlines, it puts money in the pockets of the better-off.

I hope that the Financial Secretary will have the grace to concede that the Chancellor's schemes have several other built-in disincentives for the small and new shareholder. The investment must be made through authorised PEP managers, who will charge a fee and who have been open in saying—at least the City in general has been saying—that they are not prepared for them,

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do not welcome them, cannot cope with them and do not want to manage the small investor's resolution. What is more, unit trusts will be excluded. Although PEP will help existing shareholders with a new form of tax exemption, the Chancellor's claim during the Budget debate that it will bring about a dramatic extension of share ownership in Britain is typically and patently the grandiloquent nonsense that we have heard from him from time to time.

Mr. Roger Freeman (Kettering): The right hon. Gentleman criticises personal equity plans. Would he propose a more generous scheme for wider share ownership?

Mr. Hattersley: I was about to comment on exactly that point. To show the hon. Gentleman that he did not prompt me into that assertion, I shall read from my notes. I wish to make it clear that I support genuine extensions of share ownership schemes which enable and encourage employees to acquire stakes in their companies. The schemes that I want would carry voting rights proper to share ownership, and would be available to all company employees; they would not simply be another executive and top management bonus payment. The schemes I want would be made available in practice as well as in theory, because many of them will be financed by the share option schemes about which the hon. Member for Horsham (Sir P. Hordern) asked the Chief Secretary but obtained no reply. The funding of those schemes would allow real workers to make small and gradual investments. If the hon. Gentleman who asked the question has doubts about our intentions, let me assure him that we shall seek to amend clauses 21 and 25 in Committee to enable such an extension in genuine employee share ownership to be promulgated, propagated and encouraged.

The Committee will also discuss the proposal for tax relief on contributions to charities, which are obtained in clauses 26 to 31. They are in part the result of the Chancellor's desperate search for a sympathetic headline —[HON. MEMBERS: "Come on!"] Those Conservative Members who are moaning probably do not recall the pressure that my right hon. Friend the Leader of the Opposition put upon the Prime Minister and the Chancellor to provide some tax relief for the Band Aid initiatives, and their hard-hearted replies to our pleas. Only when a body of public opinion built up saying that the Government should be more helpful to charities did the Government decide that that was the popular thing to do.

I shall make the Opposition's view absolutely clear. We applaud the proposal to help genuine charities, but the description of charities is wholly inappropriate to some of the institutions which presently enjoy that legal status. I would like to help Oxfam and Save the Children Fund, but tax exemptions for Eton and Harrow are especially offensive at a time when public education is being starved of cash. The next Labour Government will certainly maintain the exemptions for charities, but a new definition of charities will be provided which will concentrate the help on those institutions which genuinely deserve it.

We will also reintroduce capital transfer tax. That tax is virtually abolished under clauses 70 to 86 except when it is applied as an inheritance tax. As the Chief Secretary to the Treasury must know, inheritance tax is now voluntary or an additional punishment for sudden death. Anyone can avoid inheritance tax by following two rules. The first is to appoint a competent accountant and the second is not to die unexpectedly.

It is impossible—I was going to say difficult, but impossible is not too strong a word to use—to imagine a more arbitrary way of calculating the incidence of a tax; in practice that tax turns out to be another of the Chancellor's concessions to the rich and, often, the very rich. Already, the first £70,000 of estate duty is exempted from tax liability.

Before I discuss the subject which is clearly central to the Budget and the Bill, and the one on which the Chief Secretary naturally concentrated most of his speech—the subject of income tax—I would like to ask the Chief Secretary a question about a subject which I am astonished that he failed to mention. I wish to ask the Chief Secretary about the pension fund surplus. When the Financial Secretary replies, will he tell us why the Government have chosen 5 per cent. as the level of surplus at which the pension funds must arrange one of the three alternatives which the Government require—a contributions holiday, an increase in benefit, or a refund?

I understand, applaud and support the principle of discouraging excessive surpluses, but the figure of 5 per cent. is clearly arbitrary. It is the view of virtually every authority other than the Government—the Trades Union Congress, the Confederation of British Industry, the Institute of Actuaries and the National Association of Pension Funds—that 5 per cent. is too low and that 10 per cent. is a more likely figure. The Financial Secretary should tell us why the 5 per cent. level was hit upon when, in the view of all the authorities that I have referred to, there are considerable risks to the prospects for pension funds in these uncertain and fluctuating times.

The Chief Secretary said, and the Opposition agree, that the principal features of the Budget were the changes made in direct taxation—the £1 billion resulting from the penny off the standard rate of income tax. Before I offer my opinions on that, I want to remind the House of the pattern of tax changes which has occurred during the lifetime of the Government.

We all know that the gross annual tax bill has increased in real terms by almost £29 billion. The overall figures of increased taxes imposed by the Government, who had been elected twice to cut the tax bill, and the pattern of tax increases and their incidence upon the population was revealed in a parliamentary answer in *Hansard* on 27 March. The written reply on 27 March contained a calculation of income tax, national insurance contributions and child benefits as they apply to various groups within the population.

The figures show that individuals and families on half or two thirds average earnings now pay a larger proportion of their earnings in income tax than they did in 1979. All those who receive half or two thirds of average earnings are paying more, and in some cases dramatically more, of their income in taxes than they did seven years ago.

I am sure that the Chancellor's silent PPS would cry out, with the expertise that he must have achieved through his occasional calls at the Treasury, that they are paying more because their real earnings have increased. The lucky earners who are earning five or 10 times the national average are paying less because their real earnings have increased. The people earning 10 times the national average are paying 15 per cent. less of their earnings in tax than they paid when the Government were elected in 1979.

That confirms the simple phrase which must be engraved on the Government's heart and which is already understood outside the House, that the increase in taxes imposed by the Government has fallen on the poor and the middle-income groups rather than the rich and has produced the position which the Opposition prophesied. There has been a redistribution of income by taking money from the poor and giving it to the rich.

Mr. Maples: While the right hon. Gentleman is discussing the structure of income tax, and as he told us in a previous debate on these matters that he would plan to raise almost £3·5 billion from the so-called better-off, does he agree that the figure given by the Chief Secretary would involve an average tax rate of 70 per cent. on all income in excess of £18,500? If the right hon. Gentleman does not agree with that, what higher rate tax structure does he think would be necessary?

Mr. Hattersley: I have said time after time that the arbitrary and risible way in which the Chief Secretary deals with these matters, fools no one. The Chief Secretary plucks one tax out of the air. At one moment he decides upon 41 per cent. VAT and then he chooses 80 per cent. for income tax.

There are many ways in which the favoured 5 per cent. of the population have enjoyed tax privileges and concessions under this Government. Some of the taxes removed by the Government, like the unearned income surcharge, must be reimposed. However, the real assault on the privileges of the very rich does not concern their marginal rates but should affect their allowances. Most of the money should be raised from that area. That naturally and inevitably leads me to my next point. I understand why Conservative Members complain about, resent and say that they will resist the increases in taxes for the very rich. I hope that they will also understand——

Mr. Butterfill: Will the right hon. Gentleman give way?

Mr. Hattersley: I will not give way now.

I hope that Conservative Members will understand that the tax cuts which they have boasted about are not discrete options. The income which the Treasury has forgone as a result of tax cuts for the favoured income groups, could have been used for other purposes. To choose to cut taxes for one group is to choose to increase taxes or reduce benefits for another.

In relation to that equation and balance, I would like to ask the Financial Secretary to the Treasury several questions which I do not mean to be rhetorical and for which I require answers. How can he justify the balance that the Government have struck between their provision of benefits and welfare and their cuts in taxes for the very rich? How can they justify abandoning the unearned income surcharge when the pension is so low that old people die from the cold in winter? How can they justify abandoning the highest tax band when the long-term unemployed who are now so numerous—there are more now than the total of unemployment when the Government came to office—lose full unemployment benefit after a year? How can the Government justify abolishing capital gains tax when child benefit this year has increased by only 10p?

These are all compensatory factors—one cut in one area accommodates a failure to improve welfare and benefits in another. The Financial Secretary and the Government, over the next few years, will have to demonstrate why their priorities lie, as they do, with the rich and why they hardly ever lie with the groups who in a civilised society ought to receive most assistance. The Chancellor and the Government have chosen to do very little about poverty and absolutely nothing about unemployment.

If the Chief Secretary contests that assertion, may I put to him again a question that I asked during the Budget debate but which nobody answered. The Chief Secretary seemed to be about to answer that question today, but in the end he shied away from it. Why was the £1 billion that the Chancellor said that he had at his disposal used to reduce the standard rate of income tax by 1p? The Chief Secretary said, "We did it because we had not done it before." That is an answer from "Alice in Wonderland". "We do it, because we do it," said Tweedledum to Tweedledee. Why did he choose this option when other clearly preferable options were available to him? Why, particularly in the light of the Government's record, was the £1 billion not used directly to tackle unemployment?

I add a note about the Government's employment record, since the Chief Secretary chose rashly to boast about the number of jobs that have been created by this Government. I think he said, "We have created more jobs than the rest of the EEC, put together." That boast is substantiated only by this country having adopted a practice that has not been adopted in the rest of the European Economic Community: the practice of counting part-time jobs as though they were full-time jobs. What is undoubtedly true, according to honest statistics that are genuinely comparable between Britain and the rest of the EEC, is that now 1 million fewer people are employed in Great Britain than were employed in 1979 and that we have lost more jobs than the rest of the European Economic Community put together.

Mr. MacGregor: The right hon. Gentleman asks me a question about a main part of the Budget, the reduction in the basic rate of income tax. I gave several reasons for that reduction in my speech today and also during the Budget debate. If the right hon. Gentleman is so critical, why has he said that he will not oppose the reduction of 1p in income tax?

Mr. Hattersley: I repeat gladly what I said in the Budget debate. The Opposition believe that the economy needs that boost. However, the Chancellor and the Chief Secretary had five possible ways in which to provide that boost. The question that I am asking, and which the Chief Secretary persists in not answering, is why, of the five possible ways, through which I propose to take the House, did he choose the one that helped unemployment and the poor least but helped the rich most?

I propose to remind the Chief Secretary of those five alternative ways. This afternoon he said virtually nothing about unemployment. People would not have believed it had they been warned in advance that during a 40-minute Second Reading speech on the Finance Bill, only two or three minutes would be devoted to unemployment. If the Chief Secretary had wanted by fiscal means, which is what this debate is about, by tax stimulus, which is also what this debate is about, and by methods that are legitimate to a Finance Bill, and therefore would have been within the

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rules of order, to concentrate upon reducing unemployment, he could have used his £1 billion upon public sector capital investment and maintenance.

That would have been a quick, cheap and certain way to create jobs. It would have minimised the adverse effects on inflation and the balance of payments. It would have helped to meet the desperate need for new and improved houses, renovated hospitals and the replacement of decaying schools. All of that could have been done by using the £1 billion for that purpose, but still we have not received an answer as to why the Chief Secretary made the choice that he did.

If the Government and the Chief Secretary were remotely concerned about the low paid and the least well off, they could have used the £1 billion to increase child benefit and to concentrate help upon those areas where it is most needed. If the Chief Secretary and the Chancellor had found the compulsion to cut income tax to be overwhelming, because they had to do something to attempt to fulfil the promises that they have so flagrantly and blatantly broken since 1979, why did they choose the standard rate of income tax that helps the rich the most and the lowest paid the least? Why did they not introduce a reduced rate band? Why was there not an increase in the threshold?

The Government have attempted to answer none of those questions. Therefore I put it again to the Chief Secretary: of the five ways of spending the £1 billion that were canvassed before the Budget, why did he choose the one that helps the lowest paid the least and the unemployed not at all, but that delights the 1922 Committee?

Last year the Chancellor called his Budget a Budget for jobs. When measured against the Chancellor's criterion, it was a catastrophic failure. Unemployment has risen by 100,000 since the Chancellor gave that title to his Budget. This year we have had a Budget for the Tory party. That, too, will fail in its objective because the Government's unpopularity has increased since the Budget announcements.

The manipulation that was supposed to do so much for flagging morale on the Government Back Benches and for declining status in the opinion polls has failed for two reasons. First, the general public have higher standards than the Government realise. The voters, if not the Tory party, are concerned about the Health Service, the education system, pensions and, above all, the unemployed. They have contempt for a Government who ask the prosperous members of society to forget or to neglect their least well-off neighbours and simply to rejoice in their own 1p in the pound tax cuts.

The general public, if not the Tory party, also realises that we all have a direct vested interest in financing housing—where again there will soon be a shortage of 1 million dwellings—in financing the additional cost of adequate law andd order and in financing an improved road system and rail network.

The British public is a great deal less gullible than the Chancellor of the Exchequer and the Cabinet believe. It knows that the Government's tax policy has virtually nothing to do with the needs of the economy, the unemployment crisis, the collapse of manufacturing industry and the increasing number of families who are living below the established poverty line but that it has everything to do with the Government's disarray and the Tory party's disintegration. The Government's economic horizon stretches no further than the next general election. They will lose it, because the British people are a great deal more moral, practical and decent than the Chancellor will ever understand.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. A large number of right hon. and hon. Members are seeking to take part in the debate. Mr. Speaker has asked me to say that he wishes preference to be given to those hon. Members who unsuccessfully sought to take part in the Budget debate. The whole House will appreciate brief speeches from Privy Councillors and other hon. Members.

5.56 pm

Mr. David Howell (Guildford): First, may I raise with you, Mr. Deputy Speaker, a point of order. It arises out of your earlier comments about what is in order in this debate. Will you confirm that it will be in order for us to discuss the contents of the Fourth Report of the Treasury and Civil Service Committee on the Budget that is on the Order Paper for discussion today? It touches upon subjects that go slightly wider than the contents of the Finance Bill, although they are directly relevant to the conext in which the Finance Bill is cast.

Mr. Deputy Speaker: The Chair will allow that, but it is important to bear in mind that earlier I chided the Chief Secretary for, as I put it, seeming to invite the House to discuss specific employment matters. That would be stretching a little too much the limits of the debate.

Mr. Howell: I am grateful for your ruling, Mr. Deputy Speaker.

The House will not wish to be detained for too long by the featherweight comments that we have just heard from the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), which seem to be curiously unrelated to the economic issues, the economic changes and the remarkable successes that are beginning to develop in the economy, especially the apparently virtuous spiral of downward inflation and interest rates and the rising investment and confidence in the British economy.

I agree with my right hon. Friend the Chief Secretary to the Treasury that this Budget was ingenious and full of a number of extremely lively and important proposals. I should like to comment on a few of them before turning to some broader points about the Finance Bill.

I welcome enormously the heavy emphasis that has been placed on wider ownership and what has been called popular capitalism. This is a vital thrust and a major part of miniaturising capitalism in line with the fragmentation and miniaturising of the labour market and the industrial structure. I greatly welcome that emphasis. As to the proposal for personal equity plans, this is very interesting, but I believe that more work on this scheme will be needed. My right hon. Friend the Chief Secretary to the Treasury told us that regulations will be introduced.

The present difficulty is perfectly straightforward. As my right hon. Friend the Chancellor said, it may be right for the small investor who puts money into individual shares not to go near the tax inspector, but the manager of an investment must approach the company concerned or the Revenue to claim back the tax on the dividend. He will incur a cost. He will have to charge that cost—he cannot live on air—and that will fall on the PEP

investor. The charge may be as large as any tax saving that the PEP investor makes from putting his money in a PEP scheme.

If the PEP scheme is confined to individual share investments, I am not that sure that it will run. It will be necessary to consider arrangements through which personal equity plans can be married up with perhaps a new PEP trust so that the cost of claiming tax on all the dividends from the companies that pay dividends on the shares in which investments have been made can be handled in volume and minimised. If that is not done, I do not believe that the scheme will be enormously attractive to the small investor with a capital gains tax exemption of about £6,000.

If it is intended to drive forward the spread of ownership, which has moved a long way already—my right hon. Friends have that intention very much in mind —some modifications to the scheme may have to be produced. The Government should have taken their courage in both hands and gone for a tax-free entry saving scheme—something like the French Loi Monory scheme —which would allow millions of workers to put part of their salary into investments and shares and claim back all the tax. The inducement of a tax-free investment is powerful.

It will be argued that such a scheme will be costly. If my right hon. and hon. Friends had looked at the scheme which was introduced by Lord Vinson and Mr. Philip Chapell of the Centre for Policy Studies, they would have seen a proposal on the same lines as Loi Monory. In theory, the cost would have been about £1 billion a year. In dynamic terms, it would have been considerably less.

If pressed, I am not sure whether I would have said to my hon. Friends that, although I would be the first to urge that we go for the 25 per cent. tax rate, which I think we will achieve before the end of this Parliament—that was the figure that we had in mind long before 1979—this year there may be a case for diverting the funds into a dramatic push on the wider ownership and personal savings side of such schemes. I am slightly sorry that the Government have not shown enthusiasm for going down that route. I hope that they will, that the PEP scheme will be the first toe in the water and that we will now consider more dramatic tax-free schemes.

The revenue calculations behind the Finance Bill and the Budget are based on the assumption that the oil price will be about $15 a barrel in 1986-87. That is optimistic. The price is already $12 a barrel, and it is highly likely that it will fall further. There are no underlying reasons why it should not go lower, as long as the Saudis maintain their output at present levels, as they have every intention of doing, and as long as demand stays low, which I think is likely because there has been a fundamental change in the world's need and thirst for oil.

Many energy experts reassuringly say, "Do not worry. The price of oil will go up and that will make the Budget arithmetic straight. It will also take the heat off the coal industry, the oil industry, and so on." One should regard those predictions with some caution. There may be another oil shock before 1992, although perhaps the expectation will avoid the very thing that people fear. In the meantime, oil prices could remain at low levels for several years.

If the average oil price is $10 or $11 a barrel in 1986-87, we will have to revise our expectations for next year. If, in 1987-88, the price runs at $10 or even lower, which is not impossible, my right hon. Friends will have to ask themselves how their long-postponed, but very important, strategy for cutting personal taxes—I remain convinced that that is the best way to create jobs, because the experience of every nation has been that low taxes and low unemployment go together—will be sustained if the Government have to suffer a further cut in oil revenues.

My right hon. Friend the Chancellor made an interesting speech to the Lombard Association. It was, as it were, part of the Budget speech which he felt should be made elsewhere, not in the Budget speech. The report of the Select Committee on the Treasury and Civil Service commented on that.

My right hon. Friend said, rather quaintly, that the fall in oil prices was the result of a return to prudent monetary policies and that that had been responsible for the oil price collapse. With respect to my right hon. Friend, I do not think that is the position. First, it is highly questionable whether we have returned to prudent monetary policies. Secondly, I believe that the fall in the consumption of oil has occurred because the demand for oil has become detached from the process of output growth in the Western economies.

Sheikh Yamani, whom I greatly respect, is incorrect when he forecasts that, after a while, the West will return to gas-guzzlers and oil heating on a massive scale, that there will be a general switch-around and that demand will rise as supply falls. The truth is that the world has gone off oil. The Budget calculations and the Finance Bill have to be cast on the assumption that oil revenues are not only substantially lower now than they were last November, when there was much heady talk about tax cuts worth £3·5 billion, but are lower than they were expected to be a few weeks ago, and will remain lower. The arithmetic will have to be recast on that basis.

It is not just a matter of losing tax revenues. New downside problems emerge and those are directly relevant to the tax regime and the Finance Bill. We have seen the first signs of alarm and concern over the future of the coal industry which, as far as its planners are concerned, is in a state of total paralysis. If the price of oil were to remain at $15 a barrel—let alone the present price or the price to which it will fall shortly—there would have to be a total revision of all the coal industry's plans, which would make everything about which Arthur Scargill went to war look like peanuts. Those are the serious industrial realities behind the falling oil price.

My right hon. and learned Friend the Member for Dover (Mr. Rees), who is a leading authority on oil industry taxation, both inside and outside Government, reminded us that the oil industry was looking at an entirely different landscape. There have been reports that a major loss of jobs is in prospect in Scotland as a result of the collapse of the demand for offshore equipment. It has been mentioned that 6,000 jobs are at risk. If the recoverable reserves in the North sea are to be reduced substantially, as is estimated now, as a result of the price of oil settling down at about $10 a barrel, it will re-jig the role that the North sea programme has played in the British economy. That may be inevitable.

It is possible that it will give Britain an opportunity to adjust to being a more normal industrial consumer economy than has been the case in recent years. The reality that my right hon. Friends will want to face, and which they must face, is that the changes in the energy economy, which I have described, will involve a further substantial loss of jobs, whereas the changes in the non-energy

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economy, which can take on board lower-cost energy and expand with new technology, will probably not involve many new jobs. Jobless growth is a worldwide phenomenon. I do not see that Britain will be free of it. We must look ahead. Further moves of a direct kind to assist the problem concerning jobs will have to be contemplated by my right hon. Friends. I am sure that they have some plans.

Tax cuts are the best way of getting new jobs, but there is probably now no escaping some more direct measures of the type I hoped would appear in the Budget and the Finance Bill. I was interested to see the suggestions from the Department of the Environment and departments of housing that the time was approaching when some local authority capital receipts could be released. An article in the *Financial Times* suggested that the Government were considering that measure. That would be a sensible move.

I have a partial liking for some of the measures to which my right hon. Friend the Member for Henley (Mr. Heseltine) referred when visiting some inner-city areas which are derelict and miserable. The association that some people make between inner-city infrastructure investment and unemployment is cruelly misleading. Not many jobs will be turned on in that way. But the association which needs to be made between grim surroundings and investment is much more valid. What my right hon. Friend the Member for Henley tells my right hon. Friend the Chancellor is that the time has come not for massive handouts of public funds but for a type of seedcorn — a pump-priming operation whereby small amounts of public money bring large amounts of private investment on their back. I urge my right hon. and hon. Friends to consider that course as they monitor the development of their Budget strategy once the Finance Bill is passed.

I hope, Mr. Deputy Speaker, that you will allow me to refer to monetary policy because the report of the Select Committee on the Treasury and Civil Service looked at it in some detail and because my right hon. Friend the Chancellor made an extremely interesting speech on monetary affairs outside the House in what was an annex, as it were, to the Budget speech. I have already mentioned the speech he made to the Lombard Association. He clearly signified that we were saying goodbye to technical scientific monetarism. I am glad to be associated with that goodbye—I was going to say "au revoir", but I hope that it is a permanent goodbye.

My right hon. Friend has made it clear, as has the Select Committee on the Treasury and Civil Service with its usual lucidity, under the guidance of my right hon. Friend the Member for Worthing (Mr. Higgins) with his usual lucidity, that our policy is to use short-term interest rates and the firm exchange rate to act as the main curbs on inflation. It is even questionable whether they will be operated through the mechanism of money supply to curb inflation.

My right hon. Friend the Chancellor in his speech to the Lombard Association said that sterling M3 had gone on an indefinite furlough. It is no longer considered to be a suitable measure. My right hon. Friend referred to its changed velocity, and so on. He also made it clear that the MO position had been reasserted. But it has been reasserted not as a governor of the rate of inflation—something to be influenced which will, in turn, influence inflation—but as an indicator, similar to a dial on a clock. If the dial points too high, short-term interest rates, presumably, will be used directly to curb inflation by curbing credit and other deflationary factors. In short, our policy is to use short-term interest rates and the exchange rate.

What is our exchange rate policy? I am sure that my right hon. Friends will want to address themselves to the difficulty that arises. The impression outside the House is that our exchange rate policy is in mid-air. We are in the European monetary system as a country member but are not involved in the exchange rate mechanism. Will we become involved in it, or will we not? There seems to be some contradictions.

My right hon. Friend the Chancellor has been extremely firm and clear about where we are going with respect to exchange rates. In his speech to the Lombard Association he said:

"in the right circumstances membership of a formal or fixed exchange rate system can itself provide a very effective framework for monetary policy".

He said:

"over the medium term maintaining a fixed exchange rate against countries who share our resolve to reduce inflation is a pretty robust way of keeping domestic monetary policy on the rails".

My right hon. Friend continued:

"I see no role for an exchange rate target outside a formal exchange rate system . . . And that, for the UK, means outside the exchange rate mechanism of the EMS".

He said:

"it clearly makes sense . . . to limit wild swings in the exchange rate, particularly against our European competitors".

In spirit and in intention we seem to have moved into the exchange rate mechanism of the EMS and, if so, we have an exchange rate policy. That needs confirmation.

Having made those comments on short-term interest rates and the exchange rate, which seem to be the main two engines of our policy, I must say, a little perversely, that it probably does not matter much whether the policies are being modified. I suspect that the real issue is rapidly ceasing to be inflation and is becoming deflation. I was interested to see this morning in *The Times* that Mr. Timothy Congdon had changed his tune remarkably and was questioning whether Governments had gone on too long wringing their hands about inflation when, perhaps, the wind had changed. Inflation in Germany is 0·1 per cent. Inflation in Japan is negative and prices are falling. Since 1 January, commodity futures prices in the Western world have fallen 10 per cent. and, since 1979, non-oil raw material prices have fallen by well over 20 per cent. in real terms, according to the Bank of England *Quarterly Bulletin*.

With prices falling in on all sides, the problem will be how to keep world economies going. I doubt that domestic monetary policy will play much of a role. Nor, as Mr. Congdon apparently thinks, will it be much more than pulling a piece of string to urge more and more interest rate disarmament in the hope that somehow it will keep the economies going. The reality is that probably nothing can be done. If anything can be done, it must be on an international level, not by individual Governments. I imagine that that matter will be discussed at the end of the week in Tokyo among all the talk of global medium-term financial strategies and objective indicators.

Mr. Budgen: Will my right hon. Friend give way?

Mr. Howell: If my hon. Friend will allow me, I shall come to the end of my remarks, because I have delayed the House too long.

I do not know whether the Tokyo conference will have the slightest effect on the scene. I suspect that Ministers are beginning to stand around at these international gatherings saying, "After all, boys, we are all Keynesians." That seems to be the new mood. I suspect that the reality will be more modest. The outcome will simply be that the Japanese need to become more globally minded in using their colossal surplus and buy more Mexican bonds, or whatever will help the balance of the world economy, and that the United States will cut its vast deficit. If those two measures are achieved, I believe that there will be more world stability and a better background against which we can proceed with interesting tax reforms in the Budget. I am sure that my right hon. and hon. Friends are aware of these rocks ahead as they steer their way through the Bill.

6.18 pm

Mr. Robert Sheldon (Ashton-under-Lyne): I shall refer to some of the points raised by the right hon. Member for Guildford (Mr. Howell), especially oil prices and monetarism.

One of the pleasures of speaking on the Second Reading of the Finance Bill is that one does not necessarily have to join the chain gang on the Finance Bill Committee. I suppose that some of us have either been granted parole or even full remission of sentence.

I should like to refer to an omission from the Bill. One of the pleasures of being a Back Bencher is that one does not have to agree with everything said by one's party. *[Interruption.]* That will not give much pleasure to the Government. I am concerned, as I am sure is the Chancellor, about the way in which mortgage interest relief is getting out of hand. Two years ago, the cost of mortgage interest relief was £2·15 billion and, in 1984-85, two years later, it was £3·5 billion—a 60 per cent. rise. That is bad enough because, clearly, it will continue. It distorts the housing market and directly adds to the cost of housing, but there are further problems.

There is an increasing sophistication among borrowers. The Government have done much to foment that, with advantage, and I am not against that. That sophistication means that there will be a greater leakage of money, ostensibly for the purpose of housing, going into other areas. Many people have a second holiday on the basis of an extension to an outhouse. Such leaks will continue and the cost of mortgage relief will increase again and again. What are the effects of these expensive subsidies to expensive houses? At one end, it encourages over-housing and at the other end taxpayers living in rotting, decaying and cheap accommodation are subsidising the relief. These opposing positions are getting further and further apart and it is a matter of concern.

The right hon. Member for Guildford (Mr. Howell) raised the important subject of the price of oil and the consequence of the fall in price. That ties in with the fourth report of the Treasury and Civil Service Committee. Once again we are extremely grateful to the right hon. Member for Worthing (Mr. Higgins) and his Committee for producing the report. In paragraph 41 of the report refers to

"the nature and the lack of a satisfactory explanation by the Government of its response to the oil revenue."

The report calls it a "disappointing response", and I agree with that.

The high price of any commodity benefits the producer against the purchaser. However, the total world purchasing power remains the same. It is the distribution which varies. The benefit to countries which import oil is exactly balanced by the disadvantage to those which export oil. The transitional effects are difficult and cause problems. If there is a sudden rise in the price, time is needed for the market to settle down. The OPEC increases in 1974-75 could have been absorbed if those price increases had taken place over a longer period. An oil price shock causes imbalances.

We should have used our oil revenue to increase our growth and investment instead of waiting for the price to fall. If Britain had no oil, our domestic costs would benefit from the lower oil prices. France, Germany and Japan have benefited greatly from the fall in price. Our exports would benefit if our major customers were oil importers and they would suffer if our major customers were oil exporters. We are in a different position because we have oil which we export. At one time our domestic costs benefited in the same way as the non-oil producing countries are benefiting now.

Britain could have reaped the benefits of the profits from North sea oil revenue if we had used it to assist industry. The non-oil industrial countries were unable to do that and Britain had a commercial advantage which we have never used. In a competitive world, it is the oil importer countries, our industrial competitors, that now have the advantage. We have forgone that prime advantage as the rich rewards of North sea oil have been used as an excuse for a high pound, with its debilitating effect on our industry and employment figures. The right hon. Member for Guildford was correct when he said that the oil price would have a consequence on the coal industry.

Britain's advantage lay in talking sensibly with the OPEC countries. A rational sensible oil price should have concerned Britain. It was not of interest to Germany, Japan or France. We forgot our personal involvement in a matter which should have had high priority.

The PSBR is held to be the right one because so much will be obtained from the sale of publicly owned assets. The exchange of a public monopoly for a private monopoly causes us grave disquiet. There are laws in Britain which enable the courts to take action in a way which the Government may not find thoroughly acceptable. However, there is a short history of regulation for the private monopolies. British Telecom regards itself as not having a public interest with regard to 999 calls but that was held to be of public interest before privatisation.

These new super-monopolies require special controls which we do not have and which we are not even thinking of providing. We have only to look at the United States to see the way in which its corporations can circumvent the tight controls. I compare that with our thin, under-nourished quangos fighting it out in the jungle with some of the largest industrial corporations. We have discarded ministerial supervision but the replacement is quite inadequate and the public will suffer. The Government should bear in mind that tax cuts would come from the sale of public companies which will then lack adequate supervision as private companies.

One of the most important measures in the Finance Bill concerns the capital transfer tax. It is serious because it

[Mr. Robert Sheldon]

illustrates the philosophy of the Government. The Government claim to be radical, but nobody can conceive of returning to something less than the old death duties as a consequence of radical government. What is given is assistance to the idle heirs of those who have been responsible for Britain's misfortunes. I can understand the notion of rewarding those who create wealth. One can give financial inducements to those who create wealth and such inducements have not been considered by the Government. One can make out a case for rewarding the creators of wealth, although I would dispute it.

The emasculation of the capital transfer tax by the 10-year rule and the less onerous death duty provisions have made it a voluntary tax. It is a shameful proposal. The Chancellor of the Exchequer has replaced a useful tax with a voluntary contribution paid only by the miser, the procrastinator or the negligent.

The principles of the capital transfer tax were sensible and equitable. The enjoyment of capital which an individual creates is the right of that individual. However, the enjoyment of capital by virtue of birth has long been regarded as eminently suitable for taxation—a tax which ought to be high and enforceable. That was the basis of death duties long before Socialist Governments involved themselves in these matters. The approach was to make the loopholes smaller. That was undertaken by Labour Governments but has not been undertaken by Conservative Governments, and the result has been a division between the two sides of the House as to how far capital wealth ought to be taxed.

We are all agreed that income tax should be paid, and it should be progressive. We argue about the amount but not the principle. However, with regard to capital transfer tax and a tax on wealth, we argue about the principle. That is a great pity. There is no question but that wealth should be taxed. But we are now back to the old optional tax in an even worse form than before.

I do not know what is the Government's policy towards mergers. There are even many Conservative Members who, like me, had hoped that there would be some form of taxation that would have some effect. However, I do not know how far that is practicable. In the rising stock market, those who have exchanged the long view for immediate profits can see their share prices sharply improve, and can use them as the base for a takeover which may make no industrial sense and which any Government should be concerned with. The Government seem to say that we should forget the industrial logic and concentrate on the one aspect of competition between companies. But the trouble with limiting takeovers to mergers that do not reduce competition is that it encourages the growth of conglomerates.

I thought that the one lesson that we had learnt in all our years of industrial policy and of changes of view was that no firm has such managerial wisdom and expertise that it can rejuvenate and advance any industry that it turns to. I know that many captains of industry are confident of their prowess and that of their managers, and think that there is no firm where they cannot improve the structure or organisation. But we should have a healthy scepticism of such individuals or companies. At a time of a booming stock market, it is wise to call a halt to the fever of mergers and to calm down those frantic companies by introducing a long period of delay and reflection.

Mr. Maples: I think that the extent of recent takeovers and mergers concerns us all. However, the threat of a takeover is just about the only weapon to be held over the head of an inefficient manager of a large public company. If it was removed, assets would be even more inefficiently managed.

Mr. Sheldon: I think that that is true when activity on the stock market is fairly quiescent. However, when the stock market booms, a company that has fashionable shares can make a takeover bid for those companies that are not quite so fashionable. During the period of stability the system works reasonably, but during the period of instability it does not. We are in a period of instability, and it is difficult to justify those mergers. In five years' time, I am not sure how many of them will be vindicated.

The Treasury and Civil Service Committee has once again done us a very good service in drawing our attention to the issue of the money supply. The Chancellor of the Exchequer was insultingly dismissive in his Budget speech about his changes backwards and forwards over the question of money supply. It is useful to turn to the first statement of that medium-term financial strategy. I have a copy of the relevant Budget report, which I treasure as there are not many of them around.

When the concept of the money supply was introduced, there were great hopes and expectations. It was to be the foundations of all prosperity for ever and ever. We know that the Chancellor of the Exchequer wrote the words that I am about to quote even though, at the time, he was the Financial Secretary to the Treasury.

He wrote:

"The Government's objectives in the medium term are to bring down the rate of inflation and to create conditions for sustainable growth, output and employment. To reduce inflation it will progressively reduce the growth of the money stock and will pursue the policies necessary to achieve that aim."

There is then the wonderful table, with sterling M3 scheduled to reduce from 11 per cent. in 1981, 10 per cent. in 1982, 9 per cent. in 1983 and between 4 and 8 per cent. in 1983-84. The Treasury was so certain about it that it allowed VAT to be increased to 15 per cent. It thought that there would be no effect on inflation because the money supply would do it all. The Chancellor of the Exchequer made a shambles of a speech. He has many ways of estimating the money supply, yet that concept is no longer in use. The last thing that I would advise someone who wanted to know what the Chancellor proposed to do would be to look at the money supply.

The right hon. Member for Guildford was right. There is an interaction between the exchange rate and the interest rate. If the exchange rate seems to be doing badly, up go interest rates. If the exchange rate is doing reasonably well in the Chancellor's eyes, interest rates can fall. The exchange rate is the prime determinant, just as it has been in Britain for the past 20 or 30 years. That little affair with monetarism lasted a few short years and then passed like a thief in the night. We now see the exchange rate mechanism working.

The right hon. Member for Guildford wanted Britain to join the exchange rate mechanism. I am not so sure about that. In the European monetary system we have, in effect, a deutschmark zone. We should not fool ourselves; that is what it is. Thus we either go into a deutschmark zone, or we have the deutschmark and sterling. Having two important currencies in the same zone is not the same as having one dominant currency. That is one problem.

Another problem is that we are likely to go in at far too high a rate. I believe that that is a serious point, although the Government may not see it as such.

The right hon. Member for Guildford also pointed out that the immediate danger was not inflation but deflation. That danger is serious. The right hon. Gentleman referred to the wind of change. We have spent too much time giving inflation super-priority. Nobody would doubt that there was a need to reduce inflation, but a change must now come. The danger is that it may come too late. We have suffered greatly from the Government's monetarist policies, and it is time that the agony was ended.

6.37 pm

Mr. Michael Grylls (Surrey, North-West): The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) is a much respected Member of Parliament. Although I might have been tempted to agree with some of his comments on competition policy, I was rather less tempted to agree with his remarks on capital transfer tax. Nearly 2 million people run their own independent small businesses, and they may react adversely to his sideswipe at people's idle heirs and at his comment that they were a good reason for having an effective and tough capital transfer tax.

I believe that the change made represents a central and long-term part of the Budget, which will encourage independent businesses. If it is impossible to pass on a business intact to the next generation of owners or managers, that unit of competition will go. Moreover, why should we encourage people to start firms if they must be sold on their death or retirement? I warmly congratulate the Government on abolishing capital transfer tax, to all intents and purposes, on lifetime gifts.

I listened to the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and found it sad that he seemed to have learnt or understood nothing about independent businesses. Most, if not all, do not reach their optimum size in one generation. They need to be passed from one generation to another, and to grow at every stage. Thus it is vital that our tax policy should facilitate that.

The passing on of productive assets from one generation to the next is crucial if a free enterprise system is to work effectively, and it is in this area that two thirds of new jobs are currently being produced. I hope that in a purely party political sense people in independent businesses will pay careful attention to what the Opposition have said about their determination, if they are ever entrusted with power again, to reintroduce a swingeing capital transfer tax. I hope that will be noted by everyone.

I want to move away from that subject and speak about a matter that was debated nearly a year ago, that of unitary tax. The House will remember that we had a major debate on that last year. The issue is of great importance not only to the United Kingdom but to the United States and to our main trading partners. The House will remember the debate on Report stage of last year's Finance Bill. It is important that as we debate this year's Finance Bill we should recall that debate. Perhaps during the summer the House will want to encourage the Government to take further retaliatory action to keep up the pressure on the United States Administration.

Last year the House unanimously passed a new clause which is now section 54 of the Finance Act 1985. That gives the Government power by order to withdraw payments of tax credits attached to certain dividends received by companies with a presence in a unitary tax state such as California. I know that many of my hon. Friends carefully follow this issue in the United States and there is no doubt that the passing last year of the retaliatory provision was a milestone that has inspired action in Washington.

On 8 November 1985 President Reagan issued a presidential statement in which he said that his Administration would introduce legislation to abolish unitary tax on a worldwide reporting basis. Secondly, he said that he would enter into negotiations with the United Kingdom to try to amend the United Kingdom-United States tax treaty and try to ensure that when court cases occurred in the United States US interests were represented. In response to the American Administration's initiative our Government also issued a statement. They welcomed the Administration's proposed action and announced that the Government intended to enter into negotiations also to amend the United Kingdom-United States tax convention.

In recognition of the statement issued by President Reagan, our Government announced that they would forbear from initiating retaliatory action under section 54 of the Finance Act 1985 on the strict understanding that the United States legislation—this is an important point for the House to recall—will be passed into law and will take effect by 31 December 1986.

The United States Administration introduced their legislation into Congress last December but, alas, I have to say that it received what at best can only be described as lukewarm Congressional support. Indeed, the legislation did not have as many sponsors as many of us hoped it would have. I understand there was to be a sub-committee hearing in the Senate on 16 May but that intiitial hearing has been cancelled. We are now at the end of April and no further action has been taken in terms of a Bill being heard by the two key Congressional Committees, the Finance Committee in the Senate and the Ways and Means Committee in the House of Representatives. Little progress seems to have been made on the treaty route. The House may want to press the US Administration today and on every other occasion we can to give much more vigorous support to legislation in Congress than they have to date. I hope the Government will pay attention to that comment.

Mr. Ian Wrigglesworth (Stockton, South): I support what the hon. Gentleman says. Many of us on this side of the House would support the Government if they took that sort of action.

Mr. Grylls: I am grateful for that comment. It is helpful to know that the House is united on this issue. Hon. Members may not be united on many issues but we are united on this one. It is worth mentioning that the early-day motion on the Order Paper on the subject has the support of 240 right hon. and hon. Members from all parties. I hope that my right hon. Friends the Prime Minister and the Chancellor of the Exchequer will take the opportunity at next week's economic summit to tell President Reagan and Treasury Secretary Baker yet again that this House is frustrated at the lack of progress on this issue in the United States, despite all the promises that we continue to receive.

All-party support is important. In that context, I am grateful to the hon. Members for Sedgefield (Mr. Blair)

[Mr. Grylls]

for Stockton, South (Mr. Wrigglesworth) and for Roxburgh and Berwickshire (Mr. Kirkwood) and to my right hon. Friend the Financial Secretary who has given untiring support to this issue even though he has many other things to deal with. It is crucial that the Government continue to give that tough support. It is essential to pay tribute to those British companies that have major investments in the United States and that have launched a campaign to fight this issue. That is vital. Although to an extent it is self-interest, there is nothing wrong with that. Those companies are determined to see an end to this damaging tax.

When he is winding up, my right hon. Friend the Financial Secretary will encourage all hon. Members and British industry which holds United States investments if he confirms that the Government's deadline for action in the United States is still 31 December 1986. If it is not passed into legislation in the United States by that date, perhaps he will confirm that the Government will return to section 54 of the Finance Act 1985 and the retaliatory clause and do something to bring tougher pressure on the United States Administration.

6.48 pm

Mr. Ian Wrigglesworth (Stockton, South): I am pleased to follow the hon. Member for Surrey, North-West (Mr. Grylls) and reiterate the point that he speaks for hon. Members of all parties in expressing the frustration that we have felt for many years about unitary taxation. I hope that people in Congress especially but also in the United States Administration will take note of the fact that the whole House is united in its frustration.

Our central criticism of the Budget and of the Finance Bill was that the strategy which the Government embarked upon amounted to giving away by a reduction in taxation some £1 billion while spending only some £100 million on efforts to create jobs. That is quite the wrong strategy, and it was for that reason that I and my hon. Friends voted against the cut in income tax from 30p to 29p. We did that because we had the courage of our convictions and followed the strategy that we outlined in our own Budget proposals. That strongly contradicts the strategy that the Government have embarked upon.

It is deplorable that the Labour party did not have the courage of its convictions. Despite the protestations by Labour Members in this debate that they disagree with the Government strategy, they did not follow their voices by their votes and vote against the strategy when they had an opportunity to do so.

Mr. Robert Sheldon: Let me defend the members of the Opposition Front Bench. There was, of course, the factor that a tax cut increases demand in the economy and that is of value. Iain Macleod used to say that one does not turn away Father Christmas because he is not giving exactly what is wanted.

Mr. Wrigglesworth: I am disappointed by the right hon. Gentleman. He gives as inadequate an explanation of the lack of courage on the Labour Benches as his own Front Bench spokesmen have done. We criticise not the Labour party for wanting to expand the economy, but the method by which the Government have chosen to give away the money. As the right hon. Gentleman knows, that money could have been spent as his right hon. Friends and we have been advocating for many years—for example, on expanding the economy through spending on infrastructure and housing.

Mr. Jeremy Hanley (Richmond and Barnes) *rose*——

Mr. Wrigglesworth: I do not want to pursue this point throughout my speech, but that is where the money should have gone, which is why we opposed the Budget's central strategy. The Labour party was not prepared to do that because it wants to have it all ways. It was not prepared to be consistent in its strategy.

The Chief Secretary painted, just as the Chancellor of the Exchequer and other Government spokesmen have done, a rosy view of the economy's performance. He provided a posse of selected statistics to demonstrate the success which, we are told, the Government's policies are achieving. Not surprisingly, the statistics which have been chosen are based on the economy's recovery from the depths of the recession in 1981.

We hear little these days about what happened to the British economy and British industry between 1979, when the Government came to office, and 1981. Obviously the reason for that is that during that period large sections of our industry were decimated and unemployment increased dramatically. It is like a person who wilfully and pigheadedly risks his health, and, having suffered from the inevitable consequences, expects congratulations on his recovery from his self-inflicted injury.

If one considers the record of the past seven years, not merely the period since 1981, one sees that employment —we have heard a great deal about the number of jobs that have been created recently—is still 1 million below what it was when the Government came to office in 1979. Indeed, that decrease is greater than that of the European Community as a whole. Output is only 7 per cent. above the 1979 level, manufacturing output is still 6 per cent. below the 1979 level, and manufacturing investment is more than 20 per cent. below the 1979 level. That is not a record to crow about. The empty or demolished factories and the 3·5 million unemployed are testimony to that record.

The Chancellor boasts that recently we have moved from the bottom to the top of the European growth league. However, if allowance is made for the effects of the miners' dispute, the 1985 rate of growth was 2·5 per cent. and only just ahead of Germany and Italy, and in the second half of 1985 the United Kingdom, with 2·1 per cent. growth, dropped well below France, Italy and West Germany. During that period West German growth was at 6·3 per cent. Therefore, the real record is dreadful. The most recent figures show a distinct slowing down in the United Kingdom economy, with manufacturing output stagnant during the past nine months and industrial production slowing down.

The Chancellor claims that we have survived unscathed the halving of the oil price. We heard a great deal about that at the time of the Budget. I wonder whether the Government have studied the Bank of England *Quarterly Bulletin* which points out that real national disposable income will be adversely effected by the impact of falling oil prices on the terms of trade. The Bank's analysis shows that the direct consequence of the recent fall in price is to reduce net disposable income by 1 per cent., since real net oil exports account for 2·75 per cent. of gross domestic

product. According to the Bank of England, that accounts for a direct loss to the balance of payments of up to £3 billion a year, at probable 1986 levels of production.

The bank suggests that that could be offset within four years by a 9 per cent. fall in the effective exchange rate. But it adds the crucial qualification that the improvement on the non-oil current account will follow from the beneficial effects of improved competitiveness, which depends on there being no offset to the effects of exchange rate depreciation from higher wage settlements. If rising unit labour costs continue to erode competitiveness, the effect on the balance of payments will be even worse than the £2·5 billion, £1·5 billion and £500 million predicted for 1986, 1987 and 1988 respectively by the Bank's simulations.

Thus, to grasp the opportunity presented by lower oil prices depends on conserving the competitive advantage conferred by lower exchange rate. In that context, it is crucial that wage bargainers recognise that foreign competitors also gain from lower oil prices, which have fallen even further in foreign currencies, and will reduce their pay settlements in line with their falling, if not vanishing, inflation rates.

The Chancellor is clearly prepared to stoke up a consumer boom with real disposable incomes rising by 5 per cent. and consumer spending by 4 per cent. this year. This year demand will be largely fuelled by consumer spending rather than by investment and export. Unit labour costs rose by 5·75 per cent. last year—much faster than those of our competitors. Their unit labour costs rose hardly at all or are falling. It is clear that the Chancellor must seek a bigger decrease in pay settlements than 1 per cent., which is the most that he can expect as bargainers adjust their expectations to falling inflation.

As commodity prices fall and work their way through the economy, wage pressure will start to increase inflation. Much of the credit which the Government have claimed for low rates of inflation and of interest should be put at the door of Sheikh Yamani for his action and of the lower commodity prices throughout the world. The Chancellor will hope to hold the rate of inflation to about 3 per cent. next summer with lower nationalised industry prices and indexation.

The Secretary of State for Employment, after announcing the appalling unemployment figures last month, shared in the general euphoria that Ministers have been expressing by stating that employment had risen by nearly 1 million since 1983. However, the number of full-time equivalent jobs rose by only 16,000 between March 1983 and September 1985. The Secretary of State's figures depend crucially on estimates of the increase in the self-employed — a rise of 440,000 during that period. Growth is welcome, but it depends crucially on that estimate.

Even the growth in the employed labour force to which the Government point is lower than in the previous year. During the next three years we must create an additional 113,000 jobs nationally each year merely to keep pace with the rise in the labour force. On present Government policies, there seems little prospect of our being able to do that and to reduce unemployment levels.

Mr. Butterfill: The hon. Gentleman made an important point about the increase in the labour force. Will he confirm that during the 10 years from 1976 to 1986 the increase in the labour force has been about 2 million people, and that that, rather than the economic policies about which he is complaining, is the major contributor to the present levels of unemployment?

Mr. Wrigglesworth: No, because those people represent an opportunity, not a burden. For every mouth there is a pair of hands. These people can work; they can produce wealth if they have the opportunity. This is why some countries have expanded their population because they want the growth that will come from that. But because of the barmy economic policies that the Government have pursued over this period, we have not had the growth in demand and the growth in opportunities for those people to create the wealth that we would all like to see. The unemployed are not sharing in the consumer boom which the Government are generating, and the Government remain passive and supine in the face of mass unemployment.

The 1p cut in the basic rate of tax will create at most some 30,000 jobs over three years, compared with at least 80,000 through a cut of 10 per cent. in employers' National Insurance contributions, which we advocated. The Government always select the measures which are least effective in creating jobs and which benefit most the relatively better off. It is a macabre achievement of this Government that the direct revenue costs, through benefits and lost direct tax revenue, of the extra unemployment since 1979 amount to £50 billion, almost completely swallowing up the £52 billion that the Exchequer has received in North sea oil revenues during that period. It will be this Government's epitaph that they squandered Britain's golden decade on paying for mass unemployment.

Despite the oil price fall, British industry is still paying a substantial cost in higher interest rates which remain very high and are much higher than is justified by inflation differential with our main competitors. Clearly the Government fear a loss of confidence and a too precipitate fall in the exchange rate. As Roger Bootle, the Lloyds merchant bank economist, has pointed out, the currency markets demand a confidence premium on United Kingdom interest rates to compensate for fears of currency depreciation in the future. As oil price risks should have diminished, the main reason for this must be lack of confidence in the underlying soundness of the economy, or fear of the possibility—and this may be coming in to their reckoning, I suppose—of a Labour Government.

European monetary system entry, openly advocated by the Chancellor and the Foreign Secretary, would in our view help to give more stable and possibly lower interest rates, but there is the danger that the Government might enter at an over-valued and unsustainable rate in order to maintain an anti-inflation discipline. Our view, strongly expressed on a number of occasions over the past months, is that we have had opportunities to go in at a rate that could have been negotiated. The chairman of the Bundesbank has made it clear that he believes that we should negotiate a lower rate in relation to the deutschmark, that we should go into the exchange rate mechanism in order to bring about that stability and indeed to do the things that, as the right hon. Member for Guildford (Mr. Howell) pointed out from the Chancellor's Lombard speech, are possible if we go into the exchange rate mechanism.

I want to say a few words about the share ownership proposals in the Finance Bill because we on the alliance

[Mr. Wrigglesworth]

Benches have a long-standing interest in this matter. The personal equity plan, which unfortunately has only the barest ground rules for its establishment in the Finance Bill, has turned out to be a pretty emaciated mouse. The cost of tax relief for the scheme in 1987-88 is estimated at only £25 million, which will do very little to encourage the spread of shareholding. The incentives for individuals are minute. This point has been recognised by Conservative Members as well as by Opposition Members. Those most helped by the scheme will be the better-off taxpayers and those on the higher rates who are already utilising their £6,300 capital gains tax exemption and who will be able to build up a tax-free fund.

The apparent exclusion of investment trusts and certainly of unit trusts from the scheme means that on a relatively small amount it would be hard to achieve the kind of spread of risk which would make the scheme attractive to small shareholders. Those who do not benefit already from the CGT exemption will only benefit from the tax refund on reinvested dividends. Although the objection to including unit trusts is that they do not represent direct shareholding, the PEP scheme is unlikely to appeal to the small saver without them. The Chancellor's proposals are quite inadequate to achieve a wider spread of share ownership.

In addition, the Chancellor spoke in the Budget of the need to give profit sharing a greater role in total remuneration. He said that it might make sense to offer some temporary measure of tax relief to the employees concerned to help to get profit-sharing agreements of the right kind off the ground. He promised a consultative document. We welcome that and look forward to receiving such a document; we shall certainly be very happy to respond to it. We are pleased that the Government are adopting that approach, because the greater the consensus on this issue across industry and across this House, the better for all.

The Chancellor could have used some of the £1·2 billion that he has given away in the basic rate cut to give new encouragement to direct share ownership. The findings of the NOP poll which the Chief Secretary mentioned on share ownership are, if I can be fairly modest in my language, somewhat surprising. Some people have been rather dubious about them. They considerably exceed the stock exchange's estimates: 2·5 million shareholders as opposed to 6 million projected by NOP. That is a very dramatic difference. We want evidence beyond that of the NOP poll to show that 6 million is the true figure, because it is certainly not borne out by much evidence, both subjective and other, that is available.

Mr. Richard Wainwright (Colne Valley): Does the hon. Gentleman agree that the wider distribution of shares would be greatly encouraged if the Chancellor, instead of virtually abolishing capital transfer tax in this Bill, had remodelled it in such a way as to encourage wealthy people to make a multitude of relatively small gifts of shares to large numbers of people rather than passing on their inheritance to only one or two members of the family?

Mr. Wrigglesworth: Yes. I hope that we can pursue that point in Committee because it is something that we would like to see. There are other things which we would like to see and which we feel would extend share ownership much more broadly than the Government's measures will.

Whichever of those figures is correct, the fact is that it is well short of the proportion of the population with building society accounts or with bank savings or deposit accounts. Instead of going down the PEP route, the Chancellor should have gone down the route recommended by the stock exchange and provided a modified version of the Loi Monory scheme, a tax incentive-based scheme that has been very successful in France. A tax incentive of £500 in an additional personal allowance, used to buy shares in a qualifying fund, would cost the Treasury about £300 million if 2 million people benefited from the tax concessions. Last year my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) moved a new clause along these lines, and we shall be returning to this issue in Committee.

Mr. Hanley: The hon. Gentleman is clearly in favour of wider share ownership; we all know that. I wonder whether he was in favour of the greatest contribution made to wider share ownership, the privatisation of the past three or four years? How does his party vote on that issue?

Mr. Wrigglesworth: We could support quite a number of the privatisation proposals. The National Freight Corporation has been one of the most successful operations carried out and we have consistently supported it. But the methods by which the Government have privatised some public monopolies and turned them into private monopolies, dominating the market and not giving the consumer real choice or providing real competition, has led us to oppose the most recent privatisation measures.

I do not want to be diverted down this road, but if the Government were prepared to break up the British Gas Corporation into at least four parts and have separate area boards all as private companies, and provide some element of competition where it does not exist under the present proposals, we might support such a move. But all we have is a massive monopoly, with no competition and no consumer choice, being foisted on the public. That is not the way to obtain wider share ownership.

Wider share ownership could be achieved if the Chancellor had also given more direct help to employee share ownership. If he really wants to tackle the adversarial climate which has characterised industrial relations and collective bargaining in Britain for so many decades, he can help to achieve that by giving employees a much more direct stake in the future of their company by giving income tax relief to profit sharing and share ownership schemes or relief from corporation tax in order to encourage them.

Thirdly, if the Chancellor is serious about influencing the current pay round, as opposed to trying to steal our clothes in the consultative document, he should have proposed a payroll incentive of reduced national insurance contributions for companies which concluded longer term pay settlements in line with the expected lower rates of inflation or with productivity improvements. Employees could receive benefits in the form of increased share ownership if they were prepared to negotiate such settlements and could be given substantial tax concessions if they retained their stake in the enterprise.

A reduction of employees' national insurance contributions would help to cut labour costs and to keep

firms competitive. We hope that the Government will look again at the PEP and other schemes and be tempted by some of the pressure from their own Members, as well as that to which they are responding from these Benches, as the general election approaches. Nothing concentrates the minds of politicians more than votes. Clearly that is the case with not only the by-elections but the general election approaching. I hope that that will encourage the Government to look more seriously at some of those schemes for really encouraging more people to take a direct stake in their companies and in shares in other companies. We shall want to see something much more effective than the PEP scheme if that is to come about.

7.11 pm

Mr. Terence Higgins (Worthing): The House will have listened with interest to the frank confession of the hon. Member for Stockton, South (Mr. Wrigglesworth) that the alliance voted against the Chancellor's proposed reduction in income tax. I am sure that we can look forward with equal expectation in the forthcoming by-elections to that being a major plank in the platform of the alliance candidates.

Mr. Budgen: A very high moral stance.

Mr. Higgins: The Second Reading debate of the Finance Bill is typically a mixture of specific comment on individual proposals on the one hand and commentary on the broad macro-economic consequences of all the measures in the Finance Bill on the other hand. I wish on this occasion to follow that tradition and to begin with the good news in the Budget.

One of the disadvantages of the Budget ritual is that on Budget day and the day afterwards the media is full of publicity for what my right hon. Friend the Chancellor is proposing, but the individual proposals are soon forgotten and the Finance Bill does not receive the same sort of publicity. That is unfortunate. Often, local press and radio do not spell out the specific proposals so that those in the constituencies who are affected by my right hon. Friend's proposals are not fully aware of them and so unable to take advantage of them.

In that context it is important that the specific proposals should receive coverage at a local as well as a national level and I want to single out charities for attention, to which my right hon. Friend the Chief Secretary rightly drew attention in his opening remarks. The role of the voluntary sector in our economic affairs is important. It should not be treated as a substitute for Government activity in those areas where the Government can do the job best. For example, I hope that we shall continue to see substantial increases in public expenditure in some areas of the National Health Service.

None the less, the voluntary area is important and deserves to be encouraged. I am glad that the reliefs on some aspects of value added tax have been introduced and, in particular, the two specific proposals on charities which were mentioned—the facility for individuals to make charitable donations with tax relief in individual company schemes and for companies to contribute a sum equal to 3 per cent. of their dividend payments, again with tax relief, to individual charities. That can be important in areas such as my own of West Sussex where companies can, to a considerable extent, make donations to local charities and, in turn, have an important impact on the community's welfare. That having been said, I share the doubts expressed by my right hon. Friend the Member for Wanstead and Woodford (Mr. Jenkin) on clause 29, and I hope that that will receive considerable attention in Committee.

On the macro-economic side, the policy which the Finance Bill implements again brings good news, certainly in the unique combination of reduced inflation and the record rate of sustained economic growth such as we are experiencing. But there are some presentational problems because one of the difficulties of reducing inflation, as we have, from something over 25 per cent. to about 5 per cent., and, I hope in the coming year, to still less, is that we put that forward as a reduction in the cost of living but many of our constituents do not believe that that is the reality. The way in which the cost of living index, or indeed the pensioners' cost of living index, is calculated is not generally understood and that means that people do not believe what is said about inflation.

I hope that my right hon. Friend the Chancellor and his Treasury colleagues will go to some lengths to stress the fact that the cost of living index covers an enormous basket of individual items and is calculated on the basis of individual surveys, which take place every month. When inflation was going up at 25 per cent., big increases in particular items, such as electricity and gas, were submerged, so people were not worried about the cost of living figures. With figures for the overall cost of living down in the 5 per cent. range or lower, a sudden large increase in the price of, say, gas, electricity or rates, casts some doubts on the credibility of the Government's claims. It is important that we should spell out that point.

Another important point came out in the evidence taken by the Treasury and Civil Service Select Committee from the Governor of the Bank of England, many of whose remarks were extremely helpful. The House will recall that the original intention of the medium-term financial strategy was to alter expectations on pay. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) was so brave as to produce the original medium-term financial strategy document, which was very much concerned with expectations, in particular on pay claims. The Governor in his evidence on page 67 in answer to question 366 in relation to expectation affecting pay settlements said:

> "I think there is a sound barrier at around 5 per cent. where a lot of people feel it is not too bad: 'Surely we can have an increase of that sort of level.'"

He went on to say that he thought that the point about expectations was now greatly diminished and that, perhaps, is again an important effect of falling inflation.

None the less, the rate of economic growth has been combined with the reduction in inflation and even the TUC, from whom we took evidence, seemed to say that it would be content, if not absolutely delighted, with the 4 per cent. rate of growth. When one looks at the economic forecast one sees that we are on the way to that, but anything much faster than that forecast in the Treasury Red Book might create some real problems in the resurgence of inflation. Let me say a word or two about that.

In particular, I hope that the Select Committee's report, about which several hon. Members have made kind remarks, brings out the way in which policy has changed in relation to the attitude of my right hon. Friend and the Treasury. We have seen a steady progression away from dogmatism in regard to monetarism towards almost complete pragmatism. Indeed, one of the problems that we

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face at present is the extent to which economic policy has now become opaque. It is very important that we in the House should seek to analyse the difficulties.

In particular, we have moved very much towards what can best be described as an interest exchange rate policy, and I want to say something about that. In his answers to questions 319 and 320, the Governor of the Bank of England agreed that the rate of interest in other countries with which we are competing is something like half the present rate of interest in the United Kingdom. I therefore think it is important to ask why it is that interest rates are as high as they are.

If one looks at the situation from a domestic point of view first, I think that it is worrying. The Governor of the Bank of England, again in a rather graphic phrase—it is remarkable how well the metaphor stood up—described the overhanging glacier of liquidity in the economy which is continuing in its frozen state only because of the very high level of real interest rates. If real interest rates begin to decline, the problem is that that glacier will begin to thaw, which could have disastrous consequences in regard to the resurgence of inflation.

Despite the good performance to which I referred earlier, I personally have considerable concern about whether we shall succeed in maintaining the downward pressure on inflation that we should all like to see, even though it is done against a background of very different trends in commodity prices from those experienced in the early 1970s.

The other reason why from a domestic point of view we have high interest rates is that which the Chancellor himself spelt out. It is because our unit labour costs are rising faster than those in competitor countries. We had some difficulty in the Committee understanding precisely how this mechanism was supposed to operate, although at the end of the day I think there was a slight suspicion that interest rates were high for a rather old-fashioned traditional reason—that, if unit labour costs were rising too fast, then one put up interest rates to exert downward pressure on companies faced with inflation wage settlements. The Chancellor did not seem to go as far as admitting explicitly that that was the problem.

As to the underlying considerations, the way in which it is assumed that the velocity of circulation of currency — however one likes to define the currency — will continue its recent trend is also worrying. This may be a dangerous assumption. It is possible that we could foresee other factors that would alter that situation. If so, the frozen glacier of liquidity again might create serious problems.

Turning to examine why interest rates internationally are high, I think that it is once more the combination of interest rates and exchange rates. There is cause for concern because the danger is that the high interest rates deter investment. On the other hand, if the real interest rates begin to fall, we may find that all those who meanwhile put the liquidity into interest-bearing assets suddenly decide that the thing to do now is to go out and spend the liquidity because the attraction of those interest-bearing assets has declined in real terms. All this is worrying.

Mr. Butterfill: My right hon. Friend expressed concern about investment. Does he not agree that there has been a very satisfactory growth of domestic investment —up 8 per cent. last year—and inward investment from overseas, which is remarkable in the circumstances?

Mr. Higgins: On the second point, I welcome both inward investment and investment overseas by the United Kingdom. I have always been mystified by the way that the Labour party is opposed to its going in either direction.

As to the prospects for investment, my hon. Friend must look at the Red Book, and he will see that much of the increased investment has been due to tax changes introduced in a previous Budget in regard to investment allowances and corporation tax. The investment figure for the end of the period covered by the Red Book is not, I think, a very happy one.

I deal now with the main point that I wish to make in regard to the external situation where clearly interest rates are being affected by exchange rates. We have to look at the difference between the dollar exchange rate and the relationship of the sterling exchange rate to exchange rates elsewhere, in particular in Europe. To the broad extent that it is true that we buy in dollars and sell in deutschmarks, we can welcome the change in differential rates in the last year, which is quite remarkable. Because policy has become so opaque — and M3 that used to be the cornerstone of the whole thing was first discarded completely and then reintroduced for only one year, and it is a very strange thing to have a strategy that lasts only one year—and given that that change has taken place, it seems increasingly to be a policy that turns on the exchange rate.

I think we are in some danger of getting the worst of both worlds. Some people have said recently that the way in which one can best deal with the problem is in effect to pretend that we have joined the exchange rate mechanism of the EMS without actually doing so, thereby getting the best of both worlds. I think there is some danger that we will get the worst of both worlds. Unless the band, range or target for the exchange rate is made explicit, there is considerable uncertainty about what the policy really is. The Chancellor has been reluctant to spell out any such range, indeed, to the extent of constantly repeating that he has no such range in mind.

It seems to me that the arguments for the EMS, the exchange rate mechanism and our joining it have improved in the last six to nine months simply because the relationship with the deutschmark is now much more favourable than it was. I think there is a widespread view, not least in the City, that if we were to join, which would be a clear commitment to stay within that range, there would be a considerable flow of funds into the country, in particular from Germany, because people would think that the uncertainty had been removed and the interest rate differential was still very large. If we had that inflow of funds, in my view it is possible that we would find that we could reduce our interest rates by 1 per cent., 1·5 per cent. or even 2 per cent., thereby narrowing the differential significantly to the great advantage of those who wish to invest in industry.

While there are still doubts, as the hon. Member for Ashton-under-Lyne mentioned, with regard to the problem of there being a bi-polar system if we joined, since sterling and the deutschmark would be the dominant currencies, I am increasingly of the view that, if we were to join, there would be some advantage. I am not convinced by some of the arguments put forward by my right hon. Friend the

Prime Minister to the effect that it was a good thing that we did not join some time ago. The fact that it is not worth buying something at a high price does not mean that it is not worth buying something at a much lower price. I think that the exchange rate relativities have improved considerably in recent months.

I wish to give a word of caution on some wider issues. This time last year we discussed at length the dangers of a hard landing for the dollar, in the sense that a sudden collapse of the dollar might mean that interests rates would have to be raised which would cause a major recession in the world with the attendant problems for debtor countries, and so on. I am still worried about that, despite the change that has taken place in the dollar exchange rate over the past year.

More particularly, I am worried about the continued budget deficit in the United States, and about the fact that no real progress has been made in reducing it so that the Federal Reserve bank is still inclined to keep interest rates high to fund it. In turn, that produces a high exchange rate for the dollar, which produces a balance of payments problem. That is still overhanging the situation, and the overall effect is difficult for those debtor countries that are adversely affected, despite the fall in the oil price. There is still a real danger of default, which I hope that the Baker initiatives will do something to help.

Finally, I am worried by the effect of the banking system, particularly in the United States, on agriculture. In that context, many people in the United States who went into farming, perhaps not long ago, and borrowed money, now find themselves, in the light of changed circumstances, with assets worth less than the money that they borrowed. They are voting with their feet and are leaving everything standing.

The oil price, the international debt, the agricultural situation, the dangers to the United States banking system, and in turn, the repercussions that it will have on us, give considerable cause for concern. That will be exacerbated if a trade war develops between the EEC and the system of American agricultural support. That is a real danger that should be given close attention by my right hon. and hon. Friends on the Front Bench, and in particular those in the Treasury.

Having said all that, the Budget, as the Select Committee on the Treasury and Civil Service reports is broadly on the right lines, given the economic situation, although I have considerable concern as to the future stability of the system. By and large, I welcome the Bill, which has many specific proposals that are likely to be beneficial not only in my constituency, but across the country.

7.32 pm

Mr. Michael Cocks (Bristol, South): This is the first time that I have had the temerity to trespass into a debate on the Finance Bill. Although I am a former Parliamentary Secretary to the Treasury, the House will know that all that is required in that job is a vestigial knowledge of arithmetic. Perhaps the House will be lenient with this first offering.

The Government have made a great deal of the help that is given to charities. It is a pity that their generosity did not extend to other sectors, and make changes that would not have meant much more expense. The first is VAT on headstones for internments and other parts of the necessary funeral expenses, such as flowers and refreshments. The second is the imposition of VAT on sanitary wear for women—something that has always nonplussed me. It is anomalous, because it is a physiological toss of the coin as to which sex we are, so it is wrong to penalise women. Both those sectors need to be changed.

One of the main features of the Budget for my constituency is the swingeing increase in the tax on cigarettes. I understand the pressures put on the Chancellor to impose an increase, but even if those who are out to destroy the tobacco industry eventually do so, the Chancellor, or whoever is Chancellor in future, must not think that that is the end of the story. There are signs already that the same people, or similarly motivated people, are preparing to launch a heavy attack on the alcohol industry. We are already beginning to get calls for a swingeing increase in duties on alcohol, to minimise the risk of cirrhosis of the liver and other alcohol-related diseases. While there is no increase in alcohol duties on the same scale as on cigarettes, the Government should beware of the pressure that will build up—pressure that may be misjudged.

There is a side effect to what the Government have done that may be of interest, and perhaps the Government will give some consideration to this. I have been contacted by a number of tobacconist-newsagents in my constituency. Following the Budget they had a letter from their proprietor, Kiosks, saying that, because of the size of the increase in the duty on cigarettes, their contracts would be renegotiated to reduce the commission on which they work. The letter says:

"it must be clearly understood that the Company makes no profit whatsoever from this additional duty levied by the Chancellor and under the circumstances it simply cannot absorb the commission element."

A number of petitions against the increase in the tax have been collected by tobacconists, but those collecting the signatures had little thought that their own livelihood would be eroded by the company that owns the chain. Perhaps the Government will give some thought to that. I have written to the company about this. That was over a fortnight ago. I have not yet had the courtesy of a reply, so I feel that I am entitled to raise the matter.

A similar squeeze is being put on the landlords of pubs in Bristol. Courage, the brewer, is seeking to take a bigger share of fruit machine profits. The point about the example is that the Government say that they wish to help small business men. However, the larger companies can get away with much, but the small people who work for them suffer. I ask the Government to show more imagination.

For example, one small measure—adjustments to the luncheon voucher scheme—would help small firms that do not have large subsidised canteens. That scheme was introduced over 40 years ago. The Government recognised the worth of the scheme, and the 3s. a day tax allowance was brought into force. At that time, one could buy a decent feed, particularly in the British Restaurants, for 3s. The equivalent, 15p, which is still the allowance, certainly will not. I think that the tax allowance should be increased so that small business men can give their employees the same benefits as those enjoyed by people who work for large firms, or those who eat in directors' dining rooms.

The Chief Secretary has already mentioned the levy on goods produced by the entertainment industry and sold abroad. Here we detect the clammy hand of the Treasury at work. Only two days ago, I received a letter from the

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new chairman of HTV, Mr. G. E. McWatters, informing me that the company had been granted the Queen's award for export achievement. He went on:

"It seems somewhat sad that the Treasury has recently seen fit to penalise these export activities by a change in the levy arrangements. We do provide a lot of employment in the West Country and hope to expand still further."

That company is being penalised for exporting.

The Budget seems to be more geared to the 27 million in work than to the 4 million out of work, and it does not tackle the basic problems of the economy. During the debate on the Gracious Speech on 12 November I spoke about the erosion of the British manufacturing base over a long period of time and under successive Governments.

I should like to deal with the Government's over-reliance on income from invisible earnings. Yesterday my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) spoke about the decline of British shipping and the Merchant Navy. In a similar debate a few weeks ago the right hon. Member for Taunton (Sir E. du Cann) said that our invisible earnings had declined by £2,000 million a year because of the decline of the British merchant shipping fleet.

We rely on tourism. The recently circulated magazine of the British Tourist Authority said that last year 3 million Americans came to this country and spent about £1,600 million. This year there has already been a drop in the number of Americans booking visits here because of the change in the dollar-sterling rate and, much more recently, because of the situation between the United States and Libya. It is worth reminding ourselves that millions of Americans came here during the war not as tourists, but to work with us to throw back the tide of Fascism which lapped across Europe. I am pleased to add that to my remarks. I hope that the present feelings in this country about the United States are temporary and are not shared by many of my constituents.

The two areas of invisible earnings are subject to variables which are so liable to change that the Government should not rely on them. They should concentrate much more on building up the British manufacturing base. The long-term decline in our share of world markets has been categorised. The Confederation of British Industry recently produced figures showing that there was a drop of 16 per cent. in the early 1960s, to less than 8 per cent. now. Each percentage drop in our share of world markets represents about 250,000 jobs. If we take with that the growth of import penetration, where each percentage point represents about 75,000 jobs, I think we have an explanation for the tremendous increase in unemployment in recent years.

During the course of my remarks on 12 November, I said that we should concentrate more on a "Buy British" campaign. I gave an example of somebody buying a Metro or a Maestro with 95 per cent. British content as opposed to a foreign car, saving the Exchequer about £1,000 in benefit payments, because it represents two months work for one British worker. Recently, when the Government announced the placing of an order with Cammell Laird they said that the order represented 2,000 jobs over two years. If buying British is analysed in that way, it should be much easier to persuade people to buy British in order to preserve and create British jobs.

We must use our reservoir of equipment, labour and skills to develop a robust manufacturing base and free ourselves from over-reliance on invisible earnings, which are subject to external variables beyond our control. We should give up blaming the work force. We should overhaul our management techniques, learn from other people and become much more competitive.

The Budget does not measure up to the job required. It is not sufficiently drastic. It does not give us the national catharsis that we require. It really only tinkers with the problem. The situation should be taken by the scruff of the neck. It has been done before. It was done in the post-war period by the 1945 Clement Attlee Government. Millions of people were demobilised from the forces without any large scale unemployment. The economy was changed from a war-time to a peace-time footing without disruption. Although our major utilities had been run on a care and maintenance basis, the country was put back on its feet in a remarkably short period. That is the effort of which the British people are capable. That is the sort of effort that we need, but it is not the sort of effort that the Finance Bill will encourage.

7.44 pm

Mr. Nigel Forman (Carshalton and Wallington): It is always a pleasure to follow the right hon. Member from Bristol, South (Mr. Cocks) especially when he takes the House into the interesting byways of tombstones and tobacco. As somebody who is actively engaged in the campaign against smoking, I believe their there may be some small connection between those two items. But let that pass.

I intend to do something rather unusual in this debate. I shall try to address the burden of my remarks to the Bill. I realise that it is common for the debate to range widely, and I do not criticise that. However, I believe that it is important that my right hon. and hon. Friends on the Front Bench should hear at least some views on the substance of the Bill as well as a general tour d'horizon of the economy, national or global. I take it as read that a number of satisfactory points about the economy have been well made by my right hon. and hon. Friends and I shall not repeat them.

I wish to devote the brunt of my remarks to three aspects of the Bill in which I am especially interested and which I think are especially valuable. Clause 15 sets out the income tax rates and main reliefs. that is obviously a welcome part of the Bill in the sense that any cut in the standard rate is a good thing. It is also welcome because it should be seen in the context of a broader move towards a standard rate of perhaps 25p in the pound by the end of this Parliament.

Even if we reach that state of nirvana, which will be difficult to achieve because of the cost, I believe that the more important strategic objective for income tax is to achieve a gentler tax gradient from an entry point of, say, 25p in the pound to a maximum rate of 50p in the pound, instead of the present disincentive pattern of income tax. As the House will know, one enters at 29 per cent. and there is then an incredible 11 per cent. leap to 40 per cent., then 45 per cent., 50 per cent., 55 per cent. and 60 per cent. That means that millions of income taxpayers are faced with the equivalent of an income tax cliff which, coupled with the impact of national insurance contributions on employees, is clearly having harmful

effects. If one wants to adduce arguments about the disincentive effects of taxation, one need look no further than that unfortunate profile in our income tax system.

I have made a few inquiries about the cost to the Treasury and the Exchequer of seeking to ameliorate or overcome some of the problems I have identified. I remind the House that on latest estimates it would cost about £1,800 million in income tax yield forgone to abolish all the higher rates of income tax. That would be equivalent to getting rid of only about 5 per cent. of total income tax receipts. I am not saying that should be the policy, but I am putting those facts on record simply to remind hon. Members that we have higher rates of tax, even as they stand now, largely for political, social and redistributive purposes, not really for revenue-raising purposes to any serious extent.

If one wants an even more significant figure, it would cost about £7,000 million in a full year to change from the present profile of income tax — the cliff to which I referred—to a gentler and more sensible gradient which is what I and many of my hon. Friends would prefer. The reason is that so much of this cost comes from the standard rate band which, as the House knows, is where the bulk of the revenue is raised. Therefore, if one were to make the transition which I am advocating, it would be sensible to phase it in over several years. The argument that this is completely beyond the pale no longer stands up when one regards it as a project to be conducted over, say, three years. A sum of £7,000 million taken in three stages over three years does not seem excessive.

Furthermore, the argument that it is administratively too complex to move into a new six-band structure does not hold up because we already have a six-band structure. The only thing wrong with it is that its shape is wrong. By the time those changes were feasible, they would be contemporaneous with the introduction of computers into the Inland Revenue. I would like that change to be made.

I hope that the Whip present will note that it would be a good idea to have a further separate debate on personal tax reform in which the House could discuss all these issues.

Clauses 21 to 25 make improved provision for employee shareholdings. I welcome this latest instalment of the general move which the Government have made in that direction, which was already evident in the Finance Acts of 1978, 1980 and 1984. Now is the time for the Government to go much further with larger tax incentives to give what the Chancellor describes as a bigger kick-start to an excellent development that has been in motion under Governments of both parties.

It has become imperative to take a more radial approach to this area for several reasons. First, wider employee share ownership in all its forms leads to improved corporate performance and there is plenty of evidence from the National Freight Consortium, from the John Lewis Partnership and from the United States to support my contention. Secondly, the schemes can encourage a more sensible attitude towards pay at a time when unit labour costs are still one of the major problems of the economy and are increasing far too fast for the national good.

In that connection, there is a close correlation between the ideas which are being supported in these clauses and the slightly more speculative ideas of Professor Weitzmann on revenue sharing, which the Chancellor intends to discuss in the National Economic Development Council and elsewhere. I wish him well with that consultation process. I hope that it leads to early legislation in the next Session.

The third reason why this is such a good direction of policy is that it is manifestly popular with employees and, therefore, encourages more positive attitudes, which will help to overcome the age-old problems of "them and us", which have been so well identified in a recent Stockton lecture by my right hon. and noble Friend the Secretary of State for Employment. It is encouraging to see that tax-exempt, all-employee share schemes have increased from a mere 30 in 1979 to more than 1,000 today. I hope that development will be encouraged further.

Finally, the schemes are an excellent development because wider and deeper employee ownership has external benefits for the nation as well as some small risks for the employees, since they must put many of their eggs in one basket. In view of the extra risk for the employees concerned, there is a strong case in natural justice for more generous tax incentives. That strengthens the argument for what the Government are trying to do in these clauses. These tax incentives need not be built permanently into our fiscal system. They could be time-limited for the companies and individuals involved. But once the habits of wider share ownership become established, the process will grow naturally and spontaneously for the benefit of the entire economy.

My right hon. Friend the Chancellor should heed the warning set out recently in a leader in *The Times* that his welcome experiment with the personal equity plan should not be allowed to divert our attention, or indeed available resources, from the need to go further to encourage employee share ownership. There is always a danger of the idea of employee share ownership being seen as a perk for senior management and not much more, so I agree with the Wider Share Ownership Council that tax relief for executive share schemes should be conditional on the company's running a scheme for all its employees. That is the right approach to overcome the possibility of "them and us" problems rearing their head again.

I am very much in favour of clauses 26 to 31 providing an attractive package of encouragement for charities and charitable donations. That was an excellent part of the Budget because it recognised in a way which everyone will appreciate the range of good work done by charities and voluntary organisations. In the longer term, it is also important because if the Chancellor is thinking, however gently, of moving away from the holy grail of fiscal neutrality, which in our tax system seems almost impossible, it opens greater opportunities for donations to higher education. I was struck recently by a letter that was sent to me and, I suspect, to other hon. Members who may sit on the Finance Bill Committee, from Birkbeck college in the university of London stating:

> "There is a precedent for tax relief: membership of professional and learned societies already qualifies. Our suggestion is, therefore, that fees and other costs incurred as a consequence of part-time study should be tax-deductible."

Bearing in mind the Government's strategy on adult training and retraining and on the need to invest in human capital, which is what further and higher education is about, that is a point—albeit a small one—worthy of my right hon. Friend's consideration. If we could supplement a healthy volume of public support for higher education by tapping some of the private support which

[Mr. Nigel Forman]

could be released by such fiscal mechanisms, we should do a service not only to the individuals concerned but to the country.

This has been a prudent Budget, which has produced a sound Finance Bill. It contains some interesting and imaginative components which bode well for the future, provided that they are followed through and not regarded as a one-off exercise. In two areas especially, the Finance Bill should be seen as part of a much longer-term policy. The first is personal tax reform, which we must approach in terms that involve more than playing around with personal tax allowances, important though they are. Personal tax reform should be considered much more widely. We do not get more than one chance in a generation to reform such matters.

The second area is the encouragement of worker capitalism, with much greater extension of the interest and involvement of employees in their firms, which must be to their benefit and, much more importantly in the long run, to the benefit of the economy.

7.57 pm

Mr. Sean Hughes (Knowsley, South): My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) described the Finance Bill as irrelevant. Those of us who represent constituencies blighted by unemployment will bear testimony to that description. I shall address my few remarks to the glaring omission in the Budget and the subsequent Finance Bill of anything which might begin to tackle the massive unemployment problems.

We should judge the Finance Bill in the context of almost seven years of Conservative Government. They have introduced eight Budgets and eight Finance Bills. In view of their 1979 election slogan "Labour isn't working", we have the right to judge the Finance Bill in the light of promises and performance.

I remind the House what the promises were. In June 1979, we had the Government's first Budget. The former Chancellor of the Exchequer declared:

"The Budget is designed to give the British people a greater opportunity than they have had for years to win a higher standard of living—for their country and for their families."—[*Official Report*, 12 June 1979; Vol. 968, c. 263.]

Twelve months later unemployment had risen to 1,375,600. Still, we must give new Governments a chance. Historically, every Chancellor has found the economy in far worse a state than he believed before the election. So the Government, so concerned with unemployment before they took office, had to be given time to prove they meant what they had promised.

In his second Budget on 26 March 1980, the then Chancellor declared that the strategy of the Government was

"the best foundation for higher growth, fuller employment and a return to rising living standards."—[*Official Report*, 26 March 1980; Vol. 981, c. 1451.]

Twelve months later unemployment had risen to 2,333,500.

Perhaps it was to be third time lucky. In his Budget introduced on 10 March 1981, the then Chancellor stated that the Budget would

"help redress the balance of the economy in favour of business and industry."—[*Official Report*, 10 March 1981; Vol. 1000, c. 783.]

Most of us thought that that would mean jobs. However, 12 months later unemployment had risen to more than 2,800,000.

By the time of the fourth Budget on 9 March 1982, we had all become a little sceptical about Budget claims. However, the then Chancellor made a promise early in his Budget statement that it would be

"a budget for industry—and so a Budget for jobs."

Raising himself to unaccustomed heights of oratory, he concluded that the Budget anticipated

"a better prospect of employment opportunities for those who look only for the chance to work."—[*Official Report*, 9 March 1982; Vol. 19, c. 727-57.]

Twelve months later, unemployment had passed the 3 million mark.

The fifth Budget, introduced on 15 March 1983 turned out to be full of election promise. In what was to be his last Budget statement, the then Chancellor concluded that it was

"a Budget for the family, a Budget for enterprise and, most of all, a Budget for Britain's continuing recovery."—[*Official Report*, 15 March 1983; Vol. 39, c. 157.]

Twelve months after that the unemployment figures would have reached more than 3,333,000 had the Government not removed unemployed men between the ages of 60 and 64 from the unemployment figures.

The present Chancellor of the Exchequer continued the delusion of recovery in the Government's sixth Budget on 13 March 1984. He claimed that there was an economic recovery

"whose underlying strength is now beyond dispute".—[*Official Report*, 13 March 1984; Vol. 56, c. 286.]

Twelve months later, even after fiddling the figures, unemployment had still reached 3,267,000.

In the Government's seventh Budget, in 1985, the Chancellor intoned:

"There can be no disputing the strength and durability of the economic upsurge."—[*Official Report*, 19 March 1985; Vol. 75, c. 784.]

Scaling new heights of lunacy, the Chancellor declared that the Budget was "a Budget for jobs". Twelve months later, the by now notoriously fiddled unemployment figure had reached 3,323,800.

What then are we to make of the Chancellor's remark in the Government's eighth Budget last month? He said that it was a Budget which was

"a safeguard for the present and a springboard for the future."—[*Official Report*, 18 March 1986; Vol. 94, c. 184.]

Which chapter of the Finance Bill, which clause, which of its 200 pages, gives any reason to believe that the optimism is justified this time and that the Government mean what they say?

The Finance Bill is perhaps the most important legislation to be considered by Parliament. It must not be allowed to ignore the single most important problem which the economy faces—the problem of massive unemployment. I am not one of those who believe, or indeed would want, the Government to interfere in every aspect of our lives. I do not argue that Governments can be the sole regulator of economic forces. However, I firmly believe that the Government set the tone, and create the atmosphere. The Finance Bill we are discussing tonight certainly does that.

The Finance Bill sets the atmosphere and the tone, for example, with the reduction of stamp duty on share transactions. The Chancellor took great pride in the fact that next year, an adult will be able to invest up to £200 a month in shares. But what relevance does that have to

someone living on £30·45 a week unemployment pay, £29·50 a week supplementary benefit, or £38·30 a week old age pension? People on those incomes have as much chance of investing £200 a month as the England cricket team has of scoring 200 runs in the West Indies. The irrelevance which takes most beating is the provision to abolish entirely the tax on lifetime gifts to individuals. That really set things alight in my constituency.

As I listened to the Chancellor outlining the proposals about lifetime gifts, and the subsequent comments today, I was reminded of the reaction to William Harcourt's death duties when they failed to produce the revenue which had been anticipated. People, it was said, were not dying up to expectations.

The unemployed are wondering whether they figure at all in the Government's expectations. As I listened to the Chancellor and to his hon. Friends, I was confirmed in the belief that he and I occupy different worlds. How else could he justify such an appallingly irrelevant Finance Bill? I would like to tell the House of the reality of my world. In my constituency last month 10,292 people were registered as unemployed and there were 167 vacancies at the jobcentre. There were 707 18-year-olds or younger who had never worked since leaving school and three vacancies at the careers office. The insensitivity of the Government Front Bench is no more than we have come to expect. They flaunt their insensitivity; they do not try to hide it; they glory in it. Like the Edwardian publication *The Queen*, they proclaim:

"It is the fashion today to talk of social duty and the right to live, but nobody has the courage to say that we belong to different worlds."

The Government certainly have the courage to say that, and that forms the very basis of their policy. That is why the Budget and the Finance Bill are so irrelevant to our real problems.

8.8 pm

Mr. Neil Hamilton (Tatton): With all the talk of reshuffles, and as a person of modest ambition, I naturally turned my mind recently to the problem of how to get on in the Tory party, and I have taken advice from where it was available. One piece of advice that I received was that one should acquire a nodding acquaintance with the works of the late Mr. Disraeli. Having delved into Mr. Disraeli's novels on the Young England and on the theme of Two Nations, I must admit that I find those novels more entertaining than the exercises in fiction on the same theme by my right hon. Friend the Member for Henley (Mr. Heseltine).

When reading the novel "Sybil", I encountered a character who reminded me very much of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). Appropriately enough, that character was called Mr. Kremlin, who was "distinguished for his ignorance as he had only one idea and that was wrong." The right hon. Member for Sparkbrook has one idea, which is that the cure for all our ills is higher Government spending. Although the right hon. Gentleman tries to wriggle out and deny the fact, we all know that the Labour party's plans for increased spending, which were costed and appeared in the *Official Report* on 3 March, amount to £24 billion.

When the right hon. Gentleman is asked how that cost would be financed, like a fish landed on the ground out of water, he flaps, gasps and puffs out his gills, but he cannot come up with a convincing riposte or explanation. He fails to explain how the Labour party would encourage investment by taxing at penal rates. I suppose that the right hon. Gentleman is following the illogicality of the previous Labour Government, who, at a time of rising unemployment, attempted to reduce it by putting a tax on jobs. Of course, the Government have abolished that in the course of the past eight years. That was one of the features of the Government's financial policy to which the hon. Member for Knowsley, South (Mr. Hughes) did not feel it necessary to allude.

The right hon. Member for Sparkbrook also failed to explain how he would encourage enterprise and attract managerial ability through the Labour party's proposal for the confiscation of earnings. It was clear from his speech that, if the country has the misfortune to return a Labour Government at the next election, we will be back once again to a 98 per cent. marginal rate of income tax.

The right hon. Gentleman defined the rich as the top 5 per cent. of earners and the right hon. Gentleman's proposals would cover everyone with a taxable income of £16,000 or more per annum. I am not sure whether they are people whom ordinary people would consider to be rich. There are people of relatively modest means who come into that category. The right hon. Gentleman completely failed to tell us how the national income will be increased by supporting Luddite trade union policies, be it Scargillism or that which we find in Fleet street or Wapping.

Lastly, the right hon. Gentleman failed to explain how he will reduce unemployment by increasing taxes and interest rates. Inflation would be the inevitable consequence of those policies.

The policies of the right hon. Gentleman are followed, albeit at a distance, by those who sit on the alliance Benches, although quite whom they have followed at the moment I do not know, because none of them are in the Chamber. Recently I have devoted—I admit that it was a somewhat unrewarding pursuit—some attention to the alliance documents on its economic and financial policies, in particular its Budget recommendations for this year. The document is called "Jobs and Competitiveness." I have found a number of interesting points in that document, about which the House and the nation ought to know. It contains a number of false premises. The document says that Britain is becoming a

"low growth, low productivity, low skill economy."

I had to look once again at the date of the document, because I thought that it might refer not to 1986 but to 1976 under the Labour Government of which all the leaders of the Social Democratic party, although they would like us to forget it now, were enthusiastic members. The contrast is most instructive.

In his Budget speech my right hon. Friend the Chancellor of the Exchequer pointed to this Government's record. The growth rate is relatively high and productivity is increasing. There have been five years of growth at 3 per cent. per annum. That growth rate was exceeded in 1985. Then the growth rate was 3·5 per cent. per annum. It was the highest growth rate in the EEC, and it was higher even than in the United States.

As for low productivity, compared with the period between 1974 and 1979 when manufacturing productivity rose by less than 1 per cent. per annum and when it was the lowest of all the G5 nations, that has been increased in the last six years to 3·5 per cent. per annum. We are second only to Japan. As for the manufacturing sector,

[Mr. Neil Hamilton]

about which there is so much misinformation, in 1985 output increased by 3 per cent., productivity increased by 4 per cent. and exports increased by 6 per cent. That is a creditable achievement. It is the result of seven years of sound financial discipline.

I contrast the alliance Budget representations for this year with what it said in its autumn statement entitled "Facing the jobs challenge." It has two plans to reduce unemployment and increase economic activity. According to its latest document, the alliance proposes to spend an additional £3·5 billion to reduce unemployment by 750,000 over the next three years. Six months ago, it proposed to spend £5 billion to reduce unemployment by 1·5 million over four years. One might ask why the alliance is being so modest and moderate in its demands. According to the latest calculations, why not spend £10 billion to reduce unemployment by 2 million or indeed, £15 billion to reduce unemployment to zero?

One might ask why this inflation in the cost of reducing unemployment has occurred during the last six months. In September 1985 the alliance calculated that it would cost £3,300 per job to reduce unemployment over four years, but in March 1986 it calculated that cost at £4,650 per job over three years. It is a great shame that nobody is sitting on the alliance Benches to explain why this arithmetical invention is as it is.

How would all this be financed? The alliance says that it will not increase taxation and that it will be financed by borrowing. How will the borrowing take place? Will the alliance borrow from the public? That would merely divert resources from other productive uses. All it would do, therefore, is to shuffle unemployment around different sectors of the economy.

Would the alliance borrow from abroad? If so, it is a belated convert to Reaganomics, about which it is so scathing, although that is exactly the policy that has been adopted in recent years by the United States, which sustains the United States' artificially high rate of economic activity at the cost of that of western Europe. That has implications for interest rates and the exchange rate. It also assumes no loss of international confidence, despite the new laxity in borrowing that its policies would entail.

Lastly, would the alliance borrow from the banks? If so, the consequence would be that inflation would be bound to increase. It is evident that the alliance is not satisfied with the levels of debt interest that we are paying at the moment—£19 billion a year out of £170 billion of public expenditure. That now accounts for over half the revenue from income tax, or the whole revenue from value added tax.

There is a word to describe this kind of economics. It is Dunwoodyism: the theory that there is such a thing as a free lunch, that one can eat lunch today and that the bill will never come in at the end of the day. As my hon. Friend the Member for Cheltenham (Mr. Irving) proved in his example and as the International Monetary Fund proved during the life of the last Labour Government, there comes a time when the bills have to be paid. Therefore I counsel the alliance to profit by our experiences since the war under Governments of all political persuasions and to realise that there comes a time when the cash runs out.

In the alliance's autumn statement of last September there seemed to be a number of extraordinary muddles about what it should be doing about a monetary policy. It castigates our Government because of their supposed commitment to a failed monetarist policy, but on the same page it calls for a steady monetary policy. It says:

"An Alliance Government would keep a firm grip on the money supply."

In addition, the alliance would stabilise the exchange rate by joining the European monetary syster.., but it does not say that that would entail even greater reliance upon short-term monetary aggregates and upon interest rates, which supposedly it does not favour.

There is the same confusion about inflation. The right hon. Member for Plymouth, Devonport (Dr. Owen) said:

"If inflation is held down, unemployment will then begin to fall. Anything less must mean that unemployment will continue to rise."—[*Official Report*, 29 June 1983; Vol. 44, c. 604.]

However, in this document the alliance postulates a rate of inflation, if its policies are followed, of 7·5 per cent. That means that inflation would be more than double what it is now. Before it starts to lecture my right hon. Friends in the Treasury on economic policy in order to put the country back to work, I suggest that the alliance ought to settle the muddle about the premises upon which its policies are based.

The great panjandrum for the alliance was referred to by the hon. Member for Stockton, South (Mr. Wrigglesworth): that what will keep all these conflicting objectives in line is an incomes policy. The reason for an incomes policy was provided by the hon. Member for Truro (Mr. Penhaligon), who I understand is now the economic guru of the Liberal party, although he has not been present throughout the entire debate. However, as the Liberal party's economic spokesman he said at its assembly last September that we have to commit ourselves to a pay policy, otherwise all that can be said about the economy becomes fluff in the wind. Homespun economics we might expect from the hon. Gentleman, and fluff in the wind is a good description of the alliance's economic policy.

If we look in detail at its proposed incomes policy, we see how absurd and impossible it is that it could contain the inflationary forces that would be let loose if the alliance's other economic policies were to be implemented. In its Budget representations on page 7, it says that the alliance's incomes policy would cover increases in average earnings that exceeded a predetermined inflation limit. That has to be contrasted with what the alliance says in the same document on a previous page: that it would aim at moderating earnings growth and that it would relate it to growth in productivity.

The alliance has to decide what is to be the basis of its incomes policy. Is it to be productivity or inflation? What happens if productivity is greater than inflation? Are wage increases to be held down below the rate of inflation to those of productivity? One could ask the same question the other way round: what if inflation is greater than productivity? Are inflationary wage increases to be permitted, notwithstanding that they are not covered by increases in production? There is no necessary connection between productivity and profits. We know that if Jeffrey Archer sells more books, Debbie Owen makes more money. It appears to me that the alliance policy on incomes control is flawed from the start.

The alliance says that companies with profit-sharing schemes will be exempt from the policy. That is a contradictory objective, because the more successful those companies are in expanding profit sharing, the more ineffective becomes the inflation tax that the alliance proposes as an incomes policy. There are so many exemptions to the incomes policy that one wonders to whom it applies. In addition to firms with profit-sharing schemes, which cover about 5 per cent. of the working population, firms employing fewer than 100 employees will also be exempt. That represents a further 49 per cent. of the working population. Because there will be an inflationary seepage to workers in small businesses, the rest of British industry will be able to give only lower than average increases and increases lower than the average rate of inflation.

The self-employed will not be covered under the proposed scheme. New firms and people who plan to change jobs will not be covered also. The public sector, which represents 25 per cent. of workers, will be exempt from this inflation tax.

One can see the avoidance techniques that would come about if such a scheme were introduced. Techniques such as replacing cash payments by fringe benefits, new job descriptions, people being promoted artificially and changes in hours and conditions of work would prevent the incomes policy from working effectively.

What about the jobs in which productivity cannot be measured? For example, where would Members of Parliament fall in this scale? What about supply and demand in the real world? That does not feature in the alliance's policy. The alliance fails to realise that profits ultimately reflect not productivity but supply and demand, although productivity naturally feeds into it. The same applies in respect of wages.

The retail prices index, which presumably is the basis upon which the alliance would calculate the inflation limit, is itself an average. Some prices go up more than others. The average is the exception rather than the norm, as is the case with incomes. Not all incomes can or will go up by the average. Therefore, why should others not be able to go up by more than the average? Those are the questions that people faced with these decisions will have to answer, and all that will add to the the cost of the bureaucracy. The alliance has not told us how its inflation tax is to work —whether it will tax 100 per cent. of the excess over the predetermined inflation limit, or whether it will be merely a part of it.

We will return to all the palliatives and quangos that have been set up by previous Governments. Statistical necromancers will study the entrails of chickens to decide what inflation will be like in a year's time to place a predetermined straitjacket on the economy. At the end of the day, we shall get the inevitable bust-up. What happens when the quangos make mistakes, as they did in 1974 when the pay board got the calculation of miners' pay increase wrong? That torpedoed the Heath Government, but for what?

At the end of the day, the basis of the alliance's policy is to mistake the cause of inflation. Every year since the Conservative party has been in office, GDP has risen in real and monetary terms. Unfortunately, unemployment has risen also. We can derive from that that unemployment has not a macro-economic demand-related cause but a micro-economic cause to which the Government have devoted considerable attention and which the Finance Bill plays an important part in eliminating.

Instead of trying to drag us kicking and screaming back into the 1960s, as the alliance would seek to do, the Government are continuing, in an effective way, with their imaginative policies. We must base high economic activity and low unemployment on sound financial and economic policies. That is the best way in which the future prosperity of our people will be guaranteed.

8.24 pm

Mr. Austin Mitchell (Great Grimsby): I will not support the hon. Member for Tatton (Mr. Hamilton) in his devastating attack on the alliance, which had all the power and effect of being hit around the head with a piece of wet, uncooked tripe. It is interesting that alliance Members responded in their usual tumultuous fashion by total absence, instead of the partial absence that is almost normal for the alliance.

The sad, irrelevant, Finance Bill has a couple of things in common with previous Finance Bills which have been introduced by the Government. Most of the Bills have had vainglorious titles. I remember the Budget for enterprise, which was the prelude to our cataclysmic manufacturing decline which practically turned this country into the world's first undeveloping country. Last year the Government brought down a Budget for jobs. Unemployment continued to rise to levels which this country had never seen. Quite frankly, this year's Budget has been a budget for votes, which is almost certainly a guarantee that the Conservative party will lose the next election.

There is another common pattern. Whatever the vainglorious titles of previous Budgets, each has provided a set of give-aways to wealth — a steady pattern of smuggling more money into the back pockets of wealth and power in this country. However difficult the circumstances, however great the need for sacrifice, however strenuous the ceremonising to the rest of the community, there are always five or six handouts to wealth.

There have been handouts in several forms—a fiddle here, a fudge there, a change there, a cut in the rates, an adjustment, a little trimming, some fiddle on the capital transfer tax or a rebasing of the capital gains tax. Behind the deluge of public relations words backing the Budget —the vainglorious rubbish talked about the Budget—a steady dribble of money has been given to the wealthy in the community. On our calculations, this year £3·5 billion has been provided to the top 5 per cent. or so of the wealthy. The Child Poverty Action Group has stated that the richest 7 per cent. will benefit to the tune of £2·6 billion this year as a result of direct tax cuts in the Government's Budgets. The common pattern has been vainglorious titles and a steady dribble of concessions to wealth.

The Finance Bill represents a wasted opportunity. It is the product of mountains which have laboured. It produces an interesting insight into the Chancellor's psychology, because it is the product of somebody with a tricky mind and rather nasty instincts when it comes to considering the people of this country. The Budget and the Finance Bill provided an opportunity to generate growth. We need growth.

[Mr. Austin Mitchell]

The figures cited by the hon. Member for Tatton and the Government about the Government's achievements and the growth they have secured are figures which have been supplied since 1982. It is as if the world suddenly began in 1982. The enormous disaster that the country was dragged into between 1979 and 1981 has been totally ignored. The Government achieve growth by conjuring up the figures from 1982. In fact, every year since the Government have been in power the average growth rate has been 1·2 per cent., which is pathetic. The rate is lower than the average growth rate for the previous Labour Government, which the hon. Member for Tatton castigated. That is the record of the Government. There is a desperate need for growth.

Since the Government have been in office, there has been a catyclismic rise in unemployment. The Government had enormous success in getting down the unemployment figures. The tragedy is that unemployment has continued to rise. The figures have been fiddled to indicate that the Government have got unemployment down. Since the Government have been in office, 15 adjustments have been made to the unemployment figures. Each adjustment has been an adjustment downwards. We need growth to reduce unemployment and to expand the economy.

We need the kind of expansion that President Reagan has provided in the United States, but not in the manner that the hon. Member for Tatton indicated. President Reagan's approach to the economy is to implement Keynesianism without understanding it. His answer is deficit financing. Eight million new jobs have been generated in the three years that he has undertaken deficit financing.

As my hon. Friend the Member for Knowsley, South (Mr. Hughes) put it, this country had an opportunity, in the golden years, the opportunity years, to expand. Oil revenues provided that opportunity. The benefits of channelling North sea oil towards industry would allow growth, provided the pound was kept down. The Government, in the past seven years, have thrown away that opportunity. However, Sheikh Yamani has graciously condescended to provide us with another opportunity. This is Sheikh Yamani's Budget and Finance Bill. He has provided us with an opportunity through the stimulus that the fall in oil prices brings to the economy of Britain and the world. The world economy is expanding. The world faces a benign prospect. We had a chance to seize that opportunity. To do so, we needed to expand and stimulate our economy, especially with lower interest rates and by putting cheap money at the service of the people, not of the financial community—the City and the banks.

Why are Britain's interest rates practically double those of our major industrial competitors? Why are interest rates in Britain so high? The Government have had one consistent element in their policy—high interest rates. There has been a series of excuses, but there has been a pattern of high interest rates. There has been a constant series of rumours that interest rates would decrease, that there would be a drop in the mortgage rate, that the climate was favourable and that the money supply figures provided an opportunity. But interest rates have never fallen as much as we were told, because the reductions have been in terms of half a per cent. here, half a per cent. there, while the increases have been 2 per cent. or more. There has been constant pressure to keep interest rates high.

The so-called success in bringing interest rates down has been the heralding of an expected decrease, which has never quite come. It has been reduction by rumour, not in reality. Britain's interest rates have been consistently higher than necessary. Interest rates have been crucifying borrowers, home owners, people with overdrafts, local government, industry and investment. They have imposed a burden on the whole economy.

The banks, which have been the biggest barrier to enterprise, are always eager to lend to South America—indeed, to anyone overseas—and to rush into the newly industrialising countries. They irresponsibly expose themselves. It is like a flashing filigree in a flimsy farce. The banks are eager to expose themselves in an economically and commercially undersirable way. They lend reluctantly to industry, demanding an instant return — in months rather than years — while not being prepared to finance the long-term investment that Britain needs. They thrust umbrellas at people when it is sunny, but snatch them back immediately a hint of rain is seen on the horizon. The banks' record is counter-productive. They, not the nation, have been made rich by this interest rates policy.

It is interesting, as can be seen from the report of the Select Committee on the Treasury and Civil Service, that the biggest stimulus to the economy was an increase in capital spending. The parliamentary unit of the university of Warwick went through all the possible stimuli to the economy according to the London Business School model. Public spending was so important because it had the greatest and most immediate effect in reducing unemployment and stimulating growth. The second biggest stimulus was a 1 per cent. cut in interest rates. It had a greater effect than a 5 per cent. cut in income tax, a 10 per cent. increase in allowances or a 10 per cent. cut in VAT or in employers' national insurance contributions. A cut in interest rates has a greater effect in reducing unemployment than any of the other expedients.

The Government's excuses for their high interest rates have varied from time to time. When the Conservative party was elected, it told us that, until the money supply was brought under control, interest rates had to be high. That led almost immediately to the folly of 17 per cent. interest rates and the pound being worth, I believe, $2·40. That excuse was withdrawn and the public sector borrowing requirement was blamed. We were told that interest rates would remain high until the PSBR was reduced. Britain's public sector deficit is lower than that of most other countries, but interest rates have remained high. However, the excuse underpinning them has been knocked down.

For a time we were told that, because American interest rates were high, Britain's rates had to be high to follow them, but that excuse has now gone. The Government now have a new excuse: Britain's interest rates are high because we pay ourselves too much because our labour costs are increasing. The report of the Select Committee on the Treasury and Civil Service states that one of the rare points of unity between the evidence of the CBI and the TUC is that that excuse for high interest rates is wrong. The CBI stated that interest rates would be high even if

labour unit costs were falling—an interesting reflection on its faith in the Government. The Select Committee concluded:

"We ourselves have difficulty in following the mechanism by which high interest rates will produce lower wage increases. Part of the confusion arises because government statements do not always distinguish clearly between cost-push inflation and demand-pull inflation."

That is just another excuse in a long series of exploded excuses. The reality is that interest rates are high and the Government's excuses for that reality have changed. Interest rates are high to keep the value of the pound high. A high-value pound is the Government's only effective weapon against inflation. Indeed, it is their only weapon. They say that they will keep inflation down by keeping the cost of imported manufactured goods as low as they can through an overvalued pound. In other words, they say that they will let industry, which must compete with those imports, carry the consequences of the Government's inflationary strategy. That is an inflationary strategy of placing a pistol directly at the head of industry.

High interest rates are a double blow to industry. They cut investment and channel industry's money and profit into the frenzy of takeover and speculation that is occurring in London and all over Britain. It is similar to the last days of the Roman empire. The Government are not doing anything for the long term. Firms are merely going in for tribal cannibalism on an enormous scale. That is the first burden of high interest rates. The second burden is an overvalued exchange rate, which effectively subsidises imports and penalises exports. Our exchange rate is substantially overvalued. That is the only justification one can see for high interest rates, or that is what the Government think.

The Government have no strategy on inflation, except for sermons. It is no use preaching at industry to keep its labour costs down and to stop wage increases, because an industry that is competing with overseas firms has to pay to attract skills, to keep its labour force and to keep that labour force working. Sermons are of no use in the face of such pressure. Companies awash with cash can pay without those difficulties, because they set the market rate.

When directors and top management lavish so much money on themselves, as we have seen in the recent massive pay increases, it is indecent and obscene for them to demand that the rest of the people should hold their salaries at their present rate or accept cuts. They cannot preach with one voice and accept more money in the back pocket, as they have done, with any semblance of morality. There is also the hypocrisy of the Chancellor. Demand is predicated in the forecasts on consumption—consumption sustained by the wage increases that the Chancellor condemns with his other voice.

Costs in the United Kingdom are increasing faster than those in competing countries. Inflation in Britain is higher than in competing countries. I gather that Germany and Japan have enjoyed negative inflation. We should be seizing the opportunity provided by low oil prices, not limping behind the rest of the world and getting less benefit from the growth that is to come. We are limping behind because we are penalising ourselves with high interest rates and an overvalued currency. We are a limping, lame bulldog. We do not even have a licence to bite now, and we are lagging behind the advanced world. The Finance Bill fails to take advantage of the opportunity to escape from that. The Bill is also irrelevant to that need and to the purposes of a better society. The Finance Bill, in this difficult time, insists on handing out more and more to those who have more of it.

The Government are in a trap. We shall try to restore the social justice which has been missing from the Finance Bill. The Chancellor discussed the costs of the inflationary pressure of expansion, but he must bear in mind the cost of running the economy for discipline. We should never forget the damage which has been done by that discipline, nor the horrendous cost in terms of high unemployment and keeping people out of work. The present state of affairs is that Government spending is being cut because of the huge burden of unemployment. That is the result of the economic policies of the Chancellor and his predecessor. The infrastructure is crumbling. It should provide work for the unemployed, but we cannot afford to employ the unemployed to do the work which obviously exists because of the cost of keeping them unemployed.

It is the economics of bedlam and lunancy. The Budget is a wasted opportunity. It does not take up the challenge of expansion or seize the opportunities which lie ahead. It does nothing to ease the position of those who have been forced into unemployment, forced on to supplementary benefit or forced into poverty by the failure of the Chancellor's economic policies. The Government are not fiddling while Britain burns, but fiddling the figures while Britain sinks.

8.41 pm

Mr. John Watts (Slough): The hon. Members for Great Grimsby (Mr. Mitchell) and for Stockton, South (Mr. Wrigglesworth) have in common an attachment to old-fashioned Keynesian economics plus a less attractive national characteristic, an unlimited capacity for national self-denigration. Their choice of statistics presented the performance of the British economy in the worst possible light. They utterly refused to recognise the realities of the achievements of the medium-term financial strategy—low inflation, sustained growth, rising living standards and a rise in employment.

The alliance conducts this orgy of denigration from a position of smug and cosy affluence. That is the epitome of the alliance person—those who have forsaken wife-swapping for fiscal flagellation with their masochistic opposition to reductions in income tax.

The Budget and the Finance Bill show that mixture of ingenuity and imagination which we have come to expect from my right hon. Friend the Chancellor. That is especially true of the package of measures which relate to small business and charities. I shall concentrate my remarks on those two aspects.

I welcome the decision to make the business expansion scheme permanent. My right hon. Friend the Chief Secretary set out, in his opening speech, the success of that scheme. That success is clearly recorded in the report prepared by Peat Marwick Mitchell. It has enabled small companies to raise risk capital. Amounts of less that £50,000 were raised by over half of the companies which took advantage of the scheme. The decision to make that scheme permanent underlines our determination to maintain a framework in which small companies can be formed and grow.

The extension of the loan guarantee scheme for a further three years provides loan capital for further expansion and that is welcome. In the past there has been a criticism of the level of premium charged and I am

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especially pleased to see a cut in the premium from 5 to 2·5 per cent. I hope that in a future Budget it will be announced that this scheme is also to become a permanent part of the armoury of measures to assist small and medium-sized companies. The reduction in the small companies' rate of corporation tax to 29 per cent.—my right hon. Friend the Chief Secretary reminded us that it was 42 per cent. under the Labour Government—is a further measure that will assist the small company to continue to grow in profitability.

Therefore we have provided for the four ages of the small company — conceived by the entrepreneur, nurtured with risk capital under the business expansion scheme, funded through its adolescence by loan capital under the loan guarantee scheme and arriving at profitable maturity where not too much of its profit—certainly not as much as previously—will be taken away in taxation. There will be more retained profit to fund further growth.

The fifth age of the small business and, especially the family business, posed the greatest problems. There are an array of measures to help small businesses to become established and grow. However, family businesses, in their maturity, faced a severe dilemma because of the pernicious impact of the capital transfer tax. This tax made it difficult, if not impossible, for the business to be passed on to the next generation of owners and managers.

The abolition of capital transfer tax on lifetime gifts will be of great assistance to facilitate the orderly handover of ownership of a family business from one generation to another. The performance of family businesses, both in their investment record and in their return on capital, illustrates the desirability of finding the means by which they may remain in family control and not be forced by fiscal reasons to be floated or taken over by a conglomerate.

The measures contained in the Finance Bill provide a well-structured fiscal and financial framework to promote small businesses and their growth. However there remains a serious gap in the strategy. Many of the small and medium-sized businesses in my constituency do not look to the Government for handouts of taxpayers' money to support their growth. However, they are looking for more access to greater markets. The Government's expenditure on the purchase of goods and services for the current year will total £34·1 billion. Potentially that is a large market and one to which small and medium-sized businesses must have greater access.

To ascertain the extent to which Government procurement was providing contracts for small businesses I tabled a series of questions to the major Departments of State. I was disturbed to discover that the Ministry of Defence alone was able to give an adequate answer to a fairly simple question: "What is the value and what proportion of your expenditure on the purchase of goods and services provide contracts for small businesses?" With the exception of the Ministry of Defence the Departments replied that they did not keep records in a form which would enable them to answer the question.

The Department of Health and Social Security has £8·8 billion to spend, the Department of Transport has £2·4 billion to spend, the Department for Education and Science £2·3 billion. The Department of Education and Science did say that it intended, from next year, to maintain records which would enable it to identify its contribution to small businesses. Even the Department of Employment, with its responsibility for the small business sector, was unable to do any better than provide the estimate that perhaps 10 per cent. of its purchasing was directed to small businesses.

This inability to identify the extent to which contracts are placed with small businesses suggests a lack of awareness of the need to take account of the needs of small businesses when determining Government purchasing policy. Until this deficiency is remedied a major gap will remain in our strategy for encouraging the development of small and medium-sized businesses.

The scathing and dismissive tone of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) concerning the impressive and imaginative measures to assist charities came ill from someone who was a member of a Government who did nothing to aid charities. Far from being a package designed in a desperate attempt to find something popular for my right hon. Friend the Chancellor to do—both the Bill and the Budget contained many other popular measures—it is but a continuation of the steady progress made in improving the tax environment for charities. First, there was the shortening of the term for covenants to four years. Then there was the restoration of higher rate tax relief within limits that will be abolished by this Bill. The sweeping reforms in the Bill place charities in the best position ever to obtain financial support from individuals and companies.

Like my right hon. Friend the Member for Worthing (Mr. Higgins) I believe that the payroll deduction scheme and the new arrangements for one-off gifts by non-close companies will prove to be especially valuable in providing opportunities for local charities to get support from local companies and their employees. Shortly I will be meeting the chairman of the Slough council for voluntary service to discuss how we can get together to ensure that charities in my constituency benefit to the maximum from this very generous reform of tax law for charities. Because of the imaginative and beneficial measures to which I have referred, and the others which time prevents me from referring to now, it will give me great pleasure and satisfaction to support the Second Reading of the Bill in the Lobby.

8.51 pm

Mr. John Maples (Lewisham, West): It is disappointing that the Finance Bill does not deal with a fairly major reform of the income tax system. I suspect that the Government also find that disappointing, as it seems that it will take longer to bring that to fruition than might have been hoped.

We have had a Green Paper on personal taxation. It is very interesting, but it basically contains only one idea. It is also in danger of pre-empting the debate on tax reform. Perhaps that is what it was intended to do. Major reforms of the income tax system, probably come only once every 30 or 40 years. They thus warrant a very wide-ranging debate on the different possibilities for reform. I shall outline some of the major problems. First, income tax starts at far too high a rate. People pay no tax and then face a 29 per cent. cliff. In that respect, we are out of line with our EEC partners, where the starting rate for tax ranges from between 7 and 22 per cent.

It is also argued that people in Britian start paying tax too soon and at too low a point on the income scale. In that respect, we are not out of line with the EEC, but we are

above average. In any event, it is a subjective judgment. However, it seems to have had great influence on Government policy, which has been substantially directed towards raising tax thresholds, on the argument that that takes people out of tax and helps with the poverty trap. The argument that it takes people out of tax is difficult to sustain. I suspect that when the threshold is raised, they go out of tax, but when they receive a pay rise, they are taxed again. Moreover, those helped are seldom families with one relatively low earner, yet that is where poverty tends to occur. It is difficult to argue that raising tax thresholds helps with the poverty trap. If that trap is to be solved by tax thresholds, the threshold for a married man must be raised to about £5,000. That would obviously be expensive.

The proposals in the Green Paper would achieve that aim by raising the combined threshold to about £6,000. I should be interested in the response of the Minister, but the argument that one can take people out of the poverty trap by raising thresholds is surely overtaken by the proposed reforms to social security. If housing and family credit are to be based on after-tax income, no amount of fiddling with the tax threshold or with tax rates will make much difference. A person's family credit or housing benefit will simply be adjusted in terms of his after-tax income. Raising thresholds after the social security reforms have been brought into operation will have no effect at all on the poverty trap.

It is true that tax is relevant to the unemployment trap, but it is the average rather than the marginal rate that is relevant. One can deal with average rates just as well by dealing with the basic rate of tax as by raising thresholds. The basic and fundamental problem with our income tax system is that, while we have very high marginal rates for almost everyone, ranging from 29 to 60 per cent., we have relatively low average rates of tax. The percentage of income that a person on three quarters of average earnings would pay in income tax is only 15 per cent., but they face a marginal rate of 29 per cent. Someone on average earnings of £10,000 a year would pay an average of 18 per cent., but would face a marginal rate of 29 per cent.

That is built into the system because there are so many deductions. It has bad consequences. It is bad for incentives higher up the scale. It is bad because it promotes the black economy and a general indulgence in too much tax avoidance and tax evasion. It has a serious impact on the present structure of the poverty trap, and has serious repercussions on pay bargaining, because it costs an employer about £1·80 to put £1 net in his employee's pocket.

The reason for very high marginal rates as against low average rates is that about half of personal income is not taxed. The majority of the part that is not taxed is made up of personal allowances. The Green Paper attempts to deal with some of these problems. It deals with the poverty trap in its present form, but after the social security reforms have been made, in those cases where the benefits are based on after-tax income, raising the tax thresholds will have little if any effect on the poverty trap. The Green Paper largely deals with the unemployment trap, but that could be dealt with just as well by reducing the basic rate as by raising the thresholds. The other major reasons given in the Green Paper are the enhancement or promotion of privacy and independence in the case of married women dealing with their tax affairs, and the need for help for the low paid, particularly when a woman ceases work to have her first child.

Those are laudable objectives, and the idea is attractive. However, it would cost £5·5 billion to raise the single transferable allowance to nearly £3,000. I should have thought that if we had £5·5 billion to play with—if that is the right word—in the tax reform game, many other reliefs and privileges could be bought with the money.

We could solve the problem of the separate taxation of husband and wife relatively cheaply. We could help low-paid couples relatively cheaply, perhaps through social security benefits. There would still be a lot left over to help with other tax reforms. The problem at the lower end of the tax scale is that people are left with too little money in their pockets, because they have paid too much tax, or do not receive enough social security benefits. But higher up the tax scale the problem is the marginal rate and its disincentive effect. Raising thresholds does not meet both those objectives. The best way of helping the low-paid is to deal with that problem through employees' national insurance contributions. That would focus the money on the low-paid, giving them the relief without having to give it to everybody else.

If my calculations are right, we could abolish the 5 per cent. band on employees' contributions at a cost of only £130 million. That would be a cheap way of focusing help on the low-paid without having to give that relief to everyone else. Once one has dealt with that, there are considerable attractions in an alternative approach to tax reform. Paradoxically, we could abolish personal allowances and tax every pound of someone's income form first to last. Although total personal income in the United Kingdom in 1984 was £200 billion, the revenue from income tax was only £35 billion, or 17·5 per cent. Most people would think that that percentage was much higher. It demonstrates the problem of the high marginal rates and the low average rates.

If we took £5·5 billion off the total that could be raised in income tax, which is the amount that we would have to spend on implementing the Green Paper's proposals, we would have to raise only £30 billion. On my calculations, one could do that with a basic rate of 10 per cent. payable up to average earnings, and 20 per cent. payable up to twice average earnings, with a maximum rate of 30 per cent. thereafter. Obviously, there would be no personal allowances reducing the amount of income that is taxed.

I should have thought that it would have a dramatic effect on incentives higher up the income scale, on the black economy, and tax avoidance and evasion, if people faced only a 10 or 20 per cent. tax rate rather than a 30 or 40 per cent. rate. It would also have a very dramatic effect on the poverty trap, and a far more dramatic effect than most of the tax threshold-raising that we have been able to afford. I suspect that it would make tax far cheaper to collect. There would, of course, be problems with mortgage relief and pension contributions, but I do not wish to enter what has proved to be a political minefield for all political parties. However, those could either be left in as deductions or rectified by some compensation.

Some working wives would lose if such a proposal were adopted. The biggest problem is that the low-paid would be left worse off in such a system. The break-even point is about £6,000 a year, which is considerably below average manual earnings, and the maximum loss is just over £4 a week. We could make up that loss to the people

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affected through the social security system by way of housing benefit or family income supplement, that would enable us to introduce a tax system with much lower marginal rates. That is an attractive option and I am sorry that the Government seem almost entirely hung up on a threshold approach to tax. We had that for several years in a row and I thought that this year when the basic rate was reduced and the thresholds were not over-indexed we had got away from that approach. However, the Green Paper suddenly takes us back to it.

I am anxious to see that we do not enter into major reforms of the income tax system with only one idea in the bag. The debate should be much wider and should examine all the alternatives, of which I have outlined just one. My right hon. Friend and the Government, and all of us on the Government side, ought to find the proposition for a tax system with a basic rate of 10 per cent. and a maximum rate of 30 per cent. attractive to taxpayers and beneficial to the economy.

9.1 pm

Mr. John Butterfill (Bournemouth, West): Time is pressing, so I shall endeavour to be brief. I listened to the description by Opposition spokesmen of the British economy and I find it difficult to recognise it from that description. It is not the same economy as that which is seen by independent observers like OECD and certainly it is not the economy that I recognised when I was recently in the United States and heard the way we were considered by investors there.

The dramatic improvements in the British economy in the last few years are due almost entirely to the imaginative approach to budgetary matters taken by my right hon. Friend and the other members of the Treasury team. The business expansion scheme is one of the most creative measures that any Government have ever introduced and will continue to provide enormous help to young and emerging industries.

I am worried about one of the proposals in the Finance Bill. Hon. Members will be aware of my interest in tourism and leisure, and the Finance Bill contains a proposal to limit or to exclude from the business expansion scheme companies whose net asset backing exceeds 50 per cent. I admit that there have been considerable abuses of the scheme by certain property companies and by companies of that type with high asset backing.

However, in dealing with covered sports centres or leisure centres a problem arises. At the moment the rules lay down that anything that is added to the land, and would normally be thought to be annexed to the land, should be included in the computation. There is no doubt that the provision of such a facility carries a high risk. I hope that it will be possible for my right hon. Friend to consider some amendment in Committee.

I welcome the considerable benefits that clauses 26 to 30 confer on charities. Those benefits have already been dealt with by other hon. Members so I will not go into them in detail. However, it would be churlish to ignore the other changes about charities made in the Budget, especially the VAT changes. These give enormous benefit to charities that provide for the blind and provide medical services.

I should like to quote from a letter sent to me by a charity with which I have been closely associated for some years. It is the People's Dispensary for Sick Animals, which wrote to me immediately after the Budget. The general secretary said:

> "What about the Budget then! As far as we can see, our prayers have been answered and we shall henceforth no longer pay VAT on our drugs . . . Thank you approximately 150,000 times — that's the amount of VAT which we shall save annually on drugs alone!"

The Government have not received in the press and elsewhere all the credit they deserve for that particular measure.

Small firms will be particularly grateful for the changes in the rules for capital transfer tax, now to be known as inheritance tax. However, there remains a serious obstacle in capital taxes — capital gains tax. Although it is possible to transfer from one generation to another without incurring capital transfer tax, that transfer will still trigger capital gains tax, which in itself imposes a considerable obstacle to the continuation of small family businesses. The problem with CGT is that it is not so much a tax on true gains as a tax on inflation. That seems to be fundamentally wrong. My right hon. Friend the Chancellor of the Exchequer moved some way in that direction by providing indexation from a base a few years ago. In future, I hope that he may feel able to go further and to remove altogether the purely notional gain that arises from the effect of inflation.

Finally, I congratulate my right hon. Friend because if one thing always makes his Budgets stand out, it is his imaginative approach to problems. We have seen from the success that we have had in housing and the sale of council houses how the growth of home ownership has changed the perspective of great sections of our community. To attempt now through the personal equity plan to extend that to stocks and shares is creditable. A number of hon. Members have pointed out that the scheme as conceived may not be perfect. Indeed, it may be capable of improvement. I hope that I shall be asked to serve on the Standing Committee, and that we shall attempt constructively to improve the scheme. At the same time let us give it enormous credit as being an imaginative measure which may possibly transform the face of British society.

9.7 pm

Mr. Terry Davis (Birmingham, Hodge Hill): We have had an interesting debate about a most uninteresting Bill. The gap between the Conservative party and the Labour party in our discussion and analysis of the economy, our approach to economic policy, and even our identification of the most important economic issues has shone through the debate.

I listened to all the speeches from Conservative Members, and two points struck me. First, not even the Government's most fervent, loyal supporters, including the right hon. Member for Worthing (Mr. Higgins), could bring themselves to suggest that the Bill was anything other than an exercise in marking time. It is an exercise in waiting to see which way the price of oil will move, which way the exchange rate will move, what will happen to the balance of payments and, above all, in waiting for next year, for an election Budget and an election Finance Bill through which Conservative Back-Bench Members hope to save their seats.

Secondly, the Bill marks the end of the Chancellor's pretensions to be a reforming Chancellor of the

Exchequer. Two years ago the right hon. Gentleman was cast as the Rambo of the Exchequer, machine-gunning his way through the jungles of taxation to rescue working people. Of course, it was never true. His role was really that of a latter-day Neville Chamberlain, the man who personified non-intervention, because that is what fiscal neutrality is and always was. It means that working people are left at the mercy of market forces in an economic jungle which the Chancellor's friends in the City of London exploit to their own advantage.

Now all those pretensions of two years ago have been exposed: 1984 was a one-off Bill from a one-Budget Chancellor. Two years later what we have is a mish-mash of odds and ends. In short, this year's Finance Bill is a boring Bill and hardly worth a day in the life of the House of Commons.

It is also an irrelevant Bill because it does almost nothing about the biggest economic and social problem of our time, unemployment and the poverty associated with unemployment, retirement and looking after children.

At no time in his speech did the Chief Secretary mention poverty. It took him more than half an hour to get round to unemployment. However, that was better than most of his hon. Friends, who made no reference whatsoever to unemployment or to the plight of the unemployed.

I can only deduce that all the Conservative Members who have taken part in the debate recognise that, as the Chief Secretary put it in his reference to home owners, the unemployed have no direct interest in this Bill. The Chief Secretary frowns, but that was the phrase that he used. He said that home owners had no direct interest in the Finance Bill, unlike all those bodies listed by him—the stock exchange, the other financial institutions, the businesses, large and small, which have, to the surprise of no one, not even the Chief Secretary, welcomed the Budget.

Of course they have welcomed it. The Budget was their Budget and the Finance Bill is their Bill. It is not a Bill for the unemployed. That was shown most vividly this afternoon when the Chief Secretary eventually spoke about unemployment. As *Hansard* will show tomorrow, he was ruled out of order because there is nothing in the Finance Bill, in the opinion of the Chair, to reduce unemployment.

The Chancellor of the Exchequer (Mr. Nigel Lawson): What?

Mr. Davis: The Chancellor of the Exchequer must have been absent at the time and missed the speech of his right hon. Friend. When he looks at *Hansard* tomorrow, he will see that his colleague was ruled out of order.

The Chief Secretary, like other Government spokesmen, prefers to talk about the figures for employment rather than those for unemployment.

Mr. Forman: The hon. Gentleman has mentioned the connection in his mind between unemployment and the Budget. Since the Finance Bill is, as he knows, the legislative consequence of the Budget, and since the Budget, in its prudence and general approach, was one of the preconditions for the subsequent two points fall in standard interest rates, is that not one of the most important contributions to solving unemployment in this economy?

Mr. Davis: I agree with the hon. Gentleman that a reduction in interest rates will have a beneficial effect on both employment and unemployment. Where we may differ is in our attribution of that fall entirely to the Budget. There were other reasons. Interest rates were going to come down before the Budget. They are at the moment being held artificially high, if we are to believe the press, by the Bank of England, and I assume that the bank talks these days, post-Johnson Matthey, with the Chancellor of the Exchequer.

The Chief Secretary preferred to talk about the figures for employment rather than those for unemployment. I can understand that emphasis. Government spokesmen always want to tell us that more people are employed today than were employed a year ago and that more people are employed today than were employed in 1983. Today was no exception. The Chief Secretary gave us a new figure. He claimed that 1 million new jobs had been created since 1983. I am not sure how that figure has been calculated. It does not seem to have been included in any statistics published by the Department of Employment.

The most recent statistics published a fortnight ago do not justify the claim of 1 million new jobs since the general election. I realise that Lord Young issued a press release on the same day that the figures were published and claimed that an increase of 276,000 jobs in 1985 meant that the increase since March 1983 — not since the general election — was almost 1 million. If the Government want to make such claims, they should first publish the detailed figures. Otherwise, they will be treated with suspicion in the House and elsewhere.

But there are more important points to be made about the Government's claim of an increase in employment. There are four things that Government spokesmen do not tell us, four things that the Chief Secretary did not mention this afternoon. The first is that when the Government refer to the number of people in employment, they often include people who are involved in Government employment schemes and training schemes. They include people on the youth training scheme and the community programme. I do not necessarily object to that approach because the Labour party believes in job creation measures, but it really is a bit thick for Government spokesmen to give the impression that those new jobs have been created by the economy rather than the Government.

We want to see more jobs created by the Government, and we take pleasure in the fact that some 350,000 people are counted — when it suits the Government — as employed as a result of job creation measures. But what was their position in 1979? Then the Prime Minister referred to real jobs, and she was not including those jobs covered by Government schemes.

Secondly, much of the increase in employment in the past two or three years has taken place in part-time jobs for women, as my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) reminded the House this afternoon. Again, the Labour party does not object to an increase in part-time jobs for women, but let us be clear about why the number of those part-time jobs is increasing. It is increasing, has increased and will continue to increase as a direct result of the high rate of unemployment. More and more married women are having to seek employment in order to support their families, and the only jobs that are available to them are part-time jobs.

In fact, the increase in the labour force mentioned by the hon. Member for Bournemouth, West (Mr. Butterfill) is also due, in part at least, to the increase in unemployment. The Government's supporters talk about

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the increase in the labour force as if it were the same thing as an increase in the population or the working population. That is not true. The increase in the labour force is measured as an increase in the number of people who are looking for work. If more married women are having to go out to work to support their families, they are counted as an increase in the labour force. That is where the statistic comes from.

The third point which is ignored by the Chief Secretary and other Government spokesmen in the House and elsewhere is that the figures published by the Department of Employment a fortnight ago show that the increase in employment is slowing down and has slowed down for the past year, despite the so-called "Budget for jobs". Indeed, the increase in jobs last year was down by one quarter compared with the increase in the previous year. There was an especially marked reduction in the number of new self-employed jobs—jobs which the Prime Minister has always boasted about—but the important point is that the total is going down; the rate of increase is declining.

Incidentally, the figures also show that not only is unemployment rising but that it has risen more quickly in recent months than a year ago. The rate is now twice that of a year ago. The Department of Employment's published figures show that during the past six months the increase in unemployment has averaged 12,000 people a month and a year ago, over a period of six months, the increase was an average of only 5,000 people a month.

There is a fourth point which the Government often omit or blur over. We now have the preliminary results of a labour force survey of one year ago.

Mr. Higgins: As the hon. Gentleman was arguing 10 minutes ago that it was out of order to discuss employment, why has he spoken about nothing else since?

Mr. Davis: I am responding to the claim made by the Chief Secretary, which was found to be in order, of the increase in employment in the last three years, and I am commenting quite properly on what the Chief Secretary said. It is, I think, at the discretion of the Speaker whether I am in order. It was not my decision that the Chief Secretary was out of order but the Chair's decision, because, in the judgment of the Chair, there was nothing in the Bill to help the unemployed.

To revert to the labour force survey and the preliminary results published one week ago, the figures show that in this country there are 755,000 people with second jobs. Although those second jobs are excluded from the statistics published in the survey, they are not always excluded from statistics published in the *Department of Employment Gazette*, as I understand it.

I ask the Chief Secretary to tell the House how many of the 1 million new jobs created since 1983 are second jobs—that is, jobs being done by people who already have a job. To what extent are the so-called new jobs represented by people who are working in the evening or at weekends in public houses? To what extent are they married women who go to work in a local shop on a Saturday? To what extent are they made up, for example, of people such as the man who works in the factory and goes to help in the local bookmaker's on a Saturday afternoon and is classed as having a second job? That is not an increase in employment to be put against the increase in unemployment that we have witnessed for the past seven years.

To be more specific, when the Department of Employment calculates an increase of 276,000 in the number of people in employment in 1985, does the Department include the estimated increase of some 80,000 second jobs a year? Those second jobs do not represent any increase in the real number in employment by any yardstick applied in the real world.

The Government have made so many changes in the way that the employment and unemployment figures are calculated that hardly anybody trusts the statistics any more. A more suspicious man would suggest that the Government change the figure so often to prevent any accurate analysis of their record. But what they cannot deny is that more people are unemployed today than were unemployed when they came to office in 1979. They cannot deny that more people are unemployed today than when we reached the so-called bottom of the recession in 1981. They cannot deny that more people are unemployed today than when they were re-elected in 1983. They cannot deny that more people are unemployed today than when the House debated the Finance Bill one year ago —a Bill which represented a Budget for jobs.

It is a fact that unemployment was too high when the Government took office in 1979, but it was coming down and it had come down for several months in succession. Since 1979, it has not only increased but trebled, and shows no sign whatsoever of coming down. And on the basis of evidence along the lines of the dog that did not bark, it is clear that the Government do not expect any significant reduction in unemployment this year. Treasury Ministers have been asked time and again, but on each occasion they refuse to give the figures. They can give forecasts for inflation, for capital investment, for domestic demand and gross domestic product; they can forecast exports and imports and the balance of payments; but they cannot forecast employment or unemployment.

Why are the Chancellor of the Exchequer and his colleagues so coy? They must have produced a forecast; they must have it in the Treasury. Are they really pretending that civil servants do not have the time to do this calculation, civil servants who, each Monday morning, are given a clutch of press cuttings by the Chancellor and his Chief Secretary to estimate and calculate figures to show the cost of my hon. Friends' commitments, hopes, ideas, suggestions and long-term aims? The Chancellor of the Exchequer smiles. We know what his weekend reading is. He reads *Tribune*. Each week he takes cuttings from *Tribune*, gives them to the civil servants on the Monday and asks them to work out what it would cost to implement Labour's plans. I suggest that he uses some of the civil servants' time to forecast unemployment and the cost of the Budget and the Finance Bill. If the Treasury forecast showed any reduction in unemployment, the Government would not be so coy. That is proof enough that the Finance Bill will not reduce unemployment.

Perhaps it is worth reminding ourselves that it is not only the waste of resources in paying men and women to sit at home instead of paying them to provide goods and services — particularly services — that the rest of the community needs, but the sheer poverty associated with being unemployed that concerns Labour Members. Of course, the best answer to that poverty is to get people

back to work, and that is why the Labour party has set itself a target of creating 1 million new jobs during the first two years of the next Labour Government.

However, that is not the complete answer, because 1 million new jobs will still leave thousands of people unemployed and living in poverty. We shall therefore pay the long-term rate of supplementary benefit to the long-term unemployed, because the long-term unemployed are one of the three groups to whom we shall give the greatest priority in our campaign against poverty: the long-term unemployed, the pensioners and parents—single parents and married couples, working parents and unemployed parents. These are the people to whom we shall give priority, not because other people are not living in poverty but because they are living in the greatest poverty and must therefore come first.

What is the response of the Chancellor and the Government to the scourge of poverty? After a careful examination of the Bill, I can find only one section that, by any stretch of the imagination, could be described as alleviating poverty. That section consists of the clause relating to charities. As my right hon. Friend for Sparkbrook explained, we welcome the provisions in so far as they benefit real charities, but look at how much the Chancellor proposes to devote to this much-vaunted scheme. On the most generous calculation, in his Red Book, the Chancellor is giving £55 million a year in tax relief on gifts to charities, adding the provision for gifts by employees and companies together.

Mr. Lawson: What did the Labour Government do for charities?

Mr. Davis: We did not abolish the capital transfer tax, and it just happens that £55 million is also the cost of abolishing the capital transfer tax on gifts from the rich to the already wealthy. As my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) pointed out, that is one of the most objectionable provisions of the Bill.

My right hon. Friend the Member for Bristol, South (Mr. Cocks) and my hon. Friend the Member for Knowsley, South (Mr. Hughes) summed up the Bill. My right hon. Friend described it as a Bill that does not measure up to what is required. My hon. Friend described it as irrelevant, and he was right. Compared with the scale of the problems of unemployment and poverty, the Bill is irrelevant and inadequate—as irrelevant and inadequate as the Government. It is a defeatist Bill from a defeated Government—defeated not in the Lobbies but in the country—defeated by the problem of unemployment, and a Government who will be defeated in an election that not even this Government can avoid for ever.

9.28 pm

The Financial Secretary to the Treasury (Mr. John Moore): I start by making it clear to those hon. Members who have not been here throughout our proceedings, and who may have been out enjoying themselves, what precisely the Chair did not rule today. My right hon. Friend the Chief Secretary was rightly discussing aspects of the Finance Bill and of the Budget in relation to unemployment. In its wisdom—the Chair is always right—the Chair ruled that the specific budgetary measures on unemployment that are not in the Finance Bill should not be addressed, and my right hon. Friend immediately responded to that.

I go beyond that to the speech of my hon. Friend the Member for Surrey, North-West (Mr. Grylls). He was supported by all the Opposition parties on an issue which unites both sides of the House—unitary tax. He asked some important questions on this all-party issue. I shall reiterate the Government's position. The timing has not changed. The Government would have wished for greater progress by now, there is no doubt about that. He asked what Ministers would and could do to assist progress in this matter. Ministers have and will continue to take every opportunity to raise the matter of unitary tax with the United States. He commented on the role of the unitary tax group. I join him in paying tribute, on behalf of both sides of the House, to the activities of the Unitary Tax Group, to the Confederation of British Industry and to Peter Welch for mobilising British industry. As my hon. Friend rightly said, the Government have fought against unitary tax in every way possible.

Those of us who were privileged to hear the speech of my right hon. Friend the Member for Guildford (Mr. Howell) regarded it as lucid and fascinating. I listened with great care, as I am sure all right hon. and hon. Members did — *[Interruption.]* I listened as I have throughout the debate, unlike those who have not been present throughout but seek only to interrupt from a sedentary position. I listened, not only because of my right hon. Friend's former role as Secretary of State for Energy but because he was in advance of most of the world in predicting recent changes. Therefore, we are obviously conscious of his remarks. He went on to discuss other matters, including monetary policy. As my right hon. Friend the Chief Secretary said, the Government will respond to the Treasury and Civil Service Committee recommendation which many of my hon. Friends have commented on.

The right hon. Member for Ashton-under-Lyne (Mr. Sheldon), the Chairman of the Public Accounts Committee, made a wide-ranging and interesting speech. I listened with considerable care to his remarks about privatisation. He well knows that we beg to disagree. This is probably not the occasion on which to debate that particular issue except to say, with respect, that I think that he confuses ownership with regulatory needs.

The right hon. Member for Ashton-under-Lyne also raised the issue of capital transfer tax. It has been raised by other hon. Members during the debate. I can assure him, provided the House agrees, that there will be an opportunity to debate that in detail in a Committee of the whole House, without, as he rightly says, being trapped in the rigours of the Finance Bill Standing Committee. We welcome his comments, as well as those of my hon. Friend the Member for Surrey, North-West (Mr. Grylls) and my hon. Friend the Member for Bournemouth, West (Mr. Butterfill), who expressed a contrary view and said that that part of the Finance Bill was one of the critical features of my right hon. Friend the Chancellor's Budget.

I was sorry to miss the contribution of my right hon. Friend the Member for Worthing (Mr. Higgins) when I disappeared from the Chamber for a few moments. I would be doing the House a service if I drew to the attention of those hon. Members who were not here the question that my right hon. Friend legitimately put to the hon. Member for Stockton, South (Mr. Wrigglesworth), who made pious comments on the nature of the supposed courage of the alliance in voting against the reduction in income tax to 29 per cent. My right hon. Friend the Member for

[Mr. John Moore]

Worthing legitimately asked whether that vote would be a prime plank in their by-election programme at Ryedale and West Derbyshire. I trust that the limited presence of the alliance will not restrict it from ensuring that all the people involved in the by-elections will be well aware of the nature of that vote.

The alliance parties are again sadly without representation, except for the hon. Member for Stockton, South who was unable to be with us for the remarks of my hon. Friend the Member for Tatton (Mr. Hamilton). He gave a devastating analysis of the conflicting nature of the alliance's programme. *[Interruption.]* The alliance should carefully consider my hon. Friend's points, as some alliance Members were not present to hear his speech.

I welcomed the emphasis which my right hon. Friend the Member for Guildford placed on the Treasury and Civil Service Committee's verdict which came out categorically in favour of the Budget.

The right hon. Member for Bristol, South (Mr. Cocks) legitimately raised, in the special way to which we have all become used over many years, the interests of his constituents, especially in relation to tobacco. I am sure that if we have the privilege of his company in Committee, we shall look forward to his individualistic comments, which will help our deliberations. The right hon. Gentleman will in no way mind the compliments which I have paid him, and which I meant, for the way in which he has consistently argued for the interests of his constituents throughout his long and distinguished career in the Palace.

The remarks of my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) were especially welcome. As always, he made a wise and balanced contribution. I was especially interested in his remarks on wider share ownership for employees—*[Interruption.]* I have listened to the debate and am now trying to respond to the specific points that were raised. Those hon. Members who, unfortunately, have not had the pleasure of being present will have no knowledge of what occurred during the debate.

I accept the point made by my hon. Friend the Member for Carshalton and Wallington about employee share ownership, although I do not agree with him that our other activities in the area of direct share ownership would divert us from our stated aims in the Budget.

I was especially unhappy—as was my hon. Friend the Member for Slough (Mr. Watts), who robustly criticised it—with that section of the speech of the right hon. Member for Sparkbrook which related to charities. The right hon. Gentleman welcomed part of our charity package. However, he made a relatively miserable response when he sought to suggest that our proposals on charities were simply an alternative to what in his judgment was a disappointing Budget.

The right hon. Gentleman's remarks were interesting. Should there come the benighted time when a Labour Government are in office, those outside the House will wish to examine carefully the extraordinary statement which the right hon. Gentleman made across the Dispatch Box. He said that the Labour Government would redefine the word "charity"—in those lovely Socialist words—to establish who is genuinely deserving. The analysis of that statement, after generations of charity law, will be interesting to consider.

The right hon. Gentleman asked a specific question about pension scheme surpluses, and I was delighted at the thrust of his first remarks. He said that he welcomed the thrust of the proposals and thought that they were correct. He will understand why we could not consult the actuarial profession generally on the details before the Budget. Therefore, on the advice of the Government Actuary, we adopted a careful and prudent approach.

The right hon. Gentleman specifically asked about the 5 per cent. level. The approach advised by the Government Actuary has three related elements. The first is the secure funding method, which is known among actuaries as "projected accrued benefit", and associated with that is a series of prudent actuarial assumptions on which the liabilities are assessed. Secondly, the contingency margin of 5 per cent. which has been allowed was advised on the basis of the secure funding method and the prudent actuarial assumptions that that would safeguard the benefits given to scheme members.

Thirdly, and related to that, are the three options for the funds to reduce the surpluses: contribution holidays or reductions for up to five years, improvements in benefits, and a refund to employers. The right hon. Gentleman focused on the 5 per cent., but one cannot look in isolation only at one element. We are consulting the actuarial profession. We shall also listen carefully not only to what the right hon. Gentleman said, but to views from outside Parliament.

I return to the right hon. Gentleman's fundamental point, referred to by other hon. Members, in particular by the hon. Member for Great Grimsby (Mr. Mitchell) and by my hon. Friends the Members for Tatton and for Lewisham, West (Mr. Maples). They went to the heart of the Finance Bill and to the Opposition's attitude to the taxation of both capital and income.

A great deal of the debate both inside and outside Parliament has been about the Opposition's suggestion that the Government's programme will benefit only the rich and that most of the Government's measures can be corrected by changing the pattern of taxation. I shall deal tonight with the analysis introduced into the debate by the right hon. Member for Sparkbrook. I do not intend to deal with the Opposition's expenditure programme. I shall concern myself only with the suggestion of the right hon. Member for Sparkbrook that they will implement a minimal programme.

On the Jimmy Young programme on 20 March the right hon. Gentleman referred to a £3·6 billion anti-poverty progamme. My hon. Friends have asked me tonight, who are the rich, and how will they pay for this programme? The answers then become rather vague and indistinct. I shall remind the House of the nature of the questions. The right hon. Gentleman seeks to suggest that the financing of the Labour party's minimal programme will be simple and easy, and this was a fundamental part of our debate. Jimmy Young said:

"When you say rich, Roy, you mean, who's rich? I mean, what income are you talking about?"

The right hon. Gentleman said:

"It's people earning more than £25,000 a year."

Jimmy Young then said:

"Now I've got four figures there."

I am told on the Jimmy Young programme by the right hon. Member for Sparkbrook that in fact it is very hard to analyse because the Treasury will not provide all the details. Therefore I shall help the right hon. Member for

Sparkbrook and will give him all the details relating to his programme. He asked a second question that I shall also seek to answer. It related not only to the rich but to how they will pay. Jimmy Young said:

"When you say tax them properly, what sort of level would they be paying tax then?"

Mr. Stuart Bell (Middlesbrough): On a point of order, Mr. Speaker. This is not a question of the Jimmy Young show but of "Desert Island Discs." We have already heard this speech from the Chancellor of the Exchequer.

Mr. Speaker: The right hon. Gentleman is making his speech in his own way.

Mr. Moore: Thank you, Mr. Speaker. Truth is always difficult to take.

The second leg of the question that is critical in this area is how the rich will pay. In this instance, the tax level will not change very much, we are told by the right hon. Member for Sparkbrook, because it will all be collected in the form of capital taxes. Let us look at the implications of this proposal before I remind the right hon. Gentleman and the House of how this Finance Bill will continue the process of making everybody, at all levels of income, better off than if we still had to face the hazards and the tragedy of a Labour Government.

As for capital taxes, with which we are dealing in this Finance Bill, let me examine arithmetically what would happen if we had to return to the 1979 position. There are three features of this Finance Bill and of previous Finance Bills to which the right hon. Member for Sparkbrook objects: abolition of investment income surcharge and reductions in capital gains tax and capital transfer tax. If reinstated, what would they produce annually? Investment income surcharge would produce £825 million a year and changes in capital gains tax and capital transfer tax would produce £835 million a year. That is a total not of £3·6 billion but of £1·6 billion.

As the Finance Bill deals with matters such as CTT, it is worth making some points on the effects of the arithmetic. If investment income surcharge were reinstated, it would penalise many who are on the basic rate. More than 60 per cent. of taxpayers who would be affected are those on the basic rate, and 45 per cent. of those affected are elderly. The approach which I hear outside is: "the bloody rich." Because of the reductions in the absurd rate of capital taxes, it is worth drawing attention to the effect of this arithmetic. Our much-improved investment planning has produced a yield of 20 per cent. more, in real terms, from capital taxes since 1979, as my right hon. Friend the Chancellor said in the House on Monday 24 March.

If we returned to the rates that applied in 1979, it is questionable whether they would produce what the right hon. Member for Sparkbrook wants—a yield of £1·6 billion. Let us accept, for a moment, his arithmetic and consider the reality of income tax and the implications at which he laughed earlier. The reality of income tax, in addition to restoring IIS, CTT and CGT reductions, is slightly more complicated. I understand the right hon. Gentleman's difficulty when he appeared on the Jimmy Young show regarding the different allowances and the problem whether one is referring to a single person, a one-earner married couple or a two-earner married couple.

The public want to know the implications of this and previous Finance Bills and the policy of the right hon. Member for Sparkbrook as adduced at the Dispatch Box today. Let me tell the country what his policies would mean. To finance this minimal policy, there would be a jump in the income tax rate of single people to 70 per cent. on taxable income above £18,600, or 70 per cent. on all gross income above £20,935. That is the first definition. The right hon. Member for Sparkbrook is getting very uncomfortable, because this is the first time we have analysed his definition of "rich singles".

What about the one-earner married couple? Again, there would be a jump to 70 per cent. tax on all taxable income above £18,600, or such a couple would pay 70 per cent. on a gross income above £22,255. I remind the outside world of the right hon. Gentleman's definition of rich. According to him, a rich one-earner couple is a couple earning £22,255. Let us remember those figures.

I turn to the critical, final figure—that relating to two-earner couples. There are over 5 million two-earner couples. All two-earner couples would jump to a tax rate of 70 per cent. on a taxable income of £18,600, or would pay 70 per cent. on all gross income above £24,590. The right hon. Gentleman's definition of a two-earner couple would be a husband and wife, each earning about £12,500. That is his definition of the rich.

I have explained who these rich people are. I have explained how they will pay. They are not even in the top 5 per cent. of salary earners. For the benefit of the right hon. Gentleman, when he next appears on the Jimmy Young programme, those people are the top 3·5 per cent. of tax-paying units—not the top 5 per cent.

From the Alice in Wonderland of "Hatteromics", I turn to what the present Finance Bill and other Finance Bills have done since 1979 for the other side of the challenge, as opposed to that absurd pretence that the programme can be financed out of thin air. The other side of the issue concerns what we have done about the burden of tax and the well-being of people at all levels of tax. We had to get control of borrowing. We had to pay the terrifying burden of debts before we reduced the burden of taxes.

The right hon. Member for Sparkbrook was right—some taxes have been increased. North sea taxes have increased. About 40 per cent. of the increase in the tax burden has come from North sea taxes. Equally, VAT has contributed to the increase since 1979 by a little more than 40 per cent. The remaining 10 per cent. plus has come from national insurance charges, which have increased benefits associated with them, and from rates.

In this pattern of Finance Bills, which culminate in this legislation, the fact that many critical taxes have decreased has not been discussed. I refer especially to the taxes on employment. When the Conservative party came to office, the burden of taxation borne by employers was 14 per cent. Primarily because of the abolition of the Labour tax on jobs, that burden has been reduced from 14 per cent. to 9 per cent. Income taxes have fallen. In 1978-79, income taxes were approximately 32·7 per cent. of total taxation. They have now fallen to 26·9 per cent.

The right hon. Member for Sparkbrook specifically asked me what that has meant to taxpayers generally. What has the pattern, which has continued in the Finance Bill, meant? *[Interruption.]* To help the right hon. Gentleman's supporters, I shall compare the income tax and national insurance contributions paid by a married man under the Conservative Government, with his position if Labour were still in office. *[Interruption.]* I know that, to some people, that is a terrifyingly long and

[Mr. Moore]

happy way in the past, but I remind the House of the precise figures. Under our present tax regime, a married man on a third of average earnings pays 7·4 per cent. of his income in income tax and NIC. Under the 1978-79 regime, under Labour and including the benefits of Labour's 6·5 per cent. NIC, such a person would pay 10·6 per cent. in income tax and NIC—higher than the 7·4 per cent. paid under the present tax regime.

For a married man earning half average earnings, the figures are precisely the same—18·9 per cent. at present versus 18·9 per cent. under a 1978-79 regime. For a married man earning three quarters of average earnings, the figures are 25·3 per cent. under our Government and 25·8 per cent. under Labour's 1978-79 regime with its lower NIC rates. The position today in terms of the combination of income tax and NIC is better than under a 1978-79 regime.

A married man on average earnings pays 28·5 per cent. in income tax and NIC but would have paid 29·2 per cent. under the Labour's regime—again a higher figure. A married man earning one and a half times average earnings pays 30·6 per cent. under this Government but would have paid 31·1 per cent. under a Labour regime. I could continue, because obviously the figures become even better. In every instance, the figures are better or the same. That therefore disproves the constant suggestion of the right hon. Member for Sparkbrook that in income tax and national insurance terms, people are worse off than if Labour had remained in office.

I have said repeatedly at the Dispatch Box that we should be concerned, as the right hon. Member for Sparkbrook said, not simply with the proportion taken in tax but with how well off people are, because that is obviously affected by the pattern of their earnings increases as well as the pattern of taxation changes. I shall take the categories I mentioned and the percentage change in real take-home pay. After all, that is what, theoretically, we are all concerned about when we talk about our constituents.

Let me remind the House of the figures on the percentage change in real take-home pay. Under the category of those on half average earnings I can quote any group—single, married with children, married with no children. Under the category of those married with no children, there was a 2·4 per cent. improvement in a couple's real take-home pay after five years of Socialism, but after seven years of Conservatism there was a 14·8 per cent. improvement. *[Interruption.]* The debate is about whether people in work are better off, and I am simply trying to remind the House of the data.

Mr. D. N. Campbell-Savours (Workington) *rose*——

Mr. Moore: I will give way only to those who have participated throughout the debate.

The figures continue, and they get better. *[Interruption.]* The Opposition do not like these figures. For a married man on average earnings, with no children, during Labour's five years of office, the percentage change in the real take-home pay went down by 0·9 per cent. What happened in the relevant past seven years? There was an increase of 17·7 per cent. What a contrast — between a person's take-home pay on average earnings going up in real terms by 17·7 per cent. and going down by 0·9 per cent.

What about a couple on twice average earnings? Their take-home pay went down during Labour's period of office by 2·4 per cent. against an increase of 19·7 per cent. during the Conservative period of office.

I have endeavoured to show how the Finance Bill takes account of people on average, below or above-average earnings and how Conservative taxation policies have benefited those in all categories.

I was asked by my right hon. Friends the Members for Guildford and for Worthing and by the right hon. Member for Ashton-under-Lyne for the Government's position on the exchange rate mechanism. I can reiterate the precise position. The time is not ripe and, as has been said many times from the Dispatch Box, the matter is being kept under constant review. We will not enter the exchange rate mechanism unless there is a clear balance of advantage in favour of us doing so. The Government's views were stated clearly by my hon. Friend the Economic Secretary during a debate on 29 January.

My hon. Friend the Member for Tatton made an important contribution. He asked us to consider what is happening in manufacturing. That was raised by three or four other hon. Members. I would remind the House that manufacturing profitability in 1984 was at 6·5 per cent., which was the best since 1973. Manufacturing exports went up by 6 per cent. in 1985 and are expected to rise by a further 6 per cent. in 1986. Manufacturing industry is expected to be a major beneficiary of the fall in oil prices. *[Interruption.]* Hon. Members ought to listen to the extent to which these are all positive aspects of Government policy on manufacturing enterprises.

In no other recent five-year period has manufacturing been so successful in holding its market share and keeping pace with world output. The Finance Bill offers for incentives a cut in the basic rate, which is of course the marginal rate for 95 per cent. of taxpayers. It offers for business and enterprise a package of measures, including an indefinite extension of the business expansion scheme in recognition of its great success, effective action to prevent family businesses from being broken up for tax reasons, a unique opportunity for individual share ownership through personal equity plans and widely welcomed new reliefs for charitable giving. All that is in the context of a sound economic strategy which has given us, in 1985, the third successive year of both steady growth and low inflation, and an outlook for 1986 which is the best for a generation.

I commend the Bill to the House.

10 pm

Mr. Stuart Bell (Middlesbrough): I listened with the utmost interest to the Financial Secretary's speech — *[Interruption.]*—but he did not address himself to several points that formed the basis of his own argument. The right hon. Gentleman referred to the very high—*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman has the Floor.

Mr. Bell: The Minister referred to the point that people were better off taxation-wise in relation to earnings, but he did not relate that to the fact that earnings have increased over a period of time. *[Interruption.]* He did not refer to what those earnings were. It is a pity for the House that he did not do so.

The Minister also failed to meet the point that the Budget had been predicated on the price of oil being $15

a barrel, whereas it is now $12. Those are all important factors in relation to the Finance Bill—*[Interruption.]* The House is entitled to know what the Government think of those issues, which are very important for the economy. Indeed, the people of this country are entitled to know what the Treasury team's view is, but the Financial Secretary has not told us.

The Minister had half an hour in which to speak, and it is a pity that he did not spend that time on the issues relating to Government policy. Instead, he produced a series of spurious calculations that involved a sleight of hand to show what a Labour Government might do, some seven years after the Labour Government were last in office.

It is a pity that the Financial Secretary refused to spend any time saying what this Government would do, and instead concentrated on what the Labour party would do if it was in government — *[Interruption.]* From the country's point of view, it is a pity that those points were not clarified. How can the Government put forward a Budget that is based on oil costing $15 a barrel, when the price has fallen to $12? The Opposition want to know how the Chancellor can predicate his Budget on the price of oil when he has lost a further £3,000 million in Government revenue since the Budget statement—*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman is absolutely in order to be speaking now, and he should be heard.

Mr. Bell: Having had the attention of the House for the past few minutes, I invite the Financial Secretary to respond to those points in the interests not only of the Opposition, but of the country as a whole.

Question put:—

The House divided: Ayes 264, Noes 190.

Division No. 161] **[10.03 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Amess, David
Ancram, Michael
Arnold, Tom
Ashby, David
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chalker, Mrs Lynda
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clegg, Sir Walter
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Dickens, Geoffrey
Dorrell, Stephen
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Finsberg, Sir Geoffrey
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John S
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hawkins, C. *(High Peak)*
Hawksley, Warren
Hayhoe, Rt Hon Barney
Hayward, Robert
Henderson, Barry
Heseltine, Rt Hon Michael
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Hordern, Sir Peter
Howard, Michael
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irving, Charles
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, Rt Hon John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
Madel, David
Major, John
Malins, Humfrey
Maples, John
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morrison, Hon P. *(Chester)*
Moynihan, Hon C.
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry
Portillo, Michael
Powley, John
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger

Skeet, Sir Trevor
Soames, Hon Nicholas
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(Hertf'dshire N)*
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Trippier, David
van Straubenzee, Sir W.
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walker, Bill *(T'side N)*
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Wiggin, Jerry
Winterton, Mrs Ann
Wood, Timothy
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Archie Hamilton and
Mr. Gerald Malone.

NOES

Abse, Leo
Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'rmline E)*
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Coleman, Donald
Conlan, Bernard
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Rt Hon Denzil *(L'lli)*
Davies, Ronald *(Caerphilly)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Eadie, Alex
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Garrett, W. E.
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Fife Central)*
Hancock, Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Howell, Rt Hon D. *(S'heath)*
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Janner, Hon Greville
Jenkins, Rt Hon Roy *(Hillh'd)*
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lambie, David
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McNamara, Kevin
McTaggart, Robert
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Neill, Martin
Park, George
Parry, Robert
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rogers, Allan
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Ross, Stephen *(Isle of Wight)*
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Wainwright, R.
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Woodall, Alec
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. John McWilliam and
Mr. Allen McKay.

Question accordingly agreed to.

Bill read a Second time.

FINANCE BILL (COMMITTAL)

Ordered,

That Clauses Nos. 2, 15, 26 and 80 be committed to a Committee of the whole House;

That the remainder of the Bill be committed to a Standing Committee;

That, when the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill be proceeded with as if the Bill had been reported as a whole to the House from the Standing Committee.—*[Mr. Moore.]*

Committee tomorrow.

Employment Subsidies

10.16 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Ian Lang): I beg to move,

That this House authorises the Secretary of State to set up, in accordance with section 1(1) of the Employment Subsidies Act 1978, a scheme, the cost of which is expected to exceed £10 million for the year ending 31st March 1987, for making payments to employers to enable them to take on as new employees young people with earnings below the limits specified in the statement laid before the House on 22nd April 1986.

The motion authorises the Secretary of State to set up the new workers scheme, announced by my right hon. Friend the Chancellor in his Budget statement on 18 March. The Employment Subsidies Act 1978, to which it refers, as renewed by order in 1985, empowers the Secretary of State to set up schemes to give financial assistance to employers, to enable them to take on new employees and to maintain or enlarge their labour force. This is the aim of the new workers scheme.

The Act states that a resolution of the House is necessary if the scheme is expected to cost more than £10 million. The Chancellor announced that this scheme is expected to cost about £26 million between 1 April 1986 and 31 March 1987, and it is, therefore, necessary to pass the motion that we are debating. A similar scheme will be run in Northern Ireland.

The other requirements of the Act — that the Secretary of State should consult such organisations as are considered appropriate, which in this case have included the TUC and CBI, and lay a statement before the House explaining the proposals—have been fulfilled.

Tonight's debate is about jobs for young people. That is our goal in proposing the new workers scheme. It will be an important strand in the comprehensive package of measures that we have developed to support enterprise and employment. The scheme will encourage employers to provide more job opportunities for young people — primarily those who have completed training on the youth training scheme — at realistic wages which sensibly reflect their age and their inexperience of the world of work. It thus delivers help where it is needed and where it can work. It forms part of the most imaginative and comprehensive approach ever devised to give young people a proper preparation for work and a start in a job.

Sixteen-year-old school leavers will now be able to receive two years' training and 17-year-old leavers one year under YTS, leading to a recognised qualification. Already about 60 per cent. of YTS leavers go into a job afterwards and more into further training. The new workers scheme will help to maintain or even raise that proportion by giving employers an extra incentive to take them on. It will contribute to the increasing awareness of economic reality—that wages which are too high and do not bear a close enough relationship to the contribution people are able to make to a business—lead only to fewer job opportunities. Young people do not naturally expect to earn a high proportion of their parents' salary as soon as they start work. That leaves them nothing to aim for and work towards. In the early 1970s, their expectations about wages were inflated and then dashed because young people had been priced out of jobs.

We have made a lot of progress since then. We have introduced YTS, to give young people proper training; we have successfully run the young workers scheme; we have reduced the national insurance costs of employing someone; we have introduced proposals about wages councils and young people and our enterprise, training and employment policies have borne fruit. There have been around a million extra jobs in the past three years. Now we have two year YTS, and to complement it, the new workers scheme.

Mr. Dave Nellist (Coventry, South-East): In listing those measures of which the Government are unjustly proud, is the Minister aware of two facts? First, school leavers' wages, relative to adults' wages, have dropped over the past six years by 12 per cent. for boys and 13 per cent. for girls at a time when youth unemployment has trebled? There is no relationship between cutting youth wages and increasing youth jobs, except more poorly paid youth.

Secondly, the young workers scheme, which the Minister has just appraised, was analysed in research paper No. 42 by Mr. W. Wells of the Department of Employment, which showed that eight out of 10 jobs created by the young workers scheme were at the expense of adult workers. It may well create a few jobs for young workers but that is at the expense of putting workers in their 40s and 50s on the dole queue.

Mr. Lang: The hon. Gentleman is wrong. The figure was not eight out of 10 but eight out of 100—8 per cent. of adult substitution—a much lower figure. As for the trend of youth wages in relation to employment, most of the fall in youth wages has taken place in the past three years, and that is at a time when youth unemployment has been falling, as I shall illustrate shortly.

I should like to describe briefly the way in which the scheme will work. Its aim is to encourage employers to take on more young people into full-time, permanent jobs, at rates of pay which realistically reflect their age and relative inexperience. To achieve that, a payment of £15 a week will be made to the employer, for up to 52 weeks, in respect of each young person involved. The scheme will be open to all employers except those in the public services or private households. Young people must be paid £55, or less for employees aged 19 or younger on the date they start in the job, or £65, or less for those aged 20 on the day they start in the job. As for the young people themselves, they must be under 21, in their first year of employment, no longer eligible for YTS or unable to find a YTS continuation place.

The resolution seeks the approval of the House for making payments to employers on that basis. Clearly we cannot be precise about the number of applications employers will make under the new workers scheme in the coming year, but our estimate is that some 100,000 successful applications will be made before 31 March next year, on which date there should be, perhaps, 63,000 young people in jobs supported by the scheme. In that case, the estimated expenditure would, as I have said, be some £26 million.

The scheme will be administered by Department of Employment staff in our employment measures office in six regional centres. Staff in jobcentres and careers offices will of course give every assistance to employers who wish to take advantage of the scheme.

We are determined to make the procedures as unbureacratic and straightforward as possible, as it is

[Mr. Lang]

employers, many no doubt in small businesses, whom we shall be encouraging to offer extra opportunities to young people and who need to feel confident that they will not be caught up in delays and red tape.

We shall be taking steps to make sure that information about the scheme is made available to employers and businesses and we have already included an outline of the new scheme—making clear that it remains subject to the approval of the House—in our new "Action for Jobs" booklet. The new workers scheme is a significant part of our policy for providing the opportunities—or, rather the means for others to provide the opportunities—for employment.

That, then, is an outline of the proposed scheme and I should like to go on to describe the context in which it is set and the way in which it fits into our policies. The House will recognise that the new workers scheme is not dissimilar to the young workers scheme, which as my right hon. Friend the Chancellor announced in his budget a year ago, closed on 31 March this year. By that time, 435,000 applications will have been approved under the young workers scheme and, in view of some of the points made in this House when we sought authority for that scheme, and its similarity to the new workers scheme, I think it is worthwhile reminding the House about its success. I am glad to say a full evaluation of the young workers scheme will be published in an article in next month's *Employment Gazette*. I commend this to the hon. Member for Kingston upon Hull, East (Mr. Prescott).

The evaluation over the four years of YWS suggests that the scheme has been creating more and more jobs per unit of expenditure over time. We think that this has been due both to more employers, and particularly smaller employers, learning about the scheme and creating new jobs for young people under it, and to the fact that more, better trained young people have been available as they left the old youth opportunities programme and, now, YTS. In fact, about two thirds of young people in jobs supported by YWS have previously been on YTS, and the proportion of jobs supported which were created directly as a result of the young workers scheme has risen to its current level of some 27 per cent.

As the percentage has steadily increased since the scheme began, we now estimate that some 90,000 jobs for young people have been created directly by the scheme. These were not jobs that would have existed anyway, not jobs in which young workers on YWS are substituted for other workers at the same firm, not jobs which perhaps displace workers in other businesses, but new, additional jobs.

There are always difficulties with any sort of scheme involving payments to employers for employees they might have recruited anyway. We believe that the careful design and administration of YWS and its direct link to YTS meant that is provided valuable, cost-effective help. It is exactly what we are aiming to achieve for a slightly older, more mature age group with the new workers scheme, which should build on our experience and that of employers in using the scheme, and which will, in its turn, complement the new, developed YTS.

Another important aim of the young workers scheme was to affect the rates of pay of young people so as to achieve a more realistic relativity with adult wages. There is a large and growing consensus of academic studies which shows that the high cost of youth labour relative to adults has adversely affected the job opportunities of young people. In other words, as one would expect, in a labour market in which the demand for young labour had fallen from previously high levels, young people's relatively high wages were increasingly handicapping their search for work. Some success seems to have been gained in this area. Since 1982, when YWS was introduced, relative earnings of under-18s have fallen and so has unemployment. Of course, several factors will have influenced both youth earnings and unemployment, including the introduction of YTS and demographic movements. But no doubt the young workers scheme will also have been influential, as we expect the new workers scheme to be.

YWS was successful because, in the vast majority of cases, young workers supported by the scheme continued in the same post or with the same employer at the end of the period of support—a survey of employers told us that this was their intention in 90 per cent. of cases. That is an impressive result, I think the House will agree.

Mr. John Prescott (Kingston upon Hull, East): Did they do that?

Mr. Lang: The vast majority, as far as we are aware, did just that.

Some hon. Members expressed concern that training would not be given under YWS. Again, there is evidence from surveys that employers have provided a significant amount of training for those young workers for whom they were claiming support.

Now the new two-year youth training scheme is with us, it offers two years' training for 16-year-old school leavers and one year for 17-year-old leavers—training in greater depth and in the occupational skills which industry and business need. There are around 360,000 entrants each year and up to 500,000 in training at any one time. The new workers scheme will boost the employment prospects of those leaving YTS or who are too old for it by giving employers a positive incentive to recruit them.

The age group we are catering for with the new scheme is thus the 18 to 20-year-olds. They, the post-YTS age group, will have prepared for the world of work, acquired a recognised qualification and now need the opportunity to prove their worth to an employer. For them, NWS will thus be, as I have said, part of a highly imaginative and comprehensive package of measures towards a start in work with the prospect of two years of high quality training followed by a year's supported employment at sensible wages.

Young people need a sensible start in which they can find their feet, learn skills, prove their value to themselves, their workmates and their employer. What they do not need are expectations of being able to leave school without a skill or the qualities employers are looking for and being able to walk into a job earning the same as an experienced adult. Those expectations are false and too often frustrated.

YTS and the new workers scheme together offer a sensible progression in earnings from the first year's YTS allowance of £27·30, the second year's allowance of £35, and then a wage of up to £55 in a new workers scheme job for an 18- or 19-year-old recruit, or up to £65 for a 20-year-old new worker. That is a sensible progression, in reasonable stages. Crucially, NWS gives a young person

the opportunity to earn more, as their contribution to an enterprise increases and their skills and experience develop.

Just as the new workers scheme complements YTS, so too it fits directly into our wider policies to support employment and enterprise opportunities. We have introduced to the House our proposals for removing from the scope of wages councils young people below the age of 21, so as to increase their employment prospects. If those proposals receive the approval of the House, as I am confident that they will, there will be all the more opportunity for employers to create more vacancies for young people new on to the labour market without the concern that they would have little chance of contributing as much to the enterprise as they are required to be paid.

Moreover, it is precisely at levels of earnings similar to those which will apply under the new workers scheme that the positive effects of my right hon. Friend the Chancellor's changes to the rates of national insurance contributions will work most effectively, increasing the attractiveness of young people to employers.

Taken together with the effects of our other policies for employment and enterprise, the new workers scheme will provide a significant extra boost to the prospects of young people entering work. It follows on from a successful and proven scheme, the young workers scheme, which complemented YTS and provided job opportunities for 435,000 16 and 17-year-olds.

Now we have gone on to develop and introduce an even more effective and relevant preparation and training provision in the two-year YTS, which the new workers scheme will tie into exactly, by encouraging employers to take on young people leaving YTS or no longer eligible for it. It is right in line with the changes that we are proposing for wages councils and young people. It is supported by changes in national insurance rates.

Mr. John Evans (St. Helens, North): The Minister has been extolling the virtues of the scheme at some length. He will recall that at the outset of his remarks he said that he was called upon to consult both the employers' organisations and the TUC. He has spoken at length about the attitude of the employers. Will he explain that the TUC, the body responsible for organising over 11 million workers, completely rejects the scheme?

Mr. Lang: I am sure that the hon. Gentleman will have an opportunity to do that soon. We consulted both the CBI and the TUC. The CBI supported the scheme, and the TUC opposed it. He will be able to enlarge on the reasons that the TUC gave, and I shall be happy to reply to them.

Mr. Geoff Lawler (Bradford, North): In one draft of the statement that I have seen, it says that applicants should normally have exhausted eligibility for YTS. Will my hon. Friend confirm that they must have done so, to prevent employers poaching people half way through the YTS, much to the detriment of the skill training?

Mr. Lang: The object is that a YTS leaver should go into a new workers scheme. In the first year of that scheme, there will be those leaving the one-year YTS who are unable to get continuation places on the YTS, and will want to move to the new workers scheme, which will make specific provisions for that. The object of the exercise is that the one scheme will lead on to the other, thus helping young people to a graduated progression into employment. It will be cost-effective and carefully administered, so as to deliver positive financial encouragement where it can do most good, with the minimum of fuss.

I believe that the new workers scheme to be a sound and useful addition to the Government's comprehensive series of measures in the interests of jobs for young people, and I commend the motion to the House.

10.35 pm

Mr. John Evans (St. Helens, North): In any debate about employment or employment creation schemes, which we are discussing tonight, it is important for the participants to keep three sets of figures very much in mind.

The first figure to keep at the forefront of our minds is the 3,323,776 registered claimants receiving benefits in the United Kingdom now. Of course, "registered claimants" is the Government's definition of the unemployed. The second figure or set of statistics to keep at the forefront of our minds is of about 200,000 men and women currently employed on the Government's community programme. It is one of the Government's major job creation schemes. An important fact to bear in mind is that no fewer than 1,500,000 unemployed people are eligible for a place on that programme.

The third figure is probably the most important in the context of the debate. It relates to the level of unemployment amongst the under-25s. It is obviously germane to the introduction of a scheme that affects young workers. Unfortunately, there are not any unemployment figures for the under-21s, so I must make do with unemployment statistics for the under-25s. There are no fewer than 1,246,892 of them: that is, 36·6 per cent. of the total unemployed people are under 25 years of age. By any standard that can be described only as a crisis. It is even more of a crisis when we appreciate that hundreds of thousands of those youngsters have never had a job since they left school.

All of the figures that I have given were used by the Minister on Tuesday 22 April during employment Question Time. His answers can be found at columns 99, 100 and 104 of the *Official Report* for 22 April.

The other figure that we must think about is the missing figure, that is, the difference between registered claimants the Government's favoured definition and all those who are unemployed, who would gladly accept work if there was any available for them. This is a grey area. The Government have consistently fiddled the unemployment figures for the past six years.

My estimate — of course, anyone can join in this game—is that more than 1 million unemployed are not being measured by the statistics. They would accept employment if it was available to them.

We must bear in mind that each of those figures represents a human being. Many of them are young people. Their efforts and abilities are being wasted. They are probably the greatest wasted resource in our country today.

A further factor to bear in mind in our debates about employment and job creation schemes is the curious contradiction of the Prime Minister and other Ministers that is evident whenever the Tory party gets round to discussing one of the schemes. They claim that the Government cannot create jobs. Yet here are tonight discussing a scheme that the Government tell us is a job creation scheme. I believe that the Prime Minister is

[Mr. John Evans]

cynical about all these schemes. That contradiction is the reason that the Government's job creation schemes are in a mess. They are cosmetic exercises. Often they are designed more to depress wages than for any other reason. That is certainly true of the young workers scheme and the scheme we are discussing tonight.

A consistent feature about the schemes is a desire to do something — anything — about the unemployment statistics rather than tackle the real causes of unemployment. I am sure that the House would appreciate the comments that were made last week during employment Question Time when Tory Back Bencher after Tory Back Bencher suggested to the Minister various methods and means of having another fiddle of the unemployment figures.

Mr. Robert Atkins (South Ribble): Fiddle?

Mr. Evans: Yes, another fiddle of the unemployment figures. They suggested ways to reduce the total of unemployed claimants. This new wheeze — the new workers scheme — reflects that philosophy perfectly, because all the evidence of the past few years shows that it will not increase employment and will do nothing to benefit young workers. I put it on the record immediately that the next Labour Government will scrap this scheme, just as we would have scrapped the young workers scheme which it replaces.

The Employment Subsidies Act 1978, under which the Government must come to the House for approval for the new measure, provides explicitly in section 1(1):

> "The Secretary of State may . . . set up schemes for making payments to employers which will enable them to retain persons in employment who would or might otherwise become unemployed, to take on new employees, and generally to maintain or enlarge their labour force."

The new scheme, as with its predecessor, will not maintain and will certainly not enlarge the labour force.

Many trade unions will provide proof that, in many cases, youngsters employed under the YWS merely replaced older employees on higher wages. The incentive to do that is great. By replacing an 18-year-old on the average wage with a subsidised YWS employee, the employer stood to save more than 40 per cent. on labour costs. Even when creating a new job through the scheme, such an employer stood to save more than 25 per cent. Under the new scheme, with the protection of the wages councils removed from under 21-year-olds — as the Government plan to do — an employer taking on an NWS candidate will benefit from a saving of about 60 per cent. on labour costs if he sacks someone else, and of about 25 per cent. if he creates a completely new job.

Mr. George Park (Coventry, North-East): Is my hon. Friend aware that, in Coventry, 24 young people are chasing every job vacancy? The only way in which new jobs can be provided is for employers to sack other workers and take on what amounts to cheap labour.

Mr. Evans: I am grateful to my hon. Friend for making that important point. I am sure that almost all of my hon. Friends from all parts of the United Kingdom could make similar points about their constituencies.

The argument that the scheme will benefit the economy simply does not hold water. There is no evidence that merely by depressing wages we can reduce unemployment. The net effect on job creation—supposedly the rationale for the scheme—will be almost nil. In 1984, a study conducted by Sussex university estimated that the young workers scheme subsidised jobs that would have existed in 94 per cent. of cases anyway. Even the Government — in a Department of Employment commentary for the Select Committee on Employment entitled "Young Workers Scheme: Survey 1985" — estimated the figure to be 73 per cent. That estimate was taken from a tiny sample of 960 workers interviewed, of whom only 754 were young people.

I recall reading an article in the *Financial Times* in 1982, when the YWS was at its peak, stating that the scheme created only one job in 10 of those that it subsidised. I remember the article vividly because of its punch line. It arrived at the conclusion that the YWS would make our young people the most expensive shelf stackers in the history of British business. My hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) and I have often been attacked by Right-wing commentators for making similar points, but we believe that the new scheme will make matters even worse.

For the youngsters who are taken on by employers under the new workers scheme, there is no guarantee of a full-time job and no guarantee of training. The youngster who, through no fault of his own, cannot find a job—the simple fact is that in many areas no jobs are available —will be rewarded for his willingness to be employed on the scheme at less than standard wages with a job that offers no training, no prospects for the future and only the scrap heap once again when his year is finished. I have a son who spent one year on YTS and a considerable time on the young workers scheme. I can therefore speak with some family knowledge of the position of the young people concerned.

The scheme is an open invitation for employers to practise job substitution. I fear that the scheme will become an adult workers substitution scheme, especially among adult female workers who earn between £70 and £100 a week. None of those female workers is likely to be on the employment register or able to claim benefit and they will often be substituted by a young female who will be on the register earning about £55 a week. The employer will therefore save money by employing the younger woman and, as far as the Government are concerned, the employment statistics will decline.

I should like to ask the Minister a question about the earnings ceiling which, according to paragraph 3 of the glossy document, is determined by the age at entry. As I read the document, young workers who are aged 19 years and 11 months will qualify for a wage of £55 a week or less. As I understand the scheme, they will not be entitled to a rise on their 20th birthday. The Minister nods in agreement, showing that my understanding of the position is correct. Therefore, the obvious time to recruit a young worker would be just prior to his 20th birthday. That means that for 11 months on the scheme, they will be earning £10 less than even the miserable maximum that the Government prescribed of £65. That is grossly unfair.

I reiterate that the scheme will not create new jobs, at least not enough to warrant the substantial expenditure that the Government are committing to it. The real intention of the scheme, which the Government have not even bothered to hide, is to depress wages in the hope that that will allow employers to afford to take on more employees.

That fantasy—I hesitate to credit the Government with a legitimate policy — is as discredited as the economic guru, Mr. Alan Walters, who dreamt up the original YWS. The fact that the Government have spent more than £190 million over the past four years simply to allow unscrupulous employers to force down the wages of young people is, I suggest, an obscene waste of taxpayers' money.

The entire concept of high wages creating high unemployment is defunct. Among young people, wages have fallen by 11 per cent. relative to adult wages over the past six years. In the meantime, youth unemployment has increased much faster than the rise experienced among other age groups. While 18 to 20-year-olds in employment earn on average two thirds of the equivalent adult wage or less, they experience unemployment rates of more than 24 per cent. It is noticeable that the NWS will not apply to the public sector and is targeted at the low paid, unorganised sector of the economy. It will have no effect on the organised highly skilled sector of the work force where youth wages have risen in line with adult wages. The Government's plans under this scheme will lead to the creation — if it does not already exist — of an institutionalised low pay sector, resistant to wage increases and to changes in wages structures.

That raises another question relating to paragraphs 20 and 25 of the glossy booklet about the way in which gross weekly earnings are calculated. The heading in the booklet is "How are earnings calculated?" According to my understanding of those paragraphs, if any young worker employed under the scheme receives overtime, shift payments, commission, bonuses, productivity payments, paid travel time or London or large town allowances, merit or skill payments, and these additional payments take the young worker's earnings over the maximum amount prescribed, no payment will be made to the employer. The Minister nods, so I presume that again I am correct. The young employee will not be permitted to refuse to work overtime or to demand night shift payment, piece work or any of the other matters that I have outlined, because there will be plenty more employees where they came from if the employer chooses to sack them because they refuse his request. They will have to do the work and they will not be paid for it.

When the coverage of the young workers scheme fell from its peak of 137,000 in 1982 to its present level of 55,000, the Government decided to merge the scheme with the youth training scheme in a two-year programme. I thought that the Government had learnt their lesson. However, with the introduction of this scheme—similar but, in my view, more damaging and less effective—I wonder how long it will be before the Government learn the biggest lesson of all: that real jobs will be created only if the Government invest in industry and expand the economy. The charity Youth Aid, commenting on the new workers scheme, said:

"The Government is not offering a solution for the young, but a further incentive to unscrupulous adults to exploit and cheat them."

That is a bitter comment, but in my view it is a fully justified complaint.

In conjunction with the plan to revitalise the economy and to invest in the infrastructure, such a scheme would be more acceptable if it were open to unemployed workers of all ages and if it were not pegged to a specific maximum earnings level. That would be genuine job creation.

There should also be a condition, which there is not in this scheme, that an additional job will be created each time an employee is taken on and that employees will be guaranteed at least a year's employment, with an element of training to be incorporated in the job. If the criterion of an additional job were met, it would kill the scandal of adult substitution which is far, far higher than the figure given by the Minister. If training were incorporated as a condition to be imposed upon employers, it could lead to what my right hon. and hon. Friends and I would support — a Government-sponsored and financed three-year apprenticeship based upon acquired standards: two years of YTS and one year of training and work.

Most craft unions are increasingly prepared to accept apprenticeships that are based upon training to standards rather than upon a time-based apprenticeship. One of the leaders of my trade union, the Amalgamated Union of Engineering Workers, Gerry Russell, was reported in the *Financial Times* of 22 April 1986 as having said:

"Leaders of the Amalgamated Union of Engineering Workers, Britain's largest craft union, believe that its policy of including a time-based element in apprentice training should be abandoned. Mr. Gerry Russell made this clear in his chairman's address to the AUEW's policy-making national committee, which opened in Eastbourne yesterday."

I stress that that will not happen under the proposed new workers scheme. No training conditions are laid down in the scheme.

There is the additional difficulty of this anti-trade union Government being unable to obtain any co-operation from the British trade union movement, particularly since it has made it clear that it will reject root and branch the scheme that has been put before the House by the Minister.

The scheme, as it will operate if the Government have their way, does not have the backing either of the trade union movement as a whole or of the trade unions that are involved in the industries that are concerned with the scheme. As I have already said, it is targeted at those areas of the economy where union representation is minimal. It should be an additional condition of the scheme that applications will be accepted only where rates of pay, standards of safety and employee protection are high enough to be acceptable to the recognised and appropriate union and where its acceptance is given. However, as there is very little union participation, one has to ask, in view of the abolition of wages council protection for those under 21 years of age, why paragraph 10 of the explanatory booklet was printed. What does paragraph 10 mean when it says:

"It is the employer's responsibility to ensure that these obligations are met and approval of an application or payment of a claim does not imply acceptance by the Department that they are being met."

Surely it is the Department's duty to ensure that any employer who is receiving a subsidy from the taxpayer is meeting any legal requirements that the Department has laid down.

There is one further vital question that the Under-Secretary of State must answer. On Friday 24 April, the Minister for Social Security, slipped out a written answer, the effect of which was to increase disqualification from six to 13 weeks for anyone who

"voluntarily leaves employment without just cause; refuses or fails, without good cause, to apply for a suitable job".—[*Official Report*, 25 April 1986; Vol. 96, c. *241*.]

Does that apply to the new workers scheme? If so, the scheme will rapidly become known as the forced labour scheme, especially if young workers are directed to

[Mr. Evans]

employment outside their own area—for instance, from impoverished areas in the north, where it is doubtful that there are enough employers to take on unemployed people, to the more prosperous south. Young workers will be denied the right to leave low-paid employment which is either mind-bendingly boring and repetitive — for example, shelf-stacking—or injurious to health. I am sure that the Minister will appreciate that many Labour Members could give him plenty of examples of jobs which are injurious to health.

Surely even this tyrannical Government will not deprive our young people of every liberty. Surely our young people will not have to be subject to 13 weeks' loss of benefit if they refuse low-paid employment, or if they find that they cannot live with certain conditions. I hope that the Minister will clarify that point.

That is the Tory part of the story. The good news for young people is that a Labour Government would scrap the scheme as it presently stands and incorporate it into a strategy for the general reflation of demand and output in the economy. Employment and training measures will back up this growth in a co-ordinated way, to create jobs where they are most needed, and make up the present deficiency in skills. A package of job creation measures under a Labour Government would ensure proper training for the future, adequate conditions of employment and wages which do not exploit the work force, in a realistic bid to benefit those who require jobs and the country as a whole.

Plainly, the scheme as presently constituted does not meet any of those criteria. It is a mean and contemptible scheme. It is damaging to Britain's young work force. I urge the House to reject it.

10.57 pm

Mr. Geoff Lawler (Bradford, North): Any scheme that increases opportunities for young people must be welcomed. I believe that the new workers scheme will be welcomed. It is not short term but seeks to alter long-term entrenched attitudes which have depressed employment opportunities for youth in the past few decades. During the 1970s, the level of youth employment fell. Over the past 30 years or so, youth wages have risen consistently. It is no surprise that, in 1972 under 18-year-olds received an average wage which was 32 per cent. of an adult's wage. In 1979, they received 40 per cent. of the adult rate. That illustrates the problem for young people.

Since 1981, relative youth wages have been static. Again, it is no surprise that, in the under 20 age group, unemployment has declined in the past two years. In January 1984, the proportion of those unemployed in the 18 to 19-year-old age group was 27·4 per cent. In January this year, the figure was 25 per cent. The level of youth unemployment is going down. The figures are more dramatic for those under 18. The link is clear. It is common sense to anyone involved in industry that, if young people demand high wages, employers cannot afford to take them on. They must be paid a realistic wage.

Youth unemployment is not totally related to wage levels. Other factors govern why youth unemployment increases proportionately more than adult employment. The first thing an employer does when he enters a recession is stop recruitment. The second thing he does is lay off the people recruited most recently. For those reasons, youth tends to suffer disproportionately during a recession.

It is tragic that 153,948 people under 19 have not had a job since leaving school. Of course, there is scope for further initiatives. The immediate scope can be seen in current average earnings. An 18-year-old man commands a wage of £89·50 a week on average. That cannot reflect the true value of youth labour, given their inexperience and lack of skills and given that people are receiving training and investment. The wage rate is totally unrealistic in general for a large number of young people.

The problem is not so much the attitudes of young people. I sincerely believe that they are prepared to accept their true worth to society. Anyone who doubts that need only look at the success of YTS. About 84 per cent. of those on the scheme have said that they are happy with it. The problem lies with the unions and employers, who too readily agreed high wage levels for young people and cobbled together agreements which, over the years, excluded increasing numbers of young people from the opportunity of employment.

The problem lies also with parents. They, perhaps more often than not, influence their children and instil unrealistically high expectations. Over the past 30 years, those parents have consistently bid up the price of labour. They have placed us in our present position where youth labour in many industries is priced unrealistically high. It is priced far higher in Britain than in many of our competitor countries which have much lower youth unemployment rates.

The scheme will be of maximum benefit in three respects. First, it will be of benefit in those industries where unrealistically high wages still predominate. They are generally the most heavily unionised and have come to terms with employers and fixed high youth wages relative to adult wages. If the scheme is adopted in those industries, I hope that there will be a change of attitude and that the unions and employers will get together and use the scheme positively and constructively.

Secondly, the scheme will help those people leaving YTS with a qualification that is not particularly good. They will be at the end of the queue. The scheme will be especially helpful in encouraging those who are least well qualified to get work after YTS. It will ensure that a far higher proportion of YTS leavers find employment. It is not a coincidence that nearly half those people who have not obtained a job since leaving school have no qualifications.

Thirdly, the scheme will encourage more trade associations, employer associations and individual industries to put together three-year training schemes. The first two years will comprise YTS and the third will be the continuation year leading to apprenticeships and skill qualification. That has already happened with great success with the electrical contractors. They have increased threefold the number of young people taken into their industry—a real measure of the extent to which restructuring wage rates to more sensible levels can be of great assistance and create jobs. The construction industry is now doing the same thing. I hope that the scheme will be widely adopted by more employer groups and industries.

Of course it is of concern if any wage subsidy scheme produces an element of substitution, a certain part of which is bound to be unnecessary payment. The

Government must monitor this scheme to ensure that the money goes where it is most needed. If necessary, the Government should introduce extra conditions and make the scheme more selective. That would ensure that the scheme achieves its objects and that the money is well spent.

This scheme offers many young people the first step on the employment ladder. If young people remain unemployed they have no chance. When young people get the first step on the employment ladder it does not matter what their wage is. The important thing is that they have a job and a chance to prove themselves. They can work up the ladder and achieve good wages.

11.5 pm

Mr. Michael Hancock (Portsmouth, South): On 23 April this year the Paymaster General answered a question concerning the net possible gain in jobs from this scheme. He said that there would be a gain of about 27 per cent. That begs the question of what happened to the other 73 per cent. The answer is that the Government were massaging the employment figures.

The Comptroller and Auditor General carried out a survey on the special employment measures which were administered by the Department of Employment which helps to answer the question I have posed. The report stated:

"Thus, the pay of young people is insignificant in terms of the economy as a whole. The DE suggested that whilst wider differentials must in theory help to transfer some jobs from older to younger workers, there was a risk that this might be at the expense of other vulnerable groups such as ethnic minorities, women and disabled workers. If borne out in practice, this could have significant consequences for the cost of Young Workers' Scheme: substitution of older workers by under-18s would be likely to mean increased benefit payments since older workers can be expected to have on average a higher level of benefit entitlement."

The Comptroller and Auditor General recognised that these schemes do nothing more than massage the situation and that the net gain is extremely small.

Earlier in the debate we heard of the horrific figure of 1·25 million people under 25 who are out of work and we must all be conscious that anything that looks like an opportunity for young people to have a chance of a job should be considered carefully. Experience has taught most people that these schemes hold little hope for the ambitions which, I hope, all young people have when they embark on a career.

The hon. Member for Coventry, South-East (Mr. Nellist), who intervened in the Minister's speech, spoke of the ratio of 25:1 of young people who are out of work in Coventry. In Portsmouth, that ratio is 20:1, and in the travel-to-work area it is 15:1. In an area on the south coast, a place which does not spring to mind when people discuss unemployment black spots, there are legions of young people lining up to fill any vacancy. The problem is repeated time after time throughout the country.

This proposed scheme will not hold any hope or salvation for those who so desperately look to the Government and the House to offer them the chance to fulfil their ambitions harboured over the years. A scheme such as this can have three effects on youth unemployment. The subsidy may be claimed simply because it is there and not specifically for the purpose of creating additional jobs. Some employers will look to recoup what they can in the form of the subsidy.

There can also be a displacement effect which was made clear by the hon. Member for St. Helens, North (Mr. Evans). The Minister has admitted that the displacement effect has an overwhelming effect on people in work. People are pushed out by the schemes.

Mr. Evans: Is the hon. Gentleman aware that the likely displacement effect of the new scheme will be far worse than under the young workers scheme? It related only to 17-year-olds, but this one includes youngsters of 19 and 20 right up to their 21st birthday.

Mr. Hancock: The hon. Gentleman is right to be so pessimistic about the future. Experience must lead all hon. Members who have followed the matter carefully to see that the higher the age, the greater the effect of displacement on those in work. All hon. Members must accept the displacement argument.

My third point relates to job creation and the ability of the schemes to provide training. This measure will not expand the job market, create jobs or give people an incentive. I have read and reread the statement in the hope that I would find something that would lead me to believe that the Government were committed to investing in training. Surely, if we are ever to get to grips with the problem of 1·5 million under 25, hundreds of thousands of whom have never had a job to call their own, we must get to the nub of the problem.

I am sick to death of hearing chambers of commerce say that they do not get the right sort of people coming for jobs, that school leavers are semi-literate, and that people leave technical colleges with no skills. That is the problem. It is no use trying to bribe employers to keep down unemployment figures. The problem is that we are not providing people with the skills and ability to make them a worthwhile prospect for employment. The answer is not to bribe employers to take people off the dole queue. That will only add to and deepen the despair of many youngsters.

We shall not get out of the trough through solutions such as the one before us tonight. It is too deep for that. Until the Government recognise that significant point, unfortunately, night after night and day after day, our young people will feel frustrated, our streets will overflow with resentment and the Government will suffer from a backlash from our youth for the way in which they have been sold short. The Government can expect nothing else from people whom they have betrayed.

The hon. Member for Bradford, North (Mr. Lawler) spoke of ambitions being raised by the parents of these youngsters. Does he suggest that it is wrong to want to better oneself, to gain more for one's sweated labour and endeavours, or to try to get a bigger slice of the cake? During the 1960s and 1970s, when I was working as an engineer, my employer did not say to me, "We shall take a smaller cut in profit so that our product will be more competitive". That did not happen. But as a trade unionist, fighting for better conditions in factories, I was repeatedly told by the men, "If management can make more, surely we are entitled to a bit ourselves." Unfortunately, the hon. Gentleman is living in that rarefied atmosphere that Ministers must occupy because he seems to miss the point completely.

Is it not right for people to grow up with the ambition to have a job, and to earn a wage which will allow them

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at 18 to support a family and a home? Many of my constituents now aged 20 have never had a job but are still married and having children.

Mr. Lawler: My point was that many parents say to their children, "Don't take a job unless you are paid £80 or £90 a week for it." That means that one is not destroying ambition; one is destroying opportunity, because many of them will not get jobs if they expect to get £80 or £90 a week at the age of 17 or 18.

Mr. Hancock: That sounds even more absurd the second time. The hon. Member has not just missed the point; he was never in a position to grasp it if he genuinely believes that to be the case.

The debate is about the failure of the Government to create a more prosperous economy. Instead of throwing more money into a scheme that only temporarily postpones unemployment, we should surely seek to train our young people for the future. We would do far better by investing the £26 million in training that would give people the skills that employers will want to use.

The Minister spoke about his concern for the unemployed. Perhaps at the end of the day, if there is real conviction in what the Government are saying, they will be prepared to put their money where their mouth is and provide training in skills that young people need to get out of the Catch 22 situation. Employers might then not have any option but to take on people in real jobs created for the purpose of giving us a prosperous economy.

11.16 pm

Mr. Ron Leighton (Newham, North-East): The idea in this statement is not a new initiative: it is a re-hash of the old and discredited young workers scheme that was recently stopped because it catered for the under-18-olds who are now covered by the two-year YTS. This scheme will pay employers £15 per week for a year—provided they restrict pay to no more than £55 per week if the employee is under 20 and £65 if he is 20. It is a bribe, an inducement, to employers to pay low wages. Its sole purpose is to exert a downward leverage on pay. Together with the exclusion of young people from the orbit of wages councils, it is part of a comprehensive strategy for reducing the incomes and the standard of living of the whole of the young generation from the age of 16 to the age of 21.

Young people leaving school will be expected to go on an under-funded youth training scheme and then to go on to the low-paid new workers scheme until the age of 21. Both these schemes are brought together as a continuous whole. We now have a picture of the Government's intention and policy for youth, covering permanently the expectations of a whole generation.

Let no one delude himself that the new workers scheme will solve youth unemployment. It will produce no new jobs. It will only redistribute exising jobs. I spoke about the young workers scheme, of which this is merely an update, as discredited. It was discredited by expert ananlysis by the Public Accounts Committee and by the Institute of Manpower Studies, which said that 85 per cent. of the take-up of the scheme was "deadweight"—that is to say, that the subsidy was being claimed for jobs that existed anyway. In addition, there is the substitution effect —the subsidy causing cheaper young workers to be used at the expense of adult workers who would be displaced as a result of this deadweight because it created so few new jobs.

The Public Accounts Committee said that in 1983 the net cost of each person taken off the unemployment register by the YWS was £5,355—by far the highest net cost of any special employment measures because of the negligible employment effect. When the YWS was abolished we thought this had been recognised, but it had not; it was abolished because it clashed with two-year youth training scheme. It has now been revamped to take over after YTS and to continue low-paid employment.

There would be something to be said for an employment subsidy if it were paid for those workers who it could be demonstrated were additional, and, most importantly, if it were not attached to a particular and very low level of wages—in other words, if the subsidy were not part of a concerted policy of reducing the pay of the lowest paid, not part of the misguided nonsense of pricing people into jobs. But that is what it is; this is what we have to consider. The Government are deluded. Their sole policy for tackling unemployment is reducing wages. That is the only idea they have in their head, and it is a fatally flawed one, as all experience shows. This is why they abolished the fair wages resolution which said that workers on Government contracts should have fair wages. It is why they abolished schedule 11 to the Employment Protection Act. It is why they are attacking wages councils and excluding young people from their jurisdiction.

What has been the practical effect of all this? Despite these measures, unemployment has continually increased. It has trebled since the Conservatives came to office. They can think only of more of the same. They believe that the only way to get people off the dole is to move them into sweat shops. Working people are being told that they are the cause of unemployment and that unless they take lower wages, to price themselves into jobs, unemployment will continue to rise.

That is the central plank of Government policy, strategy based on a flawed theory which is causing widespread poverty and hardship, for only the poorer people are having their wages reduced. The latest earnings survey showed that in 1985, the bottom 10 per cent. had pay increases of less than the rate of inflation, while the top 10 per cent. had increases of well above that. It is no accident that the rich are getting richer and the poor poorer. It is happening because of Government policies such as the measure we are debating tonight.

Nor do the Government's polices lead to more jobs. For example, the Contract Cleaning and Maintenance Association said in May 1984 in its submission to the Select Committee about the effect of abolishing the fair wages resolution:

"A directive from the Treasury shortly before the recession pointed out that the Resolution would no longer apply to public sector contracts, and provided guidance. In some cases, individual contracts were actually renegotiated (rather than waiting for the existing contract to expire) with two results: *(a)* an increase in productivity and a reduction in number of cleaning staff employed; and *(b)* reductions of wages and of other terms and conditions of employment for cleaning staff. These results were the inevitable consequence of the requirement imposed on the cleaning contractors concerned to reduce contract prices. With regard to the renegotiation of contracts, either at the end of the contract or before, the Association believes that there is a very real possibility that the employment of staff at lower rates

of pay than those currently obtaining could, through a parallel reduction in the quality or motivation of staff, lead to a lower standard of service."

Thus, the effect of abolishing the fair wages, resolution has been threefold. The first has been a reduction in wages; the second, a reduction in the numbers employed; and the third, a lower standard of service. What an appalling collection of results.

Has the House noticed what is happening at the driver and vehicle licensing centre, Swansea? A report appeared in *The Guardian* on March 3—a similar story appeared in *The Daily Telegraph*—saying:

"Women cleaners at the Government's Driver and Vehicle Licensing Centre in Swansea are protesting to their MPs about the new employment deal which will mean more work for less pay. The private contractors who employ them are proposing to reduce the workforce from 130 to 102. The women, who earn £27 a week, will also have to take a pay cut of 30p an hour, lose their holiday money and carry out their nightly work in two and a half hours instead of three. The firm, Exclusive Cleaners of Bristol, is out to save £132,000 on a new contract with the Department of Transport beginning on March 24. The firm has told the women that the employment deal is not for negotiation."

The result of cutting these already pitiful wages is the employment of not more but fewer workers. Nor does it matter by how much wages are cut in our great public services, because the Government are setting out to rein back the numbers employed in the public sector and are limiting local authority expenditure in areas such as construction.

This measure, to reduce young people's pay, has no intellctual credibility. It is based not on evidence but on prejudice, dogma and the ideological spite of the hard Right. I was told in a parliamentary reply on January 16 last that between April 1979 and April 1984, the average gross earnings of males over 21 had increased by 79 per cent., that those of 18 to 20-year-olds had increased by only 63 per cent. and that those of the under-18s had increased by only 57 per cent. In other words, male youth wages fell by 23 per cent. compared with those of male adults, and young women's pay fell by 30 per cent. We have had the equivalent of a laboratory experiment in cutting youth wages. Did it work? Were more employed? We all know the answer. Youth unemployment has actually trebled and gone up disproportionately. So the argument is completely bogus, and there is no reputable basis for this spiteful measure.

In considering whether lower pay is the way to higher employment, we may note that this was not the approach taken recently with the higher-paid civil servants, the judges or the top brass in the armed forces. We may also note that unemployment in Britain is higher where wages are lowest, and vice versa.

The last piece of evidence that I want to consider is the working of the Equal Pay Act in the 1970s. In that decade its aim was to achieve equal pay for the same work over a five-year period. Had it been brought forward now, a decade later, I am sure that the Government would, under their present dogma, have claimed that lifting women's pay would damage their employment prospects. Although the law had loopholes, there was a sharp rise in the relative pay of women; but this did not stop the trend of increasing female participation in the labour force. Women's pay rose faster than men's and so did women's employment, thus denying and disproving the pricing-out theory about jobs.

The phoney pricing-out theory is used by the Government to attack the young and the low-paid, and to excuse and shift the blame from the failures of their economic policy. The new workers scheme, a low-paid scheme for young workers, is not the route to job creation; it merely impedes discussion of how to tackle unemployment. While others are enriched, it is an attempt to put the whole of the younger generation up to the age of 21 in a straitjacket of low pay. This will show young people who their enemies are and mobilise them for a change of Government as soon as possible, and hence a more hopeful future.

11.26 pm

Mr. Lang: When we started our debate tonight, I said that it was about jobs for young people. Various points have been made by right hon. and hon. Members on both sides of the House—I shall take them up in a moment—but I remain convinced that this is an issue on which there is no real division, on party or any other lines, about our objectives. We all want to see young people properly equipped for working life, with the right preparation and grounding and with their own particular aspirations and ambitions.

The hon. Member for St. Helens, North (Mr. Evans) referred to the unemployment levels for young people, and asked about some of the figures for the lower age range. He may like to know that in January 1979, when his party was in power, those under 20 represented 17·3 per cent. of total unemployed; in January of this year those under 20 represented 15·5 per cent. In the case of the under-18s—my hon. Friend the Member for Bradford, North (Mr. Lawler) also introduced some interesting figures—where unemployment was more than twice as high as the overall national rate in January 1979, when the last Labour Government was in power, it was down to less than 50 per cent. more by January 1986.

The hon. Gentleman referred to a report by Sussex university which I believe was undertaken in 1982, rather than 1984, and so was done at the very outset of the young workers scheme, when the figures and the impact were very unclear. It said that the net effect on job creation, he tells us, was nil — but, of course, the subsequent research carried out more recently has shown that the figure of new job creation has been steadily rising and is now estimated at about 27 per cent. Some 90,000 new jobs have been created.

I hope that the hon. Gentleman will believe that, if the Government did not think that there was merit in this scheme, we would not be contemplating putting taxpayers' money into a successor scheme, based largely on the outline of the original scheme.

The hon. Gentleman referred to the fact that there was no training, as he claimed, on the young workers scheme. I draw his attention to the fact that 22 per cent. of the members of the young workers scheme were on formal apprenticeships, 50 per cent. had some induction training and 72 per cent. had some informal, on-the-job training. As to gross weekly earnings, and the hon. Gentleman's anxiety about overtime, we have certainly set the earnings for the different age groups at specific levels, but if an employee rose above those limits he would leave the scheme; he would remain in the employment of the employer but the employer would no longer claim the £15 subsidy. Alternatively, instead of giving him increased overtime, the employer could take on another new worker and thus create another job.

Mr. Evans: As many youngsters will be expected by their employers to work overtime, if a youngster works

[Mr. Evans]

overtime, let us say, on a Saturday or a Sunday and is given overtime payment, and that takes his payment above the qualifying level, does that mean that the job subsidy will stop? If that is the case, the youngster will be expected to work overtime, and the employer simply will not pay him.

Mr. Lang: The limit of £55 for 18 and 19-year-olds and £65 for 20-year-olds is an upper limit which must include such things as overtime or other additional payments.

The hon. Gentleman referred to the benefit position, but there is no change in the way that benefit sanctions are applied. The possible disqualification period is simply extended from six to 13 weeks. As for young people being forced into the young workers scheme, so far some 435,000 applications have been voluntarily made by the employers, and there has been no problem in finding 435,000 young workers to go on to those schemes.

Mr. Nellist: I am sure that the Minister will appreciate this correction. When he opened the debate, I challenged him on job substitution, on an analysis made by the Department of Employment of the previous young workers scheme, predicting the same result for this scheme. Does he remember that his Department commissioned the Institute of Manpower Studies to analyse the young workers scheme and it showed that 94 per cent. Of the jobs in that scheme already existed and only 6 per cent. were created? His Department's evidence to the Public Accounts Committee on 28 February 1984 showed that 77 per cent. of the jobs on the young workers scheme were old jobs. Finally, research paper No. 42, commissioned by the Department of Employment and written by Mr. Bill Wells, shows on page 70 that for reduction of young workers' wages some 68 per cent. to 86 per cent.—not 8 per cent.—of any jobs created would be substitution. The scheme is elastoplast politics playing with the ages of the unemployed, shifting around the unemployment problem, not creating new jobs for workers.

Mr. Lang: It is a pity that the hon. Gentleman did not remain for the debate to make his speech instead of intervening in my opening speech and then returning to intervene when I reply.

Mr. Nellist: I went to the Library to get the figures.

Mr. Lang: Several other points have been made by other hon. Members about substitution, but at present I am dealing with the point raised by the hon. Member for St. Helens, North. Young people whose wages were forced up by trade unions during the late 1970s in order to demonstrate their muscle, were exploited in the sense that, when reality set in and the demand for their labour began to decline, it was the young workers who were the first to lose their jobs because they were over-priced in the market.

My hon. Friend the Member for Bradford, North made a number of sensible points. He was right to emphasise the commonsense aspect of having a scheme which allows young workers to move into the world of employment at an appropriate wage rate, related to their experience and ability to deliver. I was interested in his proposal about a three-year training scheme and I can assure him that we shall be monitoring the new scheme carefully.

The hon. Member for Newham, North-East (Mr. Leighton) complained about the net cost to the Exchequer, and quoted a figure of £5,553. That figure is completely out of date. The figures published in the public expenditure White Paper show a net cost to the Exchequer in 1984-85 of £2,400 and in 1985-86 of £1,400 for the young workers scheme per person removed from unemployment and in a job. That figure takes account of the deadweight and the substitution to which hon. Members have referred and which they have exaggerated. Those figures compare interestingly with the £7,000 net cost to the Exchequer mentioned in the Select Committee's recent subsidy scheme.

As for our estimate for the new workers scheme, that would be even lower than the £1,400 and might be in the range of £1,300. The generation of new jobs by the young workers scheme has been increasingly successful. Perhaps the Opposition cannot believe the growing success of our schemes because their schemes in the 1970s—the youth and adult employment subsidies—had such poor results.

The hon. Member for Portsmouth, South (Mr. Hancock) referred to the 27 per cent. new jobs created and seemed completely to dismiss them, although they amount to some 90,000 new jobs. He referred to the 63 per cent. or 64 per cent. deadweight like a pessimist who prefers to say that a whisky bottle is half-empty when an optimist would say it was half-full. I am bound to say that I find his whole approach profoundly depressing. As for the reference to displacement being overwhelming, I made no such reference. The displacement or substitution is around 10 per cent. As I pointed out to the hon. Member for Coventry, South-East (Mr. Nellist) the adult substitution is around 8 per cent., not the 80 per cent. figure that the hon. Gentleman tried to suggest to the House.

The rest of the speech of the hon. Member for Portsmouth, South was a mixture of woolly emotional nonsense, completely lacking in any constructive policy proposals, entirely out of touch with the trend of young unemployment, which is now down, and addressing itself to no specific details of our policies. It might have been more interesting for the House if he had offered one constructive policy of his own.

It is important to realise that we are introducing the new workers scheme into a situation in which, while we are deeply concerned about the scale of youth unemployment, nevertheless there are positive signs of progress. Taking the three years to January of this year, unemployment has fallen by 35,000—16 per cent.—among under 18-year-olds, by 28,000—7·5 per cent.—among 18 and 19-year-olds and by 63,000—11 per cent.—for all those under 20. Three years ago, those under 20 represented over 18 per cent. of the total unemployed. Now, that figure is around 15·5 per cent. of the total.

The position for young people, therefore, has improved in absolute numbers and vis-à-vis other groups. There are a number of reasons. Of course, the introduction of YTS has had an effect. So have demographic changes, as well as the general level of demand, which reflects the success of our wider employment and enterprise policies, generating 1 million extra jobs in the same period.

Mr. Evans: Will the Minister concede that there are still 1 million fewer in employment now than there were in 1979 when the Tory Government took office?

Mr. Lang: The hon. Gentleman should look at the figures. Of course jobs were lost in 1980 and 1981 in large

numbers when we picked up the tab for five years of Socialism and inherited an economy in which industrial relations were in chaos, inflation was rife, overmanning was rampant and jobs were waiting to be blown away at the first gust of the recessionary wind. Since 1981, we have been able to pick up the pieces and gradually generate new jobs. Year by year, we have had success in creating new jobs in increasingly large numbers. We now see not only over 1 million new jobs created since 1983 but youth unemployment, according to the figures that I have just given, steadily falling.

We have also seen, particularly since 1982——

Mr. Nellist: Will the Minister accept that, of the new jobs that the Government claim to have created, some 574,000 are women's jobs? According to a written answer by his Department this week, 99 per cent. of those 574,000 new women's jobs are part-time jobs of less, or far less, than 30 hours. If one were to count the number of new jobs on a full-time equivalent basis, the 1 million figure would be seen for the chimera that it is.

Mr. Lang: I am not sure what is wrong with women's jobs. Many women have decided to return to the labour market. That, in addition to the increasing number of school leavers coming into the jobs market as against pensioners retiring from it, has meant that we have had to move still faster to stand still. I do not see what is wrong with part-time jobs. Over 500,000 part-time women's jobs have been created in the last few years. These are jobs that people want—employers and women want them—jobs that create extra flexibility in the economy. I do not see any justification for the hon. Gentleman describing them in so derogatory away.

What we have also seen, particularly since 1982, is some movement towards a widening of the dangerously narrow gap between the pay rates of young people and adults. I am careful not to ascribe the happy effects of falling youth unemployment solely to this decline in relative pay. There are, as I have said, other factors, but the turning of the tide on young people's pay relativities has not come a moment too soon.

Less than 20 years ago, a school leaver joining a factory at 15, would expect to take up to six years to reach the adult rate, at 21. Since then, that six-year period has been compressed, in many cases, into a two-year period between 16 years of age and 18, with serious consequences for youth unemployment levels. We have had to work hard to try to get the message across that pay rates for young people that are too high are a handicap to them in convincing employers to take them on rather than other groups of workers.

Mrs. Elaine Kellett-Bowman (Lancaster): Does my hon. Friend agree that the German system of not paying school leavers any more when they leave at 16 than a young worker starting on a training period is a good one?

Mr. Lang: My hon. Friend makes an extremely sensible point. The German approach is realistic and sensible and may to some extent, account for the strength of the German economy.

We still have a long way to go. For example, engineering wage relativities are generally about 20 percentage points higher now than they were 20 years ago. The importance of the new workers scheme is that, like the YWS which it succeeds, it encourages employers and young people to be sensible about young people's pay, to offer jobs to more of them rather than unrealistically high wages to just a few. The young workers scheme was successful and had some effect. Relative pay rates for young people have declined since 1982. We also believe that the new workers scheme is the sort of help wanted by employers, many of them small businesses.

Mr. Lawler: Does my hon. Friend accept that, of the 1 million or so jobs created over the past three years, some 450,000 have gone to self-employment? Does that not offer great hope for future employment growth?

Mr. Lang: My hon. Friend is right, and I am glad that he recognises, as do all my right hon. and hon. Friends, the great importance of self-employment—that it has created new jobs. We now have the highest proportion of self-employed in the economy since 1921, and that bodes well for the future. It is also of interest that the vast majority of jobs on the young workers scheme went to small firms; that will be reflected in the development of the scheme.

Of course, the scheme will direct some jobs towards young people rather than older workers. That is our aim in singling out this age group for special help. It is, like the Government's other employment measures, carefully designed and cost-effective. It also fits into our broader strategies. It complements the two-year YTS, the national insurance changes and the wages council proposals. Young people know that our measures work—over 1 million through YTS — and a quarter of enterprise allowance businesses are run by under-25s. That bodes well for the continuing development of enterprise.

If only the number of new company starts under the 1974-79 Labour Government had equalled the level of company starts now, we would be facing a far more encouraging prospect for jobs. Over 435,000 jobs have been supported by the young workers scheme. The new workers scheme, too, offers practical help, where it is needed, for young people entering the labour market, and their employers. I commend the motion to the House.

11.33 pm

Mr. Dave Nellist (Coventry, South-East): This measure is the latest example of class politics. It has nowt to do with creating jobs for young or old workers, but everything to do with the Government's essential philosophy of driving down workers' wages to allow the employers more profit. Every shred of evidence that has been examined, whether from the Midland Bank review, the Institute of Manpower Studies or the Department of Employment's research, shows that reductions in young workers' wages have not solved the problem of youth unemployment.

This measure carries all the hallmarks of the anti-youth, anti-working class measure that the YTS was. The real reason for the scheme should be written into the *Official Report*. It is designed to create a generation of youth on a conveyor belt. It is coming out of school used to £27 quid a week on the YTS. These workers would be on £44 a week if that allowance had risen with the general level of earnings since the scheme's inception in 1978. There has been a £17 a week cut in the training allowance given to young people. The general level of school leavers' wages has fallen by 12 per cent. for boys and 13 per cent. for girls since 1979, yet youth unemployment has trebled.

[Mr. Dave Nellist]

As Nye Bevan used to say in this place, "Why look in the crystal ball when you can read the book?" The Government's record shows that all they are interested in doing is driving down the wages of young people. Job creation will happen at the expense of older workers.

This is a cheap and nasty measure that ought to be thrown out by the House.

Question put:—

The House divided:—Ayes, 170, Noes 111.

Division No.162] **[11.45 pm**

AYES

Alexander, Richard
Amess, David
Ancram, Michael
Ashby, David
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Bellingham, Henry
Best, Keith
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Bruinvels, Peter
Buck, Sir Antony
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Dorrell, Stephen
Dover, Den
Dunn, Robert
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Fallon, Michael
Farr, Sir John
Fenner, Mrs Peggy
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Gummer, Rt Hon John S
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hawksley, Warren
Hayward, Robert
Hickmet, Richard
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Howard, Michael
Howarth, Gerald *(Cannock)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Luce, Rt Hon Richard
Lyell, Nicholas
McCurley, Mrs Anna
MacGregor, Rt Hon John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Marlow, Antony
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Moate, Roger
Montgomery, Sir Fergus
Moynihan, Hon C.
Nelson, Anthony
Neubert, Michael
Newton, Tony
Norris, Steven
Oppenheim, Phillip
Osborn, Sir John
Ottaway, Richard
Page, Richard *(Herts SW)*
Patten, Christopher *(Bath)*
Pawsey, James
Portillo, Michael
Powley, John
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Roe, Mrs Marion
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Stern, Michael
Stewart, Andrew *(Sherwood)*
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thurnham, Peter
Trippier, David
Viggers, Peter
Wakeham, Rt Hon John
Walker, Bill *(T'side N)*
Wardle, C. *(Bexhill)*
Watson, John
Wheeler, John
Wood, Timothy
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Tony Durant and
Mr. Peter Lloyd

NOES

Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Banks, Tony *(Newham NW)*
Barnett, Guy
Beckett, Mrs Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, N. *(N'c'tle-u-Tyne E)*
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell-Savours, Dale
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Conlan, Bernard
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbyn, Jeremy
Cunningham, Dr John
Dalyell, Tam
Davies, Ronald *(Caerphilly)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Evans, John *(St. Helens N)*
Ewing, Harry
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Garrett, W. E.
George, Bruce
Godman, Dr Norman
Golding, John
Hamilton, James *(M'well N)*
Hancock, Michael
Harman, Ms Harriet
Hart, Rt Hon Dame Judith
Haynes, Frank
Hogg, N. *(C'nauld & Kilsyth)*
Hoyle, Douglas
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
Jones, Barry *(Alyn & Deeside)*
Kennedy, Charles
Kirkwood, Archy
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
MacKenzie, Rt Hon Gregor
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Maxton, John
Michie, William
Millan, Rt Hon Bruce
Nellist, David
Oakes, Rt Hon Gordon
O'Neill, Martin
Park, George
Parris, Matthew
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Robertson, George
Sheerman, Barry
Shore, Rt Hon Peter
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Spearing, Nigel
Stott, Roger
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David

Young, David *(Bolton SE)* Mr. Don Dixon and Mr. Lawrence Cunliffe.

Tellers for the Noes:

Question accordingly agreed to.

Resolved,

That this House authorises the Secretary of State to set up, in accordance with section 1(1) of the Employment Subsidies Act 1978, a scheme, the cost of which is expected to exceed £10 million for the year ending 31st March 1987, for making payments to employers to enable them to take on as new employees young people with earnings below the limits specified in the statement laid before the House on 22nd April 1986.

Redundant Miners (Coal Allowances)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Maude.]*

11.56 pm

Mr. Phillip Oppenheim (Amber Valley): This debate is about the forgotten miners. These men were mostly made redundant during the large scale pit closures of the 1960s. Despite the fact that many of these men had worked down the mines from the age of 14, despite the fact that they worked under far worse conditions than pertain in the industry today and despite the fact that they received only a pittance in redundancy pay, these men, who were made redundant by the Wilson Government in the 1960s, did not qualify for concessionary coal if they were under 60 when they were made redundant. That was in spite of the fact that most of these men contributed to coal pools to make provision for retired miners under the old system.

These men missed out in a great many ways. They missed out when in 1973 the Heath Government reduced the qualifying age for concessionary coal to 55 but back-dated that only to 1969. They also missed out when, under this Government, the age was reduced to 50 in 1983 with no back-dating. Above all, they missed out when, in the 1960s, they were so ungratefully taken for granted by politicians who for too long had taken their votes for granted.

I would not claim that all of the benefits for the mining industry have stemmed from Conservative Governments, but many, if not most, have, especially when it comes to concessionary coal. We have a proud record, which is all the more reason to go a little further and complete the picture. The Coal Board figures show that the cost of extending the concessionary coal benefit to the forgotten miners would be about £3 million. That is a tiny fraction of the total cost of concessionary coal and is just over one tenth of 1 per cent. of the total taxpayers' subsidy, both direct and indirect, to the coal industry.

I accept that this matter greatly affects my constituency. In fact, about 10,000 men were made redundant as a result of the wide-scale pit closures in the area during the 1960s. That figure represents almost half of the total proposed redundancies which in 1983 and 1984 caused the miners' strike. However, in the 1960s, when a Labour Government were in power, it did not cause a cheep. In addition to being a matter of concern to my constituency, it is also a matter of great concern to many other right hon. and hon. Members, as witnessed by the fact that nearly 100 Members of Parliament signed early-day motions on the subject.

I do not necessarily expect my hon. Friend the Member for Wirral, West (Mr. Hunt), the Parliamentary Under-Secretary of State for Energy, to give an affirmative answer tonight, but I ask him to go away and consider, with his colleagues, the fact that the case and the cause of these forgotten miners is just. The cost is not great, but the injustice most certainly is great. I hope that he will consult his colleagues and do his utmost to ensure that these forgotten miners are not forgotten for very much longer.

I am pleased to see that the hon. Member for Bolsover (Mr. Skinner) is now in the Chamber. I am sure that he will be straining at the leash to make a contribution to this debate. I am aware that other hon. Members have raised this matter on previous occasions. I welcome very much

[Mr. Phillip Oppenheim]

their support, including that of the hon. Member for Bolsover, for this campaign. However, I have to put the hon. Member straight on a few points.

During our debate in March on concessionary coal the hon. Member for Bolsover tried to make out that he had been tirelessly pushing this cause for years, but he was well wide of the mark. During that debate the hon. Member claimed to have raised the matter during previous debates on concessionary coal. I remember that the hon. Member refused to accept interventions during his speech in that debate. I understand why very well. I checked his contribution to the 1985 debate and found that although during his speech, which lasted for more than 30 minutes, he waxed very lyrical upon a number of subjects, including the miners' strike and that although, with his well-known charm, he scattered insults at several Conservative Members who attended that debate, so great were his oratorical efforts that he did not manage to say one word in support of the forgotten miners.

Despite the hon. Member's record of having raised the matter during the early days of this Government, he seemed oddly unwilling to push the case in Parliament during the period in office of the last Labour Government, when one might have thought that he might have exerted some influence. But perhaps I underestimate the Treasury Bench of that time.

I know that the hon. Member likes to think of himself as a relentless pursuer of truth, as a true parliamentarian and as the man who speaks for Joe Average. Considering, therefore, his much-vaunted fearlessness, I find it astonishing that he should not have given way once during the last debate on concessionary coal, so that his misapprehensions might be put right. None the less, I am sure that he now welcomes the fact that the record is being put straight. It would be churlish of me not to accept the hon. Member for Bolsover's support of those Conservative Members who are fighting this cause. If he can do his utmost to couch that support in sensible and sane terms, it will be valuable and welcome.

12.3 pm

Mr. Dennis Skinner (Bolsover): I am pleased to be able to take part in the debate and put the record straight. It is well known by the Parliamentary Under-Secretary of State for Energy and by my hon. Friend the Member for Leigh (Mr. Cunliffe) that I and many other Opposition Members have raised this matter on many previous occasions. I have checked the record.

On 22 March 1983 there was a debate similar to that which was held in March 1986. The Financial Secretary to the Treasury was then the Parliamentary Under-Secretary of State for Energy. At column 820 of that debate I made another intervention. It was the fifth or the sixth on the subject since I have been a Member of Parliament. I called upon the then Under-Secretary of State for Energy to take into account the deprived miners and their widows in the southern end of my constituency, and others in Lancashire, who are unable to get coal. It will be seen that at that time the then Parliamentary Under-Secretary of State for Energy said that he would take the matter on board. He referred to the matter twice in reply, and said that although he could not guarantee anything, he would look at it.

As for not raising the matter when my right hon. and hon. Friends were in office, I can assure the hon. Gentleman that it did not matter to me which Government were in power. Quite frankly, I think that those few thousand people have had a raw deal from both Governments. When the redundancy payments and concessionary coal legislation was passed in the House of Commons, it should have been back dated to include those pre-1968 cases. It is scandalous that those people have been deprived of coal. Many of those miners worked in the industry for more than 40 years, and some are survived by widows.

I am pleased to be able to put the matter on the record for the umpteenth time. I ask the Minister to look at it further. That is the reason why I have written. During the past few weeks I have written——

Mr. David Ashby (Leicestershire, North-West) *rose*——

Mr. Skinner: I am not allowed to give way in such a debate. I am sorry, but those are the rules. I wrote to the Secretary of State for Energy some weeks ago. The reply I received was unhelpful to the constituents concerned. Therefore, I wrote to the Prime Minister recently, asking her to reconsider the views of the right hon. Gentleman so that she might intervene and the people concerned could receive the coal that they richly deserve. I have put the matter straight. *Hansard* is a document that anyone can read. What I have said is absolutely correct. If hon. Gentlemen wish to read the *Hansard* record of the position of previous Governments, they will find many references made by myself, by my hon. Friends and members of the mining group. It is high time that the Minister did something on behalf of the miners concerned and provided them with five loads of coal a year. That has been provided to many people who have not worked in the industry for 40 years. These miners are unable to receive that concession.

I am told that the cost of providing this necessary benefit to those who have given their all to the industry will be about £3 million per annum.

12.2 am

The Parliamentary Under-Secretary of State for Energy (Mr. David Hunt): My hon. Friend the Member for Amber Valley (Mr. Oppenheim) is to be congratulated on securing this important opportunity to raise an issue which, as he has reminded us, is of great concern to many of his constituents and to many former miners. I believe that my hon. Friend has already lobbied extensively on their behalf and has established an excellent reputation as a good constituency Member of Parliament. He made a strong and clearly heartfelt plea in support of ex-miners in his constituency. I recognise the strength of feeling on this issue in many mining communities. My hon. Friends the Members for Leicestershire, North-West (Mr. Ashby), for Elmet (Mr. Batiste), for Sherwood (Mr. Stewart), for Nottingham, North (Mr. Ottaway) and for Warwickshire, North (Mr. Maude) are present in the Chamber, along with the hon. Members for Leigh (Mr. Cunliffe) and for Bolsover (Mr. Skinner). I fully understand the disappointment that is felt by those who contributed to coal pools when they were working but who, under the rules of the schemes to which they contributed, have no entitlement to concessionary coal following redundancy.

I have listened carefully to the points raised, but I would not be honest if I did not make it clear that I cannot see any possibility, after all these years, of introducing new measures to benefit this small group. I know that the hon. Member for Bolsover said that those people have had a raw deal. He put forward some compelling arguments. I think that he was the first hon. Member, during this short debate, to point out that the cost of providing the coal is £3 million. One of the reasons why it is not possible to benefit this small group is the cost involved. My hon. Friend the Member for Amber Valley cited the figure of £3 million. The cost of covering this situation could be expected to amount to many millions of pounds over the years.

Equally important is the impossibility of achieving the end desired by my hon. Friend without creating new difficulties. Just as concessionary coal to serving workers is part of their remuneration, concessionary coal to redundant mineworkers is part of their redundancy package. Redundancy terms for mineworkers, including the provision of concessionary coal, have been improved on numerous occasions over the years and there is no possibility of retrospectively awarding to those who left in earlier years the generous terms now available. Any attempt now to apply to those who left under one set of terms part of a system of benefits introduced later would produce grievances at least as strong as those which it was intended to satisfy.

Hon. Members will know the history of concessionary coal. It is one of progressive improvement. The practice of supplying free or cheap coal to mineworkers finds its derivation in the necessity for domestic heating of water for daily baths. Because of the absence of pithead baths, those baths had to be taken at home. As time went by, concessionary coal came to be looked upon by the men and, to some extent, by the coal owners as part of wages. As a result, although the need for bathing at home was progressively eliminated with the general provision of pithead baths, the concession continued, although in some cases at a reduced rate.

Concessions on coal became one of the matters to be negotiated as part of the wage bargaining system. The concessions came to benefit not only serving workers but retired workers, widows and sick and injured workers. The coal became, and still is, much prized amongst all those groups.

Since nationalisation, the National Coal Board has done a great deal to negotiate new agreements designed to remove anomalies and standardise entitlements. Initially, this involved the negotiation of agreements covering whole wages districts. Where these extended the supply of coal to categories of beneficiaries not previously entitled, this was done at the expense of serving workers, who accepted a reduction in their entitlement or agreed to contribute a proportion of them to a pool to be used for the benefit of retired, sick or injured men and widows. These still complex arrangements were further complicated by the advent of clean air legislation and the need to make special arrangements for concessionaires living in smokeless zones. In 1961, a national agreement was negotiated with the unions providing for the supply of smokeless fuel in these zones on standard terms and conditions.

In 1962 the NCB agreed that redundant men over 60 at the date of redundancy should be treated as retired men for concessionary coal purposes. However, where coal was provided under pooling schemes it was left to the local committee of management to agree to an increased level of contributions for serving workers to provide coal for the redundant men. Not all committees of management agreed, and in the 1960s there were still many anomalies in the supply of concessionary coal.

The rundown in numbers of serving workers in the industry, as my hon. Friend the Member for Amber Valley pointed out, had a significant impact on the relative proportions of serving workers to beneficiaries, and hence on coal pooling schemes. To keep the schemes in balance, each serving worker's contribution to the pool needed to be increased, or each beneficiary's entitlement reduced, or both. In practice, that did not happen to a significant extent and the pools ran up substantial deficits and ceased to be viable. In the Coal Industry Act 1965 powers were given to the Government to reimburse to the NCB part of the costs of maintaining arrangements for benefits in kind in areas where the number of persons employed by the board had fallen since the end of March 1965 as a consequence of the closure of collieries. This power has been kept in being through later legislation, and presently derives from section 6 of the Coal Industry Act 1977. Last year, using that power to make substantial contributions to help the board finance the maintenance of concessionary coal arrangements, the Government contributed £18 million.

Following the introduction of the first redundant mineworkers payments scheme in 1968, which provided benefits for men aged 55 or over on redundancy who otherwise satisfied the requirements of the scheme, there was pressure to enhance the terms available to enable such men to receive concessionary coal as though they had reached normal retirement age. The Government responded to this pressure in the Coal Industry Act 1973, amending the power to make schemes benefiting redundant mineworkers in the 1967 Act. In that same year the first concessionary coal payments scheme was introduced by order. This provided for reimbursement to the National Coal Board of the full cost of concessionary coal to men aged 55 to 59 who qualified for benefits under the redundant mineworkers payments scheme from 14 December 1969, and half the cost of providing concessionary coal to such men age 60 to 65.

Benefits under the redundant mineworkers payments scheme were successively improved over the years, and in 1983 weekly benefits under the scheme were introduced for those aged 50 to 54 on redundancy. The concessionary coal payments scheme was extended to cover this group at the same time. Last year the Government paid the National Coal Board under the concessionary coal payments scheme £13 million in addition to the £18 million I mentioned earlier.

Throughout this period negotiations between the board and the NUM on the provision of concessionary coal continued, and in October 1983 the present national concessionary fuels agreement finally came into operation. This provides for uniform direct entitlement of retired miners and widows to coal. It generally increased coal allowances, but restricted the availability of cash in lieu save in cases of genuine medical difficulty.

I hope that hon. Members who are familiar with the history of concessionary coal will forgive me for having briefly outlined some of its more important features.

Mr. Skinner *rose*——

Mr. Hunt: After I have dealt with the intervention of the hon. Member for Bolsover, there are two aspects to which I wish to draw attention.

Mr. Skinner: The thing which rankles with the people who are not receiving coal—I do not think the Minister has touched upon it—is that all those who do not receive coal but who ought to made a contribution to the local pool schemes, some for 40 years. In Derbyshire the people used to contribute 30 cwt. of their total annual entitlement. This is like someone paying into an unemployment scheme or a social security scheme for 40 years and not getting his entitlement at the end. That is the injustice, and that is why they believe that they have a case.

The previous Tory Government introduced a scheme to give retirement pensions to those aged 80 years, even though some of those people had not contributed. That was a sensible thing to do. It is not as though the Government are being asked to do something which previous Tory Governments have not done in other areas.

Mr. Hunt: The hon. Member will surely recollect that I dealt with that point in my opening sentences. I said that I fully understood the disappointment which is felt by those who contributed to coal pools when they were working but who, under the rules of the schemes to which they contributed, had no entitlement to concessionary coal following redundancy. That was the rule of the scheme to which they contributed and it made no provision for them to have that benefit.

The two other aspects to which I wish to draw attention are, first, the progress which has been made over the years in improving the arrangements under which concessionary coal is provided to beneficiaries and those who have left the industry on redundancy; and, secondly, the extent to which this Government have contributed financially to make this possible.

It is against this background that I must say that any change now will create anomalies and injustices at least as severe as any it might remove. For example, if it were decided that henceforth the Government should meet the cost of providing concessionary coal to anyone who qualified under the first redundant mineworkers payments scheme but was made redundant before the effective date of the concessionary coal payments scheme in December 1969, this would merely add to the grievance of those whose redundancy fell before 17 July 1967, and who, therefore, never had the advantage of benefits under the redundant mineworkers payments scheme in the first place. If, however, the relevant date is taken back to before 17 July 1967, the men cannot meet the requirement under concessionary coal payments scheme legislation to have satisfied the conditions for receipt of redundant mineworkers payments scheme benefits, and it is now impossible to know who, but for the fact that the RMPS had not been introduced, would have satisfied equivalent conditions. So this requirement would have to be waived. But that would inevitably create a sense of grievance among those who became redundant later, but who failed to satisfy the conditions which have subsequently been removed for men who left earlier.

Furthermore, what about those who would be covered by any new concession but for the fact that they have no ability to use concessionary coal? I am thinking of those who have perhaps moved into houses where they do not have the ability to burn coal, or who, since we are now talking about quite elderly people, might have gone into homes or warden-assisted accommodation. Are we to give them cash in lieu, even where under the terms of the present national concessionary fuel agreement they would not be entitled to it? If we are to give cash in lieu, we are no longer talking about the provision of concessionary coal; we are talking about a further state cash benefit to some of those who received redundancy benefits from the coal industry in the 1960s. Alternatively, are we to let such people sell their concessionary coal, even where this would lead to loss of entitlement to anyone receiving coal under the present national concessionary fuel agreement?

My hon. Friend has made a compelling case. I appreciate the regard in which concessionary coal is held in mining areas, and can understand the disappointment of those who contributed to coal pools when they were working, left the industry on redundancy in the 1960s, but under the rules of the schemes to which they contributed have no entitlement to concessionary coal. But there is no magic wand which can be waved to satisfy this group without creating anomalies and injustices at least as acute as those which it was designed to cure. Nor can the money for a further concession by conjured up from nowhere.

The history of the provision of concessionary coal to redundant miners, retired miners, sick and injured miners and widows is one of progress. Successive Governments have provided generous financial support to help make that progress possible, but I can hold out no prospect of the further concession which in tonight's debate my hon. Friend has so ably argued should be made.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past twelve o'clock.

House of Commons

Wednesday 30 April 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

ULLAPOOL HARBOUR ORDER CONFIRMATION BILL

Read the third time, and passed.

Oral Answers to Questions

SCOTLAND

British Leyland Bathgate

1. **Mr. Dalyell** asked the Secretary of State for Scotland what financial assistance he is making available to the area of employment covered by British Leyland, Bathgate.

The Parliamentary Under-Secretary of State for Scotland (Mr. Alan Stewart): The Bathgate travel-to-work area is a development area, and assistance to industry there is at the highest available levels. Good progress is being made in giving effect to the special programme of measures recommended in 1984 by the Bathgate working party.

Mr. Dalyell: How is good progress defined? What new money and new initiatives are available?

Mr. Stewart: The Scottish Development Agency has recently committed £7 million to the Bathgate area. That involves environmental improvements, business development and better communications through the new passenger rail link between Bathgate and Edinburgh, which was opened by my right hon. and learned Friend the Secretary of State on 24 March. That is a sign of our commitment to the area.

Mr. Ewing: We saw the Secretary of State with his green flag waving the train away from Bathgate, just as during the past six years we have seen the Conservative Government wave away industry and employment from the Bathgate area. Does the Under-Secretary understand that the best thing that could happen to Bathgate, the entire Lothian region, Central region, Fife, Strathclyde and all the regions would be for the people of Scotland to vote in large numbers for Labour candidates next Thursday and get rid of every last vestige of Conservative administration, which has done so much damage to Bathgate and the Scottish economy?

Mr. Stewart: My hon. Friends and I were wearily aware that we would hear that speech at some time during this week. A feature of the past six years is that the Labour party has waved away reality, the ability to face the facts and the ability to recognise the industrial successes that are increasingly obvious throughout Scotland.

AIDS

2. **Mr. McKelvey** asked the Secretary of State for Scotland what is being done in Scotland to control the spread of acquired immune deficiency syndrome.

The Parliamentary Under-Secretary of State for Scotland (Mr. John MacKay): In the blood transfusion service we are screening all blood donations and are heat treating blood products needed by haemophiliacs. We are supporting epidemiological research, providing testing facilities, promoting a press publication campaign to advise people about the disease and what can be done to avoid infection.

Mr. McKelvey: Nevertheless, the Minister must be seriously worried about the spread of the AIDS virus among heroin addicts, especially in Edinburgh, and more recently, in Dundee. The habit of intravenous injections is creating the problem. Will the Minister seriously consider making brand new needles more readily available in the rest of Scotland so that we may stem the flow of AIDS?

Mr. MacKay: I am afraid that there is no guarantee that making needles available to drug abusers would prevent drug misusers from sharing the needles in an even wider circle. There is evidence from some drug misusers that they would do that. My Department's chief medical officer has appointed a committee of experts to advise on this aspect and on other methods of controlling the spread of infection among drug misusers. However, the message is simple and clear: do not misuse drugs.

Mr. Henderson: Does my hon. Friend agree that the best way to control drugs and the spread of AIDS would be to encourage more self-discipline and higher moral standards among the population at large? Is he surprised that he has not heard more from the Churches on this subject?

Mr. MacKay: My hon. Friend has hit the nail on the head. AIDS is a totally self-inflicted illness, and it is so much more morally reprehensible when it is inflicted on children. It is wrong that some people are inflicting AIDS on their unborn children—*[Interruption.]* I agree with hon. Members that this is serious. It is a moral question, which comes down to people reviewing their living habits.

Mr. Maxton: That is a most remarkable statement and a major condemnation of large numbers of people who just happen to have a life style different from that of the Parliamentary Under-Secretary of State. Will he ensure that the committee of investigation reconsiders the use of clean needles by drug users? If the Minister is so sure, will he say today that he will provide the Greater Glasgow health board with sufficient funds to ensure that there is no threat whatever to the Ruchill laboratory, which does the testing for the disease?

Mr. MacKay: I made it quite clear in my initial answer that the committee of experts is considering the matter. I shall take advice from it. I find it quite amazing that the hon. Member has just condemned me for condemning certain life styles. Does that mean that he condones drug abuse?

Strathclyde (Manufacturing Industry)

3. **Mr. James Hamilton** asked the Secretary of State for Scotland when he will next meet Strathclyde regional council to discuss the prospects for manufacturing industry.

Mr. Allan Stewart: My right hon. and learned Friend has no immediate plans to meet Strathclyde regional council specifically to discuss this issue.

Mr. Hamilton: Is the Minister aware — everybody else is — that there has been a drastic decline in manufacturing industry since the Government took office in 1979? Is he also aware that 57,000 people in Strathclyde region have been unemployed for two years or more and that there is 27 per cent. unemployment in the region? Will he do something drastic to get people back to work and give them what they are entitled to—the right to work and the right to live?

Mr. Stewart: The hon. Gentleman must realise that manufacturing output in Scotland rose by 5·75 per cent. to the third quarter of 1985. Those are the most recent figures available. Opposition Members should recognise that manufacturing productivity in Scotland rose by more than 8 per cent. in 1984 and 6·8 per cent. to the third quarter of 1985. Both those figures are higher than the United Kingdom average. It is on the basis of such achievement that we can look forward to competitive and successful manufacturing industry in Scotland.

Mr. Fletcher: As low-cost energy is vital to manufacturing industry, will my hon. Friend take this opportunity to congratulate the South of Scotland Electricity Board on its excellent safety record at AGR power stations in Strathclyde and on completing the AGR at Torness on time and on budget?

Mr. Stewart: I entirely agree with my hon. Friend. All hon. Members will recognise the outstanding safety record of the nuclear energy industry in Scotland. It is therefore astonishing that the Scottish Labour party is committed to closing Hunterston and refusing to open Torness. I notice that the Scottish Trades Union Congress, at least, had rather more sense than that at its recent congress.

Dr. Bray: Is the Minister aware that the implications of the figures that he gave my hon. Friend the Member for Motherwell, North (Mr. Hamilton) is that, despite, and perhaps because of, the increase in productivity, the Government have taken out the benefits for themselves rather than allow them to help employment in Scotland? Is he aware that the implication of his figures is a further reduction in employment in manufacturing? Does he not intend to do anything about unemployment?

Mr. Stewart: The implication of the figures that I gave is that Scottish manufacturing industry is becoming more productive and therefore more competitive. That is the only basis on which a secure future can be built. I must emphasise that the total number of jobs in Scotland has been rising steadily. It is true that in Scotland, as throughout the industrial world, most of those jobs are coming in expanding service industries.

Mr. Henderson: As many of the hon. Members who represent Strathclyde are Labour Members, was my hon. Friend not surprised that none of them came forward when the Ministry of Defence announced the Harland and Wolff order, one third of the value of which is to be spent in Strathclyde? Is that not an excellent example of how employment in that area is being helped?

Mr. Stewart: I certainly agree with my hon. Friend that that order was a tribute to the design excellence of the Yarrow yard, which was involved with Harland and Wolff in that contract.

Mr. Ewing: I would have thought that the Minister would be more concerned about Tory party policy, which will cost his councillors dearly at the elections next Thursday and will cost him dearly at the general election. When it comes to the nuclear industry, does the Minister not understand that there is debate in the country about the safety and future of nuclear energy? He seems to be the only person who is deaf to that debate. The best thing that he can do, without listening to his right hon. and learned Friend the Secretary of State to prompt him in his reply, is to open his ears and listen to the debate on people's concern about the future of the nuclear industry.

Mr. Stewart: I agree with the hon. Gentleman that there is an absurd debate taking place within the Labour party on that issue. I suggest that he is doing nobody any good by failing to dissociate himself from the totally absurd statements that have been made about the real role of the nuclear energy industry in Scotland. It is estimated that Labour party policy towards that industry in Scotland would result in an increase of around 25 per cent. in electricity prices.

Mr. Speaker: Order. It would be helpful to all concerned if we stuck to the question.

Unemployment (West of Scotland)

4. **Mr. MacKenzie** asked the Secretary of State for Scotland what plans he has for reducing the number of people unemployed in the west of Scotland.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): The Government's strategy is keeping inflation down, stimulating enterprise and restoring competitiveness to industry. This is the best means of improving employment prospects in the west of Scotland. In addition, the full range of the Manpower Services Commission's special employment and training measures is available in the west of Scotland as elsewhere.

Mr. MacKenzie: Is the Secretary of State aware that we have been hearing that answer for the past seven years? If he cannot change his policy, will he ask somebody in the office to change the words in the answer? We keep hearing from the Prime Minister and others about the number of new jobs being created throughout the country. All that we want to know is whether we in the Glasgow travel-to-work-area may have a wee shot at getting some of them too.

Mr. Rifkind: Over the past two and a half years there has been a net increase of 27,00 in the number of people employed in Scotland. Therefore, it would be right for the right hon. Gentleman and his colleagues to acknowledge that the total number of those employed in Scotland over the past couple of years has been rising, not falling.

Sir Hector Monro: Is my right hon. and learned Friend aware that in some non-assisted areas in the west of Scotland there are pockets of high male unemployment?

Will he give an assurance that in such towns as Annan the Scottish Development Agency has the initiative to build advance factories and has enough resources to promote development in those circumstances?

Mr. Rifkind: My hon. Friend raises a fair point. Clearly, although significant parts of Scotland benefit from regional assistance, there are other localities, such as the kind to which my hon. Friend referred, which do not come within those regions. It is part of the responsibility of the Scottish Development Agency to take account of the needs, not just of those areas with regional status, but of any part of Scotland which can benefit from the facilities that it provides.

Sir Russell Johnston: Does the Secretary of State agree that if the Highlands and Islands Development Board had more money it could create more long-term jobs at a lower cost than keeping people on the dole? Will he speak to his reactionary accountant friends in the Treasury about that.

Mr. Rifkind: The hon. Gentleman should realise that the Highlands and Islands Development Board already receives substantial resources, which are available for the benefit of the Highlands. The suggestion that one can somehow cure unemployment simply by pumping more resources into public expenditure may be a view held by the hon Gentleman, but it is not a view which even his party believes can solve the problem of unemployment in Scotland.

Mr. Hirst: Does my right hon. and learned Friend agree that he worst thing that Scots can do is to continue to talk down their country? Will he take this opportunity of reminding the Opposition of the recent optimistic business survey and of the hundreds of jobs which have come to my constituency so far this year, thanks to the Government's encouragement? Does he further agree that if the Labour party had its way and got rid of the nuclear deterrent, thousands of jobs in the west of Scotland would be destroyed?

Mr. Rifkind: My hon. Friend is absolutely correct in saying that defence-related employment provides jobs for many tens of thousands of people in Scotland. Undoubtedly those jobs would be jeopardised if ever Labour policy were to be implemented. Indeed, whenever one is in a locality where there are either defence or nuclear-related employment prospects, one finds that sometimes that has an educational effect even on the local Labour party. One has only to look at the views of the Caithness Labour party on nuclear energy to see proof of that point.

Mr. Norman Hogg: Is the Secretary of State aware that British Oxygen recently announced 100 new jobs in my constituency? Is he further aware that in the town centre of Cumbernauld, 4,000 people queued to apply for those jobs? Does he understand that that was a queue of real people, not just a creation of Saatchi and Saatchi? What positive steps will he take to provide employment in Cumbernauld, which is faced with such a situation, where 4,000 people queue for 100 jobs?

Mr. Rifkind: I think that the hon. Gentleman would be the first to admit that Cumbernauld has been the recipient of several announcements bringing new jobs there over the past few months. For example, Isola will bring between 100 and 200 jobs to Cumbernauld. The hon. Gentleman should acknowledge that it is the work of the Government, both directly and through the Scottish Development Agency, which has helped to persuade such companies either to put new investment in Cumbernauld or to increase investment that they already have there.

Mr. Ron Brown: Is the Secretary of State aware that if Edinburgh's multicultural centre closes, thanks to the maladministration of the Scottish Office, the employees will be forced to go to the west, thereby forcing up——

Mr. Speaker: Order. I was hoping that the hon. Gentleman would say something about the west of Scotland.

Mr. Foulkes: I shall say something about the west of Scotland, Mr. Speaker.

Mr. Speaker: Mr. Douglas.

Mr. Douglas: While addressing the issue of the west of Scotland, the Secretary of State gave statistics for Scotland as a whole for the increase in the numbers employed. How many of those jobs are in oil-related activities? Does he expect that level of activity to persist in the west of Scotland and in Scotland as a whole, in view of the decline in the oil price?

Mr. Rifkind: In Scotland as a whole, about 60,000 jobs have been provided as a result of oil-related activities. It is impossible to predict with any certainty what the effect will be of the recent fall in oil prices. One knows that certain oil companies are reconsidering their investment decisions. I hope that, in coming to a view on those matters, they will take into account the likely development in the oil price, not over the next six or 12 months, but over the next 10, 15 or 20 years. That is the likely length of any investment that they may contemplate. If they use that sensible time scale, there is a powerful case for substantial investment in future.

Mr. Speaker: Mr. Foulkes.

Mr. Foulkes: I am grateful to you for calling me, Mr. Speaker.

Does the Secretary of State recall that I wrote to him pointing out that unemployment in Cumnock and Doon Valley is the second highest in the country, not just in the west of Scotland, and that it is due principally to the loss of 3,000 jobs in the mining industry which, in Cumnock and Doon Valley, is the equivalent of the closure of Ravenscraig in Lanarkshire? Will the Secretary of State say exactly what the Government will do about that? In particular, will he support the proposals in the Coopers and Lybrand report and make the necessary resources available?

Mr. Rifkind: The hon. Gentleman is aware that we are considering various ideas and proposals. Naturally, one is concerned about the high unemployment in the hon. Gentleman's constituency. He will be aware that regional assistance is available, given the nature of the unemployment level. We shall also be prepared to look at any other sensible and constructive ways in which those problems can be ameliorated. However, I cannot suggest, nor do I think that the hon. Gentleman would wish me to suggest, that somehow there is a magic formula that will solve the problem in the way which, theoretically, we would all like to see.

Maternity Services (Greater Glasgow)

6. **Mr. Hirst** asked the Secretary of State for Scotland if he will make a statement about the provision of maternity services in the Greater Glasgow health board area.

Mr. John MacKay: Glasgow health board is currently reviewing its future plans for maternity services, including its earlier proposal to close the maternity unit at the Stobhill general hospital. Any such proposal would require the approval of my right hon. and learned Friend.

Mr. Hirst: While I accept that in Glasgow there is over-provision of maternity beds, may I remind my hon. Friend of the concern among my constituents about the future of maternity services in their area, although they are greatly encouraged by talk of a new maternity unit for the north and north-east of Glasgow? Is my hon. Friend aware that there is an excellent green field site at Stobhill hospital where such a new unit could be sited? Can he hold out any prospect that that unit may come to Stobhill?

Mr. MacKay: As my hon. Friend knows, the board has considered a number of responses received as a result of the consultative exercise, including his comments and observations. A final decision must be set in the context of the review of maternity services for the whole of the Greater Glasgow area, which is being undertaken by the board's general manager. One of the options may well be to build a new unit on a green field site at Stobhill, but that matter is principally for the board. If it decides to opt for closure, it will then have to come to me and my right hon. and learned Friend.

Mr. Maxton: Why does the Minister not admit that the reason why the Greater Glasgow health board, is threatening Stobhill or any other hospital in Glasgow is simply that he has failed to provide proper financing for the Greater Glasgow health board, as this year he has left it with a minimum £6 million deficit which it must find? Will he come clean and give the Greater Glasgow health board the finance that it needs?

Mr. MacKay: The Greater Glasgow health board is the best funded health board in Scotland. If it were to receive more resources, it would be at the expense of other Scottish health boards. Moreover, the simple fact is that there are more available staffed maternity beds in Greater Glasgow than are needed, even on the busiest day. It must make sense, even to the hon. Gentleman, that the Greater Glasgow health board should make the best use of its resources, and that does not mean keeping staffed beds which it knows will never be used.

Construction Industry

7. **Mr. Maclennan** asked the Secretary of State for Scotland if he will take steps to increase employment in the Scottish construction industry.

Mr. Rifkind: I am confident that the best prospects for increasing employment in the construction industry lie in the continuation of this Government's policies of reducing inflation and creating real economic growth. In addition, public expenditure which will benefit the construction industry in Scotland will be higher this year than in previous years.

Mr. Maclennan: Is the Secretary of State aware that since his Government took office there has been a drop in employment in the construction industry of 26·2 per cent. year on year, and that the number inexorably falls? Is he further aware that local authorities, especially regional councils, are having to watch our fundament and roads declining and becoming inadequate to support the industry that we seek to promote because of the stringent curbs on their capital expenditure? What will the Government do about that? The measure lies in their hands.

Mr. Rifkind: It is difficult to believe that the hon. Gentleman is a Member for a Highland constituency when he implies that during the past few years contruction on road development has been poor or inadequate. He need only travel on the A9 and compare his journey with a similar one a few years ago to find out how absurd that allegation is. He will also be aware of the proposal to build a bridge across the Dornoch firth in his constituency, and he might have taken that into account before making those rather silly remarks.

Mr. McQuarrie: Does my right hon. and learned Friend accept that there would be a great deal more work for the construction industry if many local authorities, especially Labour ones, would release more of their land banks to developers for houses and buildings? In that way many people would be employed directly in the construction industry.

Mr. Rifkind: My hon. Friend is absolutely correct. Certain authorities have tended to hold on to land within their locality unnecessarily, and clearly that can be a needless curb on useful development for the construction industry.

Unemployment (Greenock and Port Glasgow)

8. **Dr. Godman** asked the Secretary of State for Scotland what initiatives he proposes to take to deal with the social problems arising from unemployment in the Greenock and Port Glasgow parliamentary constituency.

Mr. Allan Stewart: The Government's policies are to build a strong competitive economy to tackle directly the root causes of unemployment. The hon. Gentleman's constituents will benefit from the expansion of the special employment measures announced in the Budget and from the Inverclyde initiative funded by the Government through the Scottish Development Agency. Indeed, £4 million has already been committed to an initial programme, with more to follow as suitable projects come forward.

Dr. Godman: Does the Minister agree that unemployment will worsen, especially in Port Glasgow, if Ferguson-Ailsa is not awarded the contract for the fisheries protection vessel to replace the Norna? Will the hon. Gentleman bear in mind the recommendation of the Scottish Affairs Committee, which is contained in its report on the fisheries protection service, to the effect that that vessel should be built in Scotland? Will he give an assurance that the order will go to a Scottish yard, and more particularly, to Ferguson-Ailsa?

Mr. Stewart: I am fully aware of the importance of orders for Ferguson-Ailsa. The hon. Gentleman mentioned that during the debate on shipbuilding on Monday. Six firms were asked to tender for the fisheries protection vessel. The tenders are currently being evaluated. The hon. Gentleman will realise that that is a technical process that will take some time.

Mr. Buchan: Does the Minister realise that the problems facing the lower part of Renfrewshire are compounded by three major events that have occurred largely because of the Government's inadequacy? I refer to the collapse of Linwood, the collapse of the shipbuilding industry and the collapse of the textile industry. They are all the result of the Government's failures. When will the Minister tell the Chancellor of the Exchequer to stop his arrant nonsense about tax relief for the rich somehow giving employment to the poor? When will he take action, as he can do in the case of the fisheries protection vessel, and give some heart to an area that his Government have thoroughly devastated?

Mr. Stewart: As an hon. Member who also represents part of Renfrew district, I can say that the hon. Gentleman has uttered a lot of nonsense, even by his standards. I know that he could not be at the meeting that the hon. Member for Paisley, North (Mr. Adams), my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley) and I had with Renfrew district council on the general position, but the consultant's report on a possible initiative for the district is being considered at a meeting tomorrow. I hope that that will be followed by positive initiatives. We are certainly committed to the development of Renfrew district. In my part of Renfrew district we have recently seen the announcement of 180 new jobs at Fine Fare and the expansion of English Sewing at Neilston in my constituency. The hon. Gentleman should portray a more balanced picture.

Scottish Motor Trade Association Ltd.

9. **Mr. Eadie** asked the Secretary of State for Scotland what reply he has sent to the correspondence he has received recently from the Scottish Motor Trade Association Ltd. on matters of consumer interest.

Mr. Allan Stewart: My right hon. and learned Friend the Secretary of State will be replying shortly.

Mr. Eadie: The Minister must be aware that recent figures show that it is 18p more expensive to buy petrol in Scotland than it is to buy it in some parts of England. Did he see the recent STV programme which showed that there was a gross difference of between 40p and 50p per gallon between the price of petrol in parts of Scotland and England? As the Scottish Motor Association has written to me saying that it does not accept the Government's policy that market forces will resolve the problem of the consumer being exploited, what does the Minister intend to do so that the consumer can be protected from the exploitation of oil companies?

Mr. Stewart: I read the recent article in the *Petroleum Times*. As the hon. Gentleman may know, that journal regularly publishes a report on local prices. The article showed that the average price for four star petrol was 177·7p in Edinburgh and 177·3p in London. I understand that the edition coming out later this week will show further reductions. The areas of greatest demand inevitably experience the greatest competition, and that is reflected in a relatively speedy reduction in prices. It is clear that that process invariably takes longer in less populated areas, where competition is not at the same level. The figures do not substantiate the hon. Gentleman's generalisation.

Sir Hector Monro: Has my hon. Friend had a discussion with my right hon. Friend the Secretary of State for Transport about the changed date for the vehicle registration letter next year? Is he aware that almost every motoring association in Scotland and motor dealer has written to say that the change to October is wrong and will have a serious and detrimental effect, not only on the sale of motor cars, but on the secondhand value that the public would expect? Will my hon. Friend hold discussions on this matter, because at present everything is being done purely for the benefit of the DVLC in Swansea?

Mr. Stewart: My right hon. Friend the Secretary of State for Transport gave a written answer on 28 April which stated that on 24 April he told the Motor Agents Association that he would be prepared to consider an alternative if the weight of opinion in the motor industry as a whole changed, and provided it was acceptable to the police. If that is not the case, the change will go ahead as planned in October 1987.

Mr. Wilson: Is the hon. Gentleman aware of the anger in Scotland about high petrol prices? Is he aware also that the Director General of Fair Trading has stated that one problem may be that too few petrol forecourts are owned by independents and too many are owned by big combines? In those circumstances, will the hon. Gentleman ask the Secretary of State for Trade and Industry to instruct the Monopolies and Mergers Commission to conduct an inquiry into the matter?

Mr. Stewart: The hon. Gentleman will be aware that the MMC prepared a report on the industry in 1979. The OFT conducts an annual review of the petrol retail industry. I have no doubt that, in the course of that review, it will pay special attention to the degree of competition.

Mr. Ewing: I urge the hon. Gentleman not to be complacent about this matter, because there is serious disquiet not only in Scotland but in other parts of Great Britain. Evidence is emerging that the oil companies, the suppliers, are selecting certain areas in Great Britain to subsidise at a much higher level than other areas, especially in Scotland. There is clear evidence that there is a difference of about 50p a gallon in the price of petrol in one area compared with another. That evidence has been put forward by the Scottish Motor Trade Association. Based on the hon. Gentleman's figures, I can produce evidence showing that there is an 18p a gallon difference between the price in Edinburgh and the price in parts of my constituency.

Mr. Stewart: Prices vary considerably. I can tell the hon. Gentleman exactly where the biggest price differential occurs, according to the figures that are available. The price is as low as 154.7p in south Wales and as high as 205p in London. That does not suggest any bias against Scotland.

Mr. Kennedy: Will the hon. Gentleman accept that in the Highlands and Islands there have been persisent problems of differential regarding petrol pices? Car and haulage travel there is not a luxury but an absolute necessity to the whole of the economy because of the way of life. The Highlands and Islands are suffering badly, as I know the hon. Gentleman appreciates, through falling oil prices following the contraction of the North sea exploration market. Will we see some advantage from falling oil prices, such as cheaper costs of derv, haulage

costs and prices at the petrol pumps? At the moment we are seeing nothing. We are getting the worst of both worlds.

Mr. Stewart: I assure the hon. Gentleman that the Government are very conscious of the price variations. We have vigorously reminded the oil companies of the need to ensure that rural areas, such as the Highlands, derive adequate benefit from lower oil prices.

Scottish Development Agency

10. **Mr. Knox** asked the Secretary of State for Scotland what has been the total expenditure by the Scottish Development Agency since its inception.

Mr. Rifkind: The Scottish Development Agency has spent a total of over £940 million in the period since it was formed in 1975 up to 31 March 1986.

Mr. Knox: Will my right hon. and learned Friend say what the agency has spent, a year on average, under the Government and how it compares with the average spent each year under the Labour Government?

Mr. Rifkind: The average annual spend of the SDA under the present Government is £109 million, against a figure of £44 million under the previous Government.

Mr. Millan: Will the right hon. and learned Gentleman take this opportunity to correct the impression, which seems to be prevalent in many parts of Scotland, that other worthwhile projects are being abandoned because of expenditure on the Glasgow garden festival? Is it not true that the SDA's allocation is not adequate to enable it to take up all the worthwhile projects put to it? That problem has nothing to do with the festival. An increased allocation is needed for the SDA.

Mr. Rifkind: The right hon. Gentleman is half right and half wrong. He is correct in that the SDA has emphasised that the garden festival is in no way interfering with its allocation of expenditure. The SDA has expressed that view more than once. This year the agency will be able to spend more than £136 million, which is more than in any previous year.

Mr. Bill Walker: Does my right hon. and learned Friend realise that a substantial part of the vast sums which the SDA has been authorised to spend have been spent in the Dundee area? Is he aware that one of my constituents, who runs a large timber, haulage and carpentry business, recently advertised twice in the Dundee *Courier and Advertiser* for joiners but was unable to get a single applicant?

Mr. Rifkind: My hon. Friend is correct to say that the remit of the Scottish Development Agency extends throughout Scotland and includes Dundee and rural areas, both in my hon. Friend's constituency and elsewhere.

Mr. Home Robertson: Why have the Government rejected the call by COSLA and the Select Committee on Scottish Affairs for an SDA rural development fund? Is the right hon. and learned Gentleman aware of the urgent need for the development of jobs and services in rural areas in Scotland? As the Tory Government evidently know little and care less about the rural areas in Scotland, I take this opportunity to give the Secretary of State a copy of Labour's new charter for rural areas.

Mr. Rifkind: We did not accept the proposal for a rural fund for the simple reason that we already spend in Scottish rural areas over 10 times more than the size of the proposed rural fund. Frankly, although it is easy to talk in terms of funds, the resources available to the farming community and those elsewhere in the rural areas are much more important. The hon. Gentleman should be the first to appreciate how well farmers do as a result of the Government's decisions.

Sir Russell Johnston: I should like to ask the right hon. and learned Gentleman essentially the same question that was asked by my hon. Friend the Member for Ross, Cromarty and Skye (Mr. Kennedy) about the Highlands and Islands Development Board, which he failed to answer. Will the right hon. and learned Gentleman give us a clear yes or no? Is he, or is he not, in favour of expanding the activities of the state funding of enterprise through the SDA and the HIDB?

Mr. Rifkind: I have already pointed out that the SDA has received more funds under this Government than under their predecessors. The HIDB has also received substantial resources. The hon. Gentleman should draw his own conclusion from the facts.

Mr. Forth: Given my right hon. and learned Friend's confidence in the SDA's success, is he prepared to recommend to his Cabinet colleagues that we set up similar bodies in the rest of the United Kingdom, starting, I hope, with the west midlands? Is he prepared to recommend that resources similar to those given to the SDA are given to all such similar bodies, to give every region a fair crack of the whip?

Mr. Rifkind: The SDA's successful achievements have been recognised not simply by Scottish Members but by the former Secretary of State for Trade and Industry — my right hon. and learned Friend the Member for Richmond, Yorks (Mr. Brittan) — and other hon. Members. It is for Members representing other constituencies to put the views that they think appropriate.

Agriculture Industry

11. **Mr. Kirkwood** asked the Secretary of State for Scotland whether he has any plans to provide further financial relief for the livestock sector of the agriculture industry in Scotland.

Mr. MacKay: In the six months to the end of April, Scotland's 20,000 beef and sheep producers have received direct Government support in adverse weather aid and headage and variable premiums of over £95 million, compared to £72 million in the equivalent six months of 1984-85. A further £10 million in hill subsidies will be paid out by the end of June.

Mr. Kirkwood: Is the Minister aware that from the Scottish borders, and indeed from the whole of the south of Scotland, reports are coming through that this year's lambings are substantially down on previous years because of the mortality rate of the lambs? Is he aware of that taking place in other parts of the country? Will he take steps to see that the people who are suffering these losses receive more support, bearing in mind the difficulties that they experienced last summer and the bad lambing conditions this year?

Mr. MacKay: The lambings this spring will be one of the factors taken into account in the autumn in the annual

review of farming in relation to HLCAs and the like. As the hon. Gentleman knows, this year HLCAs were increased by 14 per cent. on average and by no less than 22 per cent. on hill cows. The right time to review the livestock position for the year is at the annual review in the autumn.

Mr. Pollock: Can my hon. Friend confirm that, as a result of the welcome news of the extension of the Highland and Islands Development Board boundaries into the Forres and Tomintoul areas of my constituency, livestock there will qualify for enhanced rates of payment of HLCAs? That will represent significant support for those hard-pressed sectors.

Mr. MacKay: I can confirm to my hon. Friend that the extension of the boundary of the Highland and Islands Development Board's area into parts of his constituency will mean that the people there, whether they are farmers or small business men, will have available to them the same payments as are available in the rest of the board's area.

Mr. Wallace: Will the Minister confirm that the Government's contribution to the European development programme proposed for the islands of Scotland—which has a certain potential to help the livestock industry in the islands—will be new money?

Mr. MacKay: If my memory serves me right, on all these proposals, the current one for the Western Isles and the one proposed for other islands, 60 per cent. of the input comes from the Government and 40 per cent. from the European Community.

Mr. Holt: While my hon. Friend is looking at the possibility of extra money for Scotland, will he tell his right hon. Friend the Minister for Agriculture where Cleveland is, so that it can have some money?

Mr. MacKay: I shall draw to the attention of my right hon. Friend the Minister of Agriculture, Fisheries and Food what my hon. Friend has said.

Mr. Home Robertson: Will the Minister accept that it would be intolerable if the Government were to use the House of Lords to introduce an amendment into the Agriculture Bill that would penalise Scottish tenant dairy farmers, on the same basis as has been done in England and Wales over milk quotas? Will he give an undertaking that any decision on that matter that affects livestock farmers in Scotland will be taken in this elected House of Commons?

Mr. MacKay: Although the hon. Gentleman is a farmer, I am not sure whether he understands the livestock and milk sector of the industry. If the Government do not take action on this front, tenants will remain in the position that they are at the moment, which is that they have no right to any money or compensation.

Mr. McQuarrie: Will my hon. Friend take account of the problems arising in the rural areas about the less-favoured area designation? In a considerable number of cases one farmer is designated as being in a less-favoured area for livestock while the next farmer is not. That causes considerable anxiety as well as problems for the farmer who does not happen to be in the less-favoured rural area.

Mr. MacKay: I fully appreciate my hon. Friend's point. There is a well-rehearsed procedure for reviewing the position of a farm where the farmer feels he ought to be in the less-favoured area and is not. If any of my hon. Friend's constituents feel so aggrieved, they should make the necessary application for a review.

GEAR Project

12. **Mr. David Marshall** asked the Secretary of State for Scotland if he will consider continuing the Glasgow eastern area renewal project in Glasgow for another three to five-year period beyond 31 March 1987 to enable it to complete the final one third of the job which it was set up to do.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Ancram): The present phase of the project will come to an end in March 1987. Discussions are now under way on the future management arrangements for a continuing commitment to the east end of Glasgow after that date.

Mr. Marshall: As usual, the Minister has dodged the question. Is he not aware that unless this project is extended everything will go tragically wrong? Has he not been in the area recently to see for himself how much has still to be done and how far from completion the project is? Does he want to see much of the investment already made going to waste, or will he reconsider the position and agree to extend the project to enable it to be completed for the benefit of everyone involved, not least his own Government?

Mr. Ancram: As the hon. Gentleman knows, I have made several visits to the area in the past two or three years and I am well aware of the kind of work that has been done. He should not underestimate the gains that have been made so far in the area, or the achievements of GEAR since its launch in 1976, which have often been very considerable and clearly evident in the progress that has been made towards tackling the problems that exist in the east end of Glasgow. The project has lasted 10 years and it is right that now, at the end of 10 years, the project should be ended and that there should be an evaluation of its successes so that similar projects may be used in other parts of Scotland.

Labour Statistics

13. **Mr. Allen Adams** asked the Secretary of State for Scotland what was the increase in numbers of unemployed persons in the Paisley travel-to-work area in the first quarter of 1986, compared with the first quarter of 1985.

Mr. Allan Stewart: On 9 January and 6 March 1986 the numbers of unemployed people claiming benefit in the Paisley, North parliamentary constituency—there is no Paisley travel-to-work area as such—were respectively 5,854 and 5,596. On 10 January and 14 March 1985 the corresponding figures were 5,695 and 5,571. The figures for March 1986 are not comparable with earlier figures because of the change in the compilation of the unemployment statistics announced on 19 February.

Mr. Adams: Is the Minister aware of the real anger and dismay that is felt in the Paisley and Renfrew areas over the Government's failure to provide jobs since the closure of Talbot? Can he name a single major employer that he has attracted into the Renfrew district in the past five years? Will he speak to the Scottish Development Agency

and take along with him a map of west Scotland to show the agency where Renfrew and Paisley are, as the SDA does not appear to know?

Mr. Stewart: I am glad that the hon. Gentleman was able to ask his question. Unfortunately, he was not listening earlier during Question Time when I said that there would be a meeting tomorrow involving the SDA about a possible initiative for Renfrew. I also named earlier two companies in my part of Renfrew district which have expanded under the Government's policy. I know that the SDA is committed to ensuring that Renfrew district gets its share of the resources that are available.

SOLICITOR-GENERAL FOR SCOTLAND

Local Authority Services

35. **Mr. Foulkes** asked the Solicitor-General for Scotland in what sectors he has instituted prosecutions against local authorities in relation to failure to achieve a statutory defined level or standard of service or provision.

The Solicitor-General for Scotland (Mr. Peter Fraser): I do not entirely understand what the hon. Gentleman means by "sectors" in this context, but so far as I am aware no such prosecutions have been instructed recently.

Mr. Foulkes: I am surprised that there are no prosecutions, in view of the cuts that are taking place. The regional councils in a number of areas are failing to carry out their statutory duties for children, the disabled, the elderly and young offenders under the social work and education legislation. Will the Solicitor-General and his colleague, the Lord Advocate, have another look at this and decide whether some prosecutions could be instituted? Instead of instituting prosecutions against local authorities, should they not be instituted against the real villain, the man behind it all, the Secretary of State for Scotland?

The Solicitor-General for Scotland: In common with the rest of the House, I enjoyed the hon. Gentleman's question. However, if there is a sector where he believes that prosecutions should be taken against local authorities, which was the basis of his original question, I hope that he will tell me where he believes abuses are taking place.

Mr. Henderson: Will my hon. and learned Friend accept that it would assist decisions about prosecutions if local authorities were required to keep separately their expenditure on statutory duties as opposed to their expenditure on other matters? For example, Fife regional council has spent more per head on education than any other education authority in Scotland and it claims that it is short of money for desirable projects within its statutory responsibilities, yet it has spent a lot of money on other things, such as giving holiday meals to striking miners' families.

The Solicitor-General for Scotland: I understand my hon. Friend's point. However, all that I am asked to do is to look at those circumstances where prosecutions might be moved against local authorities. It might be that in certain circumstances authorities are in breach of the duties imposed on them by the House of Commons, but there is a clear distinction between that and having the opportunity to mount a prosecution. However, if there are specific areas where that is necessary, I hope that they will be brought to my attention.

Mr. Ewing: In order to get some balance into the question and answer, instead of considering the possibility of prosecuting some local authorities, will the Solicitor-General consider an alternative form of treatment by holding up as an example of a good council the Angus district council, which is SNP-controlled, and puts the rents up and cuts public spending when it is told to do so by the Secretary of State? Indeed, it does everything that it is told to do by the Conservative Secretary of State for Scotland and has never been in any danger of falling foul of the law in order to defend its ratepayers.

The Solicitor-General for Scotland: With an eye to next Thursday, the hon. Gentleman has made his point well.

Mr. Bruce: Would Grampian regional council be open to prosecution, given that within Aberdeen 45 per cent. of eligible children can go to nursery school, whereas within Gordon district fewer than 5 per cent. can go to nursery school? Should not such a wide variation within the same local authority area lead to a prosecution for under-provision in part of the area for which the authority is responsible?

The Solicitor-General for Scotland: If the hon. Gentleman feels that there is some failing there, that is a matter for local control and discretion. Again, I think that that is what the hon. Gentleman has his eye to rather than any particular prosecution which he seriously thinks I might mount.

Mr. Bill Walker: Are local authorities ever at risk from prosecution as a result of strikes by their employees?

The Solicitor-General for Scotland: So far as I am aware, no.

Police Misconduct

36. **Mr. Canavan** asked the Solicitor-General for Scotland whether he will instruct regional procurators fiscal to give more comprehensive replies to people who have formally submitted a complaint about criminal misconduct by the police.

The Solicitor-General for Scotland: I do not consider it necessary to give any such instruction. All persons who make a complaint of criminal conduct by a police officer are precognosced by the procurator fiscal. With the request to attend for precognition there is sent a note which explains in detail the procedures followed and the considerations taken into account in deciding whether criminal proceedings should be instituted.

Mr. Canavan: What advice would the Solicitor-General give to somebody who lodges such a complaint, has to resist considerable police pressure to withdraw the complaint and spends considerable time and effort obtaining legal advice to pursue the complaint, getting the names and addresses of witnesses and being cross-examined by a senior police officer and the procurator fiscal, only to receive a curt, two-sentence letter months later from the regional procurator fiscal saying that no action is to be taken? If the regional procurator fiscal cannot even be bothered to try to give an explanation of

why no action has been taken, is it any wonder that many people consider that it is almost a complete waste of time lodging a complaint against the police because the system is biased in favour of the establishment and against the complainant?

The Solicitor-General for Scotland: Anyone who makes a complaint against the police, as I have already said, is given a full explanation of the procedures that will be followed through and what might have happened if at the end of the day there are to be no proceedings. One reason, which the hon. Gentleman might appreciate, why that note is, as he describes it, curt, is that it might be that in the circumstances, as in other cases, the procurator fiscal has given a warning to the person involved. As the hon. Gentleman may well recall from a debate that we had some time ago in the Scottish Grand Committee, it was clearly his view and that of his hon. Friends that where a warning was to be given by a procurator fiscal it should not be widely divulged.

Parliamentary Questions

37. **Mr. McKelvey** asked the Solicitor-General for Scotland if he will list the subjects about which he has transferred questions for oral answer from himself to the Secretary of State for Scotland in the current Session of Parliament.

The Solicitor-General for Scotland: I have transferred questions on legal aid; tape recording of police interviews; the reprimand of a sheriff; private legislation procedures; justice of the peace courts; fisheries offences; and statistics on drunk-driving and orders made under section 18(2) of the Children and Young Persons (Scotland) Act 1937.

Mr. McKelvey: I am sure the House thinks that that is disgraceful. Does the Solicitor-General not realise that the Secretary of State has enough troubles in Scotland at the moment without the hon. and learned Gentleman passing the buck and transferring those questions? Why does the hon. and learned Gentleman not stand at the Dispatch Box, stop passing the buck and answer those questions himself?

The Solicitor-General for Scotland: Simply because my right hon. Friend the Prime Minister has not entrusted those responsibilities to me.

Mr. Merlyn Rees: To whom should I address a question brought to my notice by a constituent in Yorkshire about the standard of service in a sheriff court in Scotland?

The Solicitor-General for Scotland: It depends on whether the right hon. Gentleman's complaint has to do with criminal proceedings or civil proceedings. If he would care to write to me, I shall make sure that if I cannot answer it myself I shall transfer it.

Firearms

38. **Sir Hector Monro** asked the Solicitor-General for Scotland how many prosecutions for firearms offences have been instituted in the last convenient year; and how many alleged offenders held firearms certificates.

The Solicitor-General for Scotland: Five hundred and fifty four prosecutions in respect of offences involving firearms took place in 1984. The provisional figure for 1985 is 555. Statistics relating to the number of those prosecuted who held firearms certificates are not held centrally.

Sir Hector Monro: Since the security of firearms is of first importance, does not the fact that my hon. and learned Friend does not keep statistics for those who hold firearms certificates show that additional pressure for the imposition of greater restrictions on those who hold firearms certificates may be misplaced?

The Solicitor-General for Scotland: I understand why my hon. Friend is concerned about this, and I may take the opportunity to discuss it with him further. All I can say at the moment is that I do not know the figures for offences by those who hold firearms certificates, but if my hon. Friend feels that there is a particular abuse, or that a particular identification is necessary in the classification of these offences, I shall certainly look at that.

Fraud

39. **Mr. Hirst** asked the Solicitor-General for Scotland whether the Crown Office follows any special procedures in prosecuting serious cases of fraud in Scotland; and if he will make a statement.

The Solicitor-General for Scotland: In June 1984 a fraud unit, comprising both legal staff and precognition officers, was established in the Crown Office in co-ordination with the police to investigate and prepare major fraud cases referred to it by procurators fiscal. The unit, with direct access to Crown counsel, has brought about a concentration of effort on and expertise to such cases and already has a number of very successful prosecutions to its credit. It is the intention of my noble and learned Friend the Lord Advocate to reinforce it.

Mr. Hirst: I am grateful to my hon. and learned Friend for his reply. Bearing in mind the complexity of major fraud cases and the inevitable problems confronting juries in trying to assess the evidence, does my hon. and learned Friend agree that it might be preferable to have a skilled assessor to assist the judge, rather than entrust this matter to a jury?

The Solicitor-General for Scotland: This is a matter that was suggested by Lord Roskill. However, our experience in Scotland to date has not made me want to question the jury system for fraud trials. I have considerable sympathy with juries who have to sit through such trials for anything up to six or eight weeks. I am not aware of any major fraud cases in Scotland where it could be said, as a matter of objective assessment, that the jury had come to the wrong verdict.

Mr. Maxton: On a point of order, Mr. Speaker.

Mr. Speaker: Arising out of questions?

Mr. Maxton: Yes, Mr. Speaker. During the answer that he gave to me on question No. 2, concerning AIDS in Scotland, the Under-Secretary, the hon. Member for Argyll and Bute (Mr. MacKay) made the accusation that I was condoning a criminal offence, in that I was condoning drug misuse. That is a very serious accusation which I hope the hon. Member will take the opportunity to withdraw, because when he reads the answer that he gave me—or, rather, the answer that he gave to the

question put by the hon. Member for Fife, North-East (Mr. Henderson) — he will appreciate that he was not condemning drug misuse, he was condemning people who were at risk from AIDS.

Mr. Speaker: Order. That is going into the question again. I am sure that the point has been well taken by the Minister. [HON. MEMBERS: "Withdraw."] Order. If the Minister made that accusation, I am sure that he would wish to withdraw it—but I did not hear that.

Mr. John MacKay: Further to that point of order, Mr. Speaker. I shall read carefully the record of what I said, but my recollection is that I did not suggest that the hon. Member was condoning illegal activities. I did suggest that he was condoning drug abuse. [HON. MEMBERS: "Withdraw."] I hope that the hon. Member will also read what he said, because I suspect that he went a great deal further than he intended.

Mr. Ewing: Further to the point of order, Mr. Speaker. The Minister has just compounded the felony by admitting that he had accused my hon. Friend of condoning drug misuse. In its widest possible sense, drug misuse is a criminal offence and the Minister ought to be man enough to withdraw. Perhaps we are expecting far too much of the Minister in expecting him to rise above his usual standards, but he has an obligation to you, Mr. Speaker, and to the House at least to accept the standards of the House of Commons and to withdraw that very serious and scurrilous allegation.

Mr. Wallace: Further to that point of order, Mr. Speaker. As the Parliamentary Under-Secretary of State for Scotland, the hon. Member for Argyll and Bute (Mr. MacKay), has the advantage of sitting beside his hon. and learned Friend the Solicitor-General for Scotland, perhaps the Solicitor-General could advise him whether there are any drug abuses that are not illegal. What he said appeared to imply that the hon. Member for Glasgow, Cathcart (Mr. Maxton) condones illegality.

Mr. Speaker: Order. Let me deal with this matter. May I say that in the House of Commons very rough things are occasionally said in answer to questions. I am perfectly certain that if the Minister made an accusation against the honour of any Member, on whatever side of the House, he would wish to withdraw it.

Hon. Members: Withdraw!

Mr. Speaker: Order. That is a matter for the Minister.

Mr. John MacKay: I have made it quite clear that I shall check the record. If I said anything that I ought not to have said, I shall withdraw it. *[Interruption.]*

Mr. Speaker: Order.

Mr. Ewing *rose*——

Mr. Speaker: Order. I have not had an opportunity to check the record, either. The best thing for the House to do in a situation like this, as the Minister has said that he will check the record — indeed, I shall read these exchanges carefully—is to do that and see what happens tomorrow.

Mr. Ewing: Further to that point of order, Mr. Speaker. In view of the fact that the record is now to be checked, may we have an assurance that the record will remain as it was when the Minister made his allegations?

Hon. Members: Withdraw.

Mr. Speaker: Order. *[Interruption.]* Order. That will be a matter for me. I am sure that the hon. Gentleman would not make that accusation against me.

Mr. Maxton: I accept that the Minister may wish to check the record, but may I have his assurance that if he finds that what I have said is correct he will come to the House tomorrow afternoon and ask to withdraw his statement?

Mr. Speaker: Order. I think that that is what the Minister said.

Later—

Mr. Ewing: On a point of order, Mr. Speaker. During the statement and the exchanges on it, I reflected on the comments I made during points of order at the end of Scottish Question Time. I realise that what I said about the possible alteration of the record in relation to the Under-Secretary of State for Scotland may well be taken as a reflection on you, Mr. Speaker. Under no circumstances would I want that to remain on the record. I unreservedly withdraw my remarks and apologise for my intemperate comments.

Mr. Speaker: I thank the hon. Gentleman for his typically generous correction. I did not take his comments as a reflection on me. However, I am responsible for *Hansard*, and I would not allow anything like that to happen.

Soviet Nuclear Accident (British Citizens)

3.36 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Eggar): With permission, I should like to make a statement about the evacuation of British subjects following the nuclear accident at Chernobyl in the Soviet Union.

Following indications from countries bordering the Soviet Union, the Soviet authorities announced late on 28 April that there had been an accident at the nuclear reactor in Chernobyl. This was a full day after radioactivity had first been monitored in Scandinavia. The embassy in Moscow was in touch with the Soviet authorities early the next morning to seek information. The Soviet authorities were unwilling to give any details but assured our embassy that there was no cause for concern over the British citizens in Kiev and Minsk. In the absence of any authoritative information from the Soviet authorities, which sadly continues to be a feature of this crisis, the ambassador was instructed to seek the fullest possible details. He was only able to talk to the Soviet authorities this morning.

During the course of yesterday afternoon I took the decision, in the light of the continuing uncertainty and lack of authoritative information, that it would not be right for British citizens to visit the western Soviet Union unless absolutely necessary. As regards those already there, we requested the fullest co-operation of the Soviet authorities in assisting any who decided to leave to do so. The embassy was instructed to offer every help in this respect, including repatriation.

I reviewed the situation again this morning. Despite the inadequate information from the Soviet Union, it was evident, particularly from reports based on United States satellite observations and from Swedish scientific sources, that the situation at Chernobyl was such that it was necessary to advise British citizens in Kiev and Minsk to leave. We have also decided to extend to north-east Poland the advice already given to intending travellers to the western Soviet Union. We are in touch with the Polish Government to identify which areas they consider to be at risk.

Our embassy is in continuing contact with the Soviet authorities about the practical arrangements for evacuation. That will probably mean that the students from Kiev and Minsk should travel to Moscow for evacuation from Moscow. Our ambassador has been told that the Soviet authorities will be of assistance. My right hon. Friend the Prime Minister will be seeing the Soviet ambassador this afternoon and impressing on him the need for the fullest practical co-operation.

There are still many unanswered questions. We urge the Soviet authorities to release the fullest possible information immediately. We have established an expert working group in order to monitor the situation on an hourly basis and advise Ministers on appropriate action.

The lesson of this incident is that the openness which Mr. Gorbachev has said is necessary in Soviet society must become a reality.

Mr. George Robertson (Hamilton): The Opposition welcome the swift action which has been taken to bring home the students and teachers in the areas of the Soviet Union affected by this undoubted catastrophe.

We thank those in the British embassy in Moscow, in the British Council and elsewhere who have acted so quickly. Will the Minister reassure us that the evacuated students and teachers will not have to bear additional cost as a result of this sudden departure? Given the cuts which have already been made in the past few years in the British Council's budget, will he ensure that it is recompensed for any additional costs resulting from this emergency, especially if a decision must regrettably be made about the tour of the Soviet Union by the London Festival ballet this weekend?

Have all the bureaucratic restrictions in the Soviet Union on travel and movement been lifted by the Soviet authorities? This is not a time for pretending to play it cool. Rather it is a time for urgent action.

On the wider issues, it is absurd and outrageous that at this late stage we know so little of this cataclysmic disaster. It is completely unacceptable for the Soviet Union's paranoid secrecy to continue to conceal from neighbouring countries the danger facing their peoples. Radioactivity does not respect the lines on any map or national frontiers, and there is a direct and urgent obligation on the Soviet Union and its new leadership to be frank and forthcoming about what is going on.

Can we be assured that the British Government have offered technical help, given the unique knowledge and experience that we have? When was it offered, and can we be assured that the Government will continue to press it? What are the Government doing about demanding better international standards for civil nuclear power and toughening the role of the International Atomic Energy Agency? Is not one lesson of this dreadful incident for both Britain and the Soviet Union that secrecy and civil nuclear power do not go together?

Mr. Eggar: I thank the hon. Gentleman for his kind remarks about Foreign Office officials — I shall pass those remarks on — and about the active role that the British Council has played with regard to the students.

I am sure that the Soviet embassy will take careful note of what the hon. Gentleman said about Soviet secrecy. I simply repeat what I said in my statement: that it would have been much easier had the Soviet Union been more open in the circumstances.

My right hon. Friend the Prime Minister will repeat the assurance that was given this morning by our ambassador that we would be willing to give technical assistance if we were asked. We have not yet been asked. As for strengthening the IAEA rules, it is of course interesting that, when the rules were drafted, it was very much on the initiative of Soviet and British specialists working together. It is unfortunate that the Soviet Union has not at least conformed to the spirit of those rules.

I am told that the students in Minsk will travel on their revalidated air tickets from Moscow to London under arrangements that have been made by the British Council. We understand that those in Kiev, most of whom are there under the arrangement of Progressive Tours, are making similar arrangements for their return.

As for the hon. Gentleman's request for assurances about expenses that are incurred and the Festival ballet being cancelled, I am sure that he is aware that we are in

[Mr. Eggar]

constant touch with the British Council and the company. As yet, no decision has been made to cancel the tour. We shall continue to co-operate.

I am grateful for the tone in which the hon. Gentleman opened his remarks.

Mr. David Maclean (Penrith and The Border): On behalf of my constituents who have young people studying in Minsk, may I thank my hon. Friend for his exceptionally prompt action in getting people evacuated? Will he make it clear to the Soviets that we will not tolerate any hindrance when it comes to getting our students out of Minsk or Kiev to Moscow and thence to London? Have any plans been laid for medical tests of those who have been evacuated?

Mr. Eggar: I thank my hon. Friend. We have had assurances that no hindrance will be put in the way of those who wish to leave. We shall have to see how matters develop, but we have no reason to believe that any bureaucratic delays will be put in people's paths. We are arranging for students and others who are returning to London, immediately to undergo a full medical check at Oxford. We are also making arrangements to fly out monitoring equipment to Moscow, which will be operated by our embassy there so that we can keep an eye on radioactivity levels in Moscow.

Mr. David Alton (Liverpool, Mossley Hill): May I join the Minister in condemning the unnecessary time lag and secrecy? Will the survey of possible contamination that the students may have suffered be carried out by the National Radiological Protection Board and will they be monitored regularly? Has the United Kingdom Atomic Energy Authority offered any technical help to the Soviet Union to fight the fire? If not, why not?

Mr. Eggar: As for the survey of the health of those who return, what happens in future will depend on the examination that they will undergo at Oxford. We are considering that matter carefully. No offer has been made by the United Kingdom Atomic Energy Authority directly, but we are making it quite clear to the Soviet authorities that, if a request is made, we will help as best we can.

Mr. David Howell (Guildford): Is my hon. Friend aware that I have several constituents who are visiting Kiev and Minsk, notably from Surrey university at Guildford? My hon. Friend says that arrangements are being made to evacuate them through Moscow as apparently, the Soviet authorities' normal rules require that all departures from Russia are through Moscow. Will my hon. Friend prevail on the Soviet authorities in this case, as all the trains and airlines from Kiev to Moscow are very heavily booked, to allow my constituents in Kiev and, if necessary, in Minsk to depart through Prague or Budapest instead, where they can get out much more quickly and with much less hassle and difficulty?

Mr. Eggar: I am aware of the representations that my right hon. Friend had made on behalf of his constituents. Our latest information is that it is not possible to get places on the aeroplanes from Kiev to Moscow tonight, but we believe that places will be made available on the overnight train. Our embassy in Moscow is keeping close tabs on that and we shall certainly consider my right hon. Friend's argument should it be necessary.

Mr. Tony Benn (Chesterfield): Although I welcome the Minister's statement about the efforts to safeguard British citizens, he will recognise that people who are contaminated could suffer very long-term effects from cancer. It is not infectious like for example, a plague. President Reagan, most generously and completely, has offered the full facilities of the United States to help the Soviet Union for, in a certain area of nuclear technology, there has always been close co-operation between the Americans, the British and the Russians, especially on nuclear safety.

Will the Government go further than indicating a readiness to help? Will they put at the disposal of the Soviet authorities the experts from the United Kingdom Atomic Energy Authority, British Nuclear Fuels plc, the National Radiological Protection Board and the Nuclear Installations Inspectorate, which have great experience of handling matters of this kind? As this is a major international environmental catastrophe, can it be seen in that light rather than simply as an opportunity to attack secrecy, which I greatly regret, in the Soviet Union, as there have been accidents or near-accidents in Britain and a major effort to cover up what has happened. Such a disaster could happen in any nulcear power station in the world, including ones here.

Mr. Eggar: The right hon. Gentleman is developing a considerable ability to miss the point. We will of course make assistance available to the Soviet Union when it is requested. My right hon. Friend the Prime Minister will reiterate that fact to the Soviet Ambassador this afternoon. The Soviets have already been informed by the Swedes and the Germans that they feel that we are the people who have the most likely expertise in this area because of our experience with graphite fires. Our people are standing by to be of assistance if the Soviet Union requests.

Mr. Michael Latham (Rutland and Melton): When the Prime Minister meets the Soviet ambassador this afternoon, will she make it clear to him that, if this dreadful tragedy is to be properly sorted out to prevent such events in the future, it is essential that the Soviet Union gives all the scientific information properly and gives a great deal more information than it has so far chosen to give its own citizens?

Mr. Eggar: I am confident that my right hon. Friend will be making that point.

Sir John Biggs-Davison (Epping Forest): I thank my hon. Friend and his officials for their advice and assistance during the night to my constituent in Kiev and her parents. In the event of any obstruction to the evacuation, will he immediately acquaint the House with the fact? Our concern is with our constituents, but is it not the case that, despite the attitude of the Soviet authorities and what we may think of that attitude, our sympathy remains with the Ukrainians and other peoples who have been affected by this disaster?

Mr. Eggar: Of course we express a great deal of sympathy for the people who have been killed and for those who may die in the future as a result of this appalling incident. With regard to information to my right hon. Friend and other right hon. and hon. Members who have been in touch with the office, we will continue, so far as we are able, to give an update directly to hon. Members

and to the families of those concerned. We do not anticipate any obstruction, but if there should be any I will inform the House.

Several Hon. Members *rose*——

Mr. Speaker: Order. May I remind the House that the Minister's statement was concerned with the evacuation of or assistance to British subjects, not with the general principle, which I know is of great concern? We must stick to the statement. Furthermore, we have a heavy day before us. I intend to give precedence to those hon. Members who were not called on the private notice question yesterday. In view of the business before the House, I can only allow the statement to continue for a further 10 minutes.

Dr. Jeremy Bray (Motherwell, South): Will the Minister arrange for those arriving from the Soviet Union to be thoroughly debriefed so that the greatest amount of information is gathered? Will he ensure that there is radiation measuring equipment, not only in Moscow but at all available locations in eastern Europe where it can be placed? Is this not a situation in which our reactor engineers should use all available channels open to them to contact directly their opposite numbers in the Soviet Union and make available all information on fighting fires in graphite-moderated reactors, whether it is asked for or not?

Mr. Eggar: First of all, of course I can assure the hon. Gentleman that we will be discussing the situation with the people when they return and we will get the maximum amount of information from those sources. I take careful note of the hon. Gentleman's point about radiological monitoring equipment. I will consider it further. As I said, we were able to get the equipment to Moscow quickly and we hope that it will be operating on Thursday evening or Friday. We will do what we can to make information and assistance available, but we must have the avenues opened up to us. It is not a case of our being deaf to them.

Mr. Stefan Terlezki (Cardiff, West): I congratulate my hon. Friend and the Government on taking such swift action to evacuate British citizens, wherever they may be in the Ukraine or Minsk. It is a tragedy, and it is with sorrow that I speak in the House, having been born in the Ukraine. A month ago, after 44 years' absence, I visited the very area where the tragedy occurred. I am sorry to say that, unless the Soviet Union co-operates fully with the West to assist it in finding the cause, nothing much will be achieved. How can the Soviet Union ask for help on the one hand, but, on the other, withhold all the information that is required? I sincerely hope that our Government will put all necessary scientific—not political—pressure on the Soviet Union, and Mr. Gorbachev in particular, to ensure that such a tragedy never occurs again, not only in the Soviet Union but anywhere else in the world.

Mr. Eggar: I thank my hon. Friend for his comments, particularly because he has such great personal experience of and personal feeling for the Ukraine. I agree with my hon. Friend. It is all very well to ask for a dialogue from us, but there has to be information coming from the Soviet Union. I can assure the House again that we shall give what assistance we can as soon as we see an avenue through which to give it.

Mr. Greville Janner (Leicester, West): The Minister rightly said that he has issued warnings to British people visiting north Poland. Has he warned anyone else? Are there any other preparations made for evacuation? What is the hon. Gentleman's information about the movement of the radioactive cloud? Where is it expected to move to and settle, and is it moving in this direction?

Mr. Eggar: The advice that I gave in my statement referred to north-east Poland rather than north Poland. One of the reasons why, this morning, we established a group of experts to advise us on an hourly basis as to exactly what our advice to British citizens should be, was that we needed to know, among other things, the direction of the wind, to make it clear where the danger was likely to be. At the present moment, there is no danger in this country. We are monitoring radioactivity levels, but there has been no increase above the normal levels.

Mr. Tony Marlow (Northampton, North): Is there any evidence that there was even a small-scale nuclear explosion, and even if the whole of one of the reactors were to burn out—[HON. MEMBERS: "Evacuation."] All right. Evacuation. There is great danger from the radiation which has come out of the plant. Can my hon. Friend tell the House, assuming that the whole reactor burnt out, how much radiation would be there, and how it would compare with the radiation from a nuclear bomb?

Mr. Speaker: That was very wide.

Mr. Eggar: I thank my hon. Friend for that creative question. In accordance with Mr. Speaker's wishes, I shall not comment in detail on his points.

Mr. Terry Lewis (Worsley): The whole House and the country will appreciate the speed with which the Foreign Office and the embassy in Moscow have moved on the evacuation and advice to those with immediatly pending travel. May I take the Minister in another direction and remind him that this summer, many thousands of tourists, myself included, will hope to go to Minsk and Kiev? [HON MEMBERS: "Freebie."] When the yobboes on the Conservative Benches have settled down, I shall press on with my question on this serious subject. Will the situation be monitored? What advice will be given to people who are intending to travel in the medium and longer term?

Mr. Eggar: I thank the hon. Gentleman for his kind remarks about the Foreign Office. I can assure him that we shall continue to monitor the situation not only in Minsk and Kiev, but in other areas of the western Soviet Union. We shall advise travellers accordingly. Again, our job would be made much easier if the Soviet Union made available more information.

Mr. Kenneth Warren (Hastings and Rye): Will my hon. Friend make it clear to the Soviet ambassador that, as one of those who is going to the Soviet Union next month under the leadership of Lord Whitelaw, on the Inter-Parliamentary Union delegation—*[Laughter.]* This is no laughing matter. I am sure that all of us would express real concern——

Mr. Peter Bruinvels (Leicester, East): Cancel the visit.

Mr. Warren: I do not think that this is at all funny. Many millions of Soviet people are now exposed to radiation, which we would not wish on any citizens in the world. I hope that that will be conveyed to the Soviet ambassador in the United Kingdom. During the discussion would it be possible to ask him if he would accept British charter aircraft to carry out the evacuation speedily, and

[Mr. Warren]

whether he would be so kind as to inform his Government that if they would only tell us all the grades of fallout from that plant, especially in view of the worry about the plutonium weapon-grade material which is produced there, we could probably render assistance to the Soviet people, which we are all eager to do?

Mr. Eggar: I entirely agree with my hon. Friend's last point. We anticipate that the evacuation from Moscow will take place with charter aircraft. We are considering what we can do direct into Kiev, should it not be possible to make bookings on normal transport in the near future.

Mr. Tam Dalyell (Linlithgow): May I express a minority opinion? What purpose is served by the House of Commons, at this time of acute crisis, lecturing worried people, as the Soviet leadership must be, on secrecy? Will the Minister reflect that in 1957—this has now emerged under the 30-year rule—when there was a graphite fire at Windscale, his Prime Minister, Harold Macmillan, decided not even to tell the Irish? As my hon. Friend the Member for Motherwell, South (Dr. Bray) said, are we not more likely to create the conditions for our experts to do something about it if we shut up about secrecy—that goes for the Minister's Front Bench as much as for mine—than if we lecture the Russians on secrecy? Now is the time for help, not hindrance.

Mr. Eggar: I must say to the hon. Gentleman that our primary concern must be for the safety of British citizens. If we do not have the information on which to advise them, how can we be expected to look after their safety?

Mr. Nicholas Soames (Crawley): I congratulate my hon. Friend and his Department on the speedy and efficient way in which the matter has been carried out. Will he assure the House that he will ask the Prime Minister to express to the Soviet ambassador this afternoon the wholehearted contempt of the House for the way in which the Soviet Union has behaved towards its neighbours in not informing them of the exact position?

Mr. Eggar: I am sure that the Soviet ambassador will take note of my hon. Friend's point.

Mr. David Winnick (Walsall, North): If the Soviet authority took into its confidence not only the international community but its own people, would not one of the virtues be that it would dampen the rumours and speculations? Has the Minister seen the headlines in some newspapers, claiming that there are up to 2,000 victims? Would it not be useful if the Russian ambassador were told that while the British people have every possible sympathy with the Russian people over what has happened, they find it extremely difficult to understand—without using the same words as the hon. Member for Crawley (Mr. Soames)—why the full truth is not being told?

Mr. Eggar: I am sure that the Soviet embassy will take that point when it reads the *Official Report* of our discussions this afternoon.

Mr. Andrew MacKay (Berkshire, East): Is not the most significant aspect of this tragic affair the woeful lack of information coming from the Soviet Union? Would my hon. Friend be surprised if some people with an insight into the affairs of the Soviet Union in the light of these events were to feel that there has been a woeful disregard for life there?

Mr. Eggar: My hon. Friend is absolutely correct.

Mr. Charles Kennedy (Ross, Cromarty and Skye): On behalf of the Munro family in my constituency, whose daughter Catriona was one of the student party at Minsk, may I thank the Minister, the private office and the representatives of the Government in the Soviet Union for the first-class help and attention which they gave the families? They have done much to alleviate the obvious concern and distress of the family at home in the Highlands of Scotland. Regarding the travel arrangements, is it intended that the party at Minsk will in all likelihood fly from Moscow tomorrow and arrive at Heathrow tomorrow evening?

Mr. Eggar: I thank the hon. Gentleman for his remarks, and I shall see that they are passed on. We understand that on present schedule the party at Minsk is due to arrive at Heathrow tomorrow evening.

Mr. Peter Viggers (Gosport): As this is a world problem, will the Government raise through the United Nations the need for the Soviet Union to give the fullest information to the United Nations' affiliate — the International Atomic Energy Agency?

Mr. Eggar: That is a point that we shall want to consider. Our immediate concern is to get the necessary information for us to advise our citizens appropriately.

Mr. Gerald Bermingham (St. Helens, South): Reverting to an earlier answer about medical tests on students and other evacuees returning in the near future—which I welcome—will the Minister also give an assurance that those who, for one reason or another, are delayed for several weeks, and do not return to the United Kingdom for one or even two months will receive the same medical screening and assistance when they return? Will he persuade his hon. Friends that some of our medical expertise should be issued to the Ukraine Supreme Soviet and the other local hospitals in the affected areas?

Mr. Eggar: We are keeping medical screening under constant review. Obviously, what we do in future will depend greatly on the results of the screening of the first groups to return. Obviously, if medical assistance is requested, we shall make it available.

Mr. Neil Thorne (Ilford, South): In facilitating the evacuation of British personnel, can my hon. Friend comment on the effectiveness of the Soviet civil defence and civil defence and protection procedures and say whether they are in any way inhibited by any bogus nuclear-free zone?

Mr. Eggar: I am afraid that I do not have information on that area.

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker.

Mr. Speaker: Order. I would rather take the point of order after the application under Standing Order No. 10, as there is also another point of order.

Soviet Nuclear Accident

4.6 pm

Mr. Tony Benn (Chesterfield): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that merits urgent consideration, namely, "the impact of the Soviet nuclear accident on the future of the British nuclear power programme."

As I was unable to notify you before 12 o'clock, Mr. Speaker, I must draw your attention to certain matters which have come to my notice since that deadline. First, a forecast of 20,000 cancer deaths has been made by Greenpeace. Secondly, there has been an explosion in New Delhi in a heavy water factory for the Indian nuclear industry. Thirdly, restrictions have been placed on water, food and milk consumption in neighbouring countries. Fourthly, Representative Edward Markey, an American congressman, has said, properly, that there is a 45 per cent. risk of such an accident occurring in the United States during the next 20 years.

The matter cannot be contained simply by rebuking the Soviet Union for its secrecy, although I greatly regret that it has not given more information. It may not know what has happened; that is always a possibility. However, it is clear that there has been a melt-down and a fire, with added hazard. It is possible that neighbouring reactors will be affected by the fire and that rivers may be contaminated. This is a major international environmental disaster, comparable in the civil sphere to what happened in Hiroshima when the first bomb exploded.

I am asking that we now have an opportunity to discuss fully the whole nature of the problem. Many British people, not only those with relatives in Russia but those who live near our nuclear power stations, want an opportunity to have the matter fully discussed. We should discuss how far it is true that Britain has been candid about its nuclear industry. For eight years I had responsibility as a Minister, and on many occasions information was not made available to me. This is a matter—*[Interruption.]* I hope that the House will listen. I am talking about our nuclear power programme. When there was a disaster at Kyshtym in 1958, it was known to the atomic energy authority but was not disclosed for 15 years to British Ministers. As my hon. Friend the Member for Linlithgow (Mr. Dalyell) pointed out, when there was a fire at Windscale it was not disclosed to the Irish, who were deeply concerned. When there were leaks at——

Mr. Speaker: Order. The hon. Gentleman has only three minutes in which to speak, and he has used up two and a half of them.

Mr. Benn: The point is that nothing could be more misleading than for responsible Ministers to give the impression that such an accident could not happen here. It could. Openness is one thing, and everyone should want it, but the risk of a tragedy is another. I urge the House to take seriously the need for a debate tomorrow on the whole question of nuclear safety in Britain as well as in other countries.

Mr. Speaker: The right hon. Gentleman asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter which he believes should have urgent consideration, namely,

"the impact of the Soviet nuclear accident on the future of the British nuclear power programme."

I in no way under-estimate the importance of what the right hon. Gentleman has put to the House and nor do hon. Members, but, as he knows, the only decision I have to take is whether to give this matter precedence over the business already set down for today or tomorrow.

I listened carefully to what the right hon. Gentleman said, but I regret that I do not consider the matter that he has raised to be appropriate for discussion under Standing Order No. 10. I cannot, therefore, submit his application to the House.

Channel Tunnel Bill

4.13 pm

Mr. Jonathan Aitken (Thanet, South): On a point of order, Mr. Speaker. I wish to raise a point of order on the Channel Tunnel Bill, of which I have given you prior notice.

The Government, through the Department of Transport, have recently circulated to Kent district councils on the consultative committee chaired by my hon. Friend the Member for Hampshire, North-West (Mr. Mitchell), Minister of State, Department of Transport, a public document entitled, "Channel Tunnel Timetable". That document, of which I have sent you a copy, purports to set out the future parliamentary timetable of the Channel Tunnel Bill in meticulous detail and in a way that has certainly not been disclosed to the House. In particular, that so-called timetable gives several precise dates of legislative events and stages in the House and the other place. For example, it states that the Select Committee will hold its proceedings from Tuesday 17 June until 24 July.

I submit that that is not just a misguided piece of parliamentary clairvoyance, but a display of Government arrogance — it will be interpreted as such — that has already been greeted with consternation in Kent and by Members of Parliament for constituencies there.

I think that the whole House is aware that there is already concern in Kent at the way in which some of the Bill's scrutiny has been rushed through within a short time. As a result, the people of Kent place great reliance on the hybrid Bill procedure, which allows them to petition the House and, for the first time, to obtain a fair hearing for their grievances. They hope that Parliament will do what the Government have so far failed to do, and will scrutinise the Channel tunnel project with thorough and proper procedures.

Unfortunately, the Department of Transport published timetable may create the impression that the Select Commitee will be yet another fixed rush job and that Parliament will just dance subserviently to the Government's tune and keep to the Government's timetable. As the guardian of the rights of constituents through their elected representatives, Mr. Speaker, may I ask you to rule on the following points?

First, is it in order for a Department to issue a public document giving the parliamentary timetable on a Bill that has not yet even had its Second Reading? Surely that is a contempt of the House. Secondly, will you reassure the House and the people of Kent that no timetable has been imposed by the Government on the Channel Tunnel Bill, and that such a power rests only with Parliament? In particular, will you emphasise that the sitting arrangements and timings for a Select Committee are decided by the members of that Committee, and will you take note of the view that any attempt to rush through a Select Committee's hearings on a Bill of this magnitude in six weeks would be highly unusual, if not irregular?

Finally, will you confirm, Mr. Speaker, that the Channel Tunnel Bill, far from being at full speed ahead, is already marooned by other procedural snags of the Government's own making? Is it not the case that the hybrid parts of the Bill have already been judged out of time by the Examiners, and that the Bill can now proceed only if the Standing Orders Committee takes the controversial step of granting it an official dispensation? Will you use your good offices to ensure that some second thoughts are given to the Bill by the Government and the usual channels in order to ensure that better parliamentary manners and a greater degree of fair play and fair hearing is shown to my constituents and others whose interests are affected?

Mr. Speaker: I thank the hon. Member for Thanet, South (Mr. Aitken) for giving me notice of his point of order, as it has enabled me to go into the matter in some detail.

The hon. Gentleman is correct in stating that the Examiners of the Petitions for Private Bills, to whom the House referred the Bill on 18 April, reported on Monday that, in the case of the Channel Tunnel Bill, the relevant Standing Orders have not been complied with. The Examiners' report has therefore been referred in the usual way to the Standing Orders Committee.

As to the other points that the hon. Gentleman raised, I need say only that progress on the Bill, and the time spent on it, are entirely matters for the House, not for me.

Any informal timetable or other document circulated by the hon. Member in charge of the Bill must be a matter for him. A formal timetable or guillotine could be imposed only by the House.

As the House knows, this Bill is a hybrid Bill, and will follow well-established procedures. If the Standing Orders Committee allows the Bill to proceed, and if the House decides to give the Bill a Second Reading and commits it to a Select Committee, it will be for the Chairman and members of that Committee to decide on the times and duration of its sittings.

Mr. Peter Shore (Bethnal Green and Stepney): Further to that point of order, Mr. Speaker. The House will be grateful to you for that ruling, which meets some of the anxieties raised quite properly by the hon. Member for Thanet, South (Mr. Aitken). But the matter goes a bit further than that. All hon. Members will want to know where on earth the document came from and what involvement the Secretary of State for Transport had in its preparation. Such timetables are not simply manufactured out of thin air. If the Secretary of State for Transport has been involved, I very much hope that the Leader of the House, who is in his place, will convey to him the anger felt on both sides of the House over his consent to its publication. If the Secretary of State is involved, we expect an early statement from him on the matter.

Mr. Mark Wolfson (Sevenoaks): Further to that point of order, Mr. Speaker. May I thank you for clarifying the position? The position of my hon. Friend the Member for Thanet, South (Mr. Aitken) in relation to the Channel Tunnel Bill is well known. I support the concept of the tunnel and the Government's approach, but I also share the concerns aired by my hon. Friend, as it is essential that my Kent constituents should feel that their very real concerns will be properly considered by the House, as you have outlined, Mr. Speaker, and by, in particular, the members of the Select Committee.

Mr. Speaker: I do not think that I need add anything to what I have said. I hope that I have made the position clear.

Sir Geoffrey Finsberg (Hampstead and Highgate): Further to that point of order, Mr. Speaker. As the document has been referred to, will it be made available

to the rest of the House, so that hon. Members may see the wording used and whether the interpretation put on it by hon. Members fits with the actual wording?

Mr. Speaker: I do not know anything about the document. It is a matter for the Government. I understand that it is an unofficial timetable from some hon. Member concerned with the Bill, but I do not know anything about it.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 16 MAY

Members successful in the ballot were:

Mr. John Heddle
Mr. James Wallace
Mr. Cecil Franks

BILL PRESENTED

DOG FIGHTING (PENALTIES) (NO. 2)

Mr. Harry Greenway presented a Bill to amend the Protection of Animals Act 1911 to increase the penalties for causing or procuring, or assisting at, the fighting or baiting of any animal: And the same was read the First time; and ordered to be read a Second time upon Friday 9 May and to be printed. [Bill 153.]

WELSH AFFAIRS

Ordered,

That the matter of the Welsh Development Agency, being a matter relating exclusively to Wales, be referred to the Welsh Grant Committee for its consideration—*[Mr. Durant.]*

Air Navigation Orders Amendment

4.21 pm

Mr. Bill Walker (Tayside, North): I beg to move,

That leave be given to bring in a Bill to make Air Navigation Orders subject to negative resolution procedure.

Section 60 of the Civil Aviation Act 1982 gives the Secretary of State for Transport the power, by statutory instrument, to regulate air navigation through air navigation orders. On 30 October 1985, Air Navigation Order No. 1643 was made. It was laid before Parliament on 7 November 1985, and came into operation on 1 December 1985. That statutory instrument contains 139 pages, 10 parts, 98 sections and 13 schedules. It is a complex and formidable instrument.

At the time it was laid before Parliament it was subject to the negative resolution, and it would have been possible for hon. Members to pray against it. In theory at least, there was a form of parliamentary scrutiny and control. I say "in theory" because the instrument is so long and complex and contains sections which, when examined carefully, disclose that it gives huge powers to the Secretary of State for Transport, powers over which Parliament no longer has any say or control. For example, article 64(1) in part VIII, which concerns the control of air traffic, states:

"Without prejudice to any other provision of this Order, the Secretary of State may make regulations (referred to in this Order as the Rules of the Air and Air Traffic Control) prescribing—

(a) the manner in which aircraft may move or fly including in particular provision for requiring aircraft to give way to military aircraft."

Subparagraph *(e)* states:

"any other provisions for securing the safety of aircraft in flight and in movement and the safety of persons and property on the surface."

Article 69(1) states:

"Where the Secretary of State deems it necessary in the public interest to restrict or prohibit flying by reason of—. . .

(iii) national defence or any other reason affecting the public interest".

That is a sweeping and all-embracing power. Article 69(1) *(b)* states:

"Regulations made under this article may apply either generally or in relation to any class of aircraft."

That is another catch-all power vested in the Secretary of State. I submit that those are wide-ranging and sweeping powers. Not surprisingly, air space users have, in different ways, registered their concern.

My right hon. and hon. Friends the Ministers at the Department of Transport are aware of the concern. I have attended meetings with Ministers at which representatives of the independent airlines have voiced their concern about Air Navigation Order 1985, No. 1643. I have also attended meetings at which Ministers have been made aware of defects concerning the legal aspects of a number of the articles and schedules on Air Navigation Order No. 1643.

When Parliament gave the Civil Aviation Authority the power to advise Ministers and Ministers the right to introduce rules of the air with no further reference to Parliament, it did so because it believed that those matters should be handled by experts. The first group of experts was the staff of National Air Traffic Services. National Air Traffic Services is a joint body which is responsible to the Ministry of Defence and the Ministry of Transport. It comprises civil servants experienced in air traffic control and serving Royal Air Force officers also experienced in air traffic control. The present controller of NATS is a civil

[Mr. Bill Walker]

servant. The previous controller was a serving Royal Air Force air marshal. The present deputy controller is a serving Royal Air Force air vice-marshal. The previous deputy controller was a civil servant.

The experts from National Air Traffic Services were required to consult the experts representing all the interested bodies who use the air space. Recommendations which emerged from the consultations regarding the introduction of regulations affecting air space were to be made to the Secretary of State for Transport. The experts were required to consult a body called NATMAC. The chairman of this body is a serving Royal Air Force air commodore.

If the consultations between the experts had worked effectively and the users of the air space had been confident that discussions were not just ritual or, as some have said, a sham, the fact that Parliament has no say in the introduction of new air space regulations would not have mattered. Sadly, I have to report that new regulated air space has been introduced. Evidence claiming to support the need has, upon examination, in more than one instance, been found to be flawed.

I cite the example of Blue 22, the airway between Edinburgh, Glasgow and Aberdeen. It took me many years to have the airway moved. It was moved to the position where I suggested it should and could have been when it was first proposed. I thank my hon. Frind the Under-Secretary of State for Transport — the Member for Worcester, North (Mr. Spicer)—and my noble Friend the Under-Secretary of State in the other place for making the change possible. We remain deeply indebted to them.

Recently, we have seen the introduction of special air space rules at Royal Air Fiorce Brize Norton and the 200 square mile rule 36a mandatory radiocall air space at the United States Air Force base at Upper Heyford. I know that hon. Members are aware of other reasons for it being reported. I shall make my position quite clear. I fully support the decision on the use of that base, and nothing that I have to say is in condemnation of that act. I would support it a second time.

I understand that hon. Members have been advised that microlight balloonists, hang gliders, parachutists and other recreational flying organisations support the measures that have been taken and are happy with the arrangements concerning Brize Norton and Upper Heyford.

Hon. Members have been advised that local gliding clubs are happy with the arrangements on a trial period basis—an arrangement which was made by a working group which was asked to look into the problems that were claimed to exist. In my view, those claims have not been proven. I believe that the near-miss statistics are flawed.

I have been advised by the air space user bodies that, contrary to what hon. Members have been told, none of the bodies is happy. I shall be writing to my hon. Friend at the Department of Transport and will provide evidence that they are not happy. I shall provide him with all the details.

It was not acceptable for a senior RAF officer to advise the air space users' experts at the NATMAC meetings that they should not lobby hon. Members—however well-intentioned that advice was and however it was given. He was not qualified to do so. That was unwise and probably naive.

No one denies that we must have safe air space. No one denies that some controls are essential. I claim that the system of checks and balances which is required in a democracy has broken down. At present, the system is fundamentally flawed.

Regarding the trial at Upper Heyford, the evidence suggests that the air traffic controllers will be unable to handle the radio traffic. In my view, the trial will not produce any reliable evidence on which decisions can be taken. The airlines are unhappy. Commercial and recreational fliers are unhappy. Aviation legislation is in a confused state. The system used to create the legislation is not adequately scrutinised by Parliament. The body responsible for introducing the legislation is supervised by two Ministers—two bosses—which is a most unhappy situation. That is why urgent action is needed. The present policy has structural defects which will lead to management and operational problems. My Bill will make a small contribution towards rectifying the situation.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bill Walker, Mr. Alan Haselhurst, Mr. Jack Aspinwall, Sir Hector Monro, Mr. Albert McQuarrie, Mr. David Lambie, Mr. Ernie Ross and Mr. Dennis Canavan.

AIR NAVIGATION ORDERS AMENDMENT

Mr. Bill Walker accordingly presented a Bill to make Air Navigation Orders subject to negative resolution procedure: And the same was read the First time; and ordered to be read a Second time upon Friday 6 June and to be printed. [Bill 152.]

Orders of the Day

Public Order Bill

As amended (in the Standing Committee), considered.

New Clause 1

OFFENCES OF HARASSMENT, ALARM OR DISTRESS

'(1) A person is guilty of an offence if:

(a) he uses words which are threatening, abusive or insulting or behaviour which is threatening, abusive, insulting or disorderly, and

(b) those words or that behaviour cause harassment, alarm or distress to another person, or

(c) such words or behaviour are likely to harass, alarm or distress another person.

(2) Offences under this section may be committed in private as well as in public places, but a person using words or behaviour inside a dwelling does not commit such an offence unless the use is likely to cause harassment, alarm or distress to persons outside that and any other dwelling.

(3) In subsection (2) "dwelling" has the same meaning as in section 4(2).

(4) It is a defence for the accused to prove that his conduct was reasonable in the circumstances.

(5) A constable may arrest without warrant anyone he finds committing an offence under this section.

(6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) A person is guilty of an offence under this section only if he uses words which are threatening, abusive or insulting or behaviour which is threatening, abusive, insulting or disorderly and he intends his words or behaviour to cause alarm, harassment or distress or is reckless as to the consequences of his words or behaviour.'.—*[Sir Eldon Griffiths.]*

Brought up, and read the First time.

4.30 pm

Sir Eldon Griffiths (Bury St. Edmunds): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take the following: Government amendment No. 12.

Government amendment No. 13, in clause 5, page 3, line 32 leave out from 'if' to end of line 7 on page 4 and insert

'he—

(a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or

(b) displays any writing, sign or other visible representation which is threatening, abusive or insulting,

within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby.

(2) An offence under this section may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the writing, sign or other visible representation is displayed, by a person inside a dwelling and the other person is also inside that or another dwelling.

(3) It is a defence for the accused to prove—

(a) that he had no reason to believe that there was any person within hearing or sight who was likely to be caused harassment, alarm or distress, or

(b) that he was inside a dwelling and had no reason to believe that the words or behaviour used, or the writing, sign or other visible representation displayed, would be heard or seen by a person outside that or any other dwelling, or

(c) that his conduct was reasonable.'.

and amendment *(a)* thereto, in line 6, at end insert—

'*(c)* causes a noise or noises which is or are likely to harass, alarm or distress another person and he has reason to believe that such noise or noises is or are likely to cause such harassment, alarm or distress.'.

Government amendments Nos. 15 to 17, and 19 and 22.

Sir Eldon Griffiths: The new clause and the amendments arise from the debris of the late and unlamented clause 5. The Police Federation said:

"Clause 5 we regard in its present form as a legislative nightmare. We do not regard it as practicable in its present form and its present potential to do that which it is apparently intended to do is close to nil."

When I arrived somewhat late in Committee, I was delighted to hear the right hon. Member for Manchester, Gorton (Mr. Kaufman) quoting those wise words. Although I would never accuse him of being a born again Christian, I was delighted to find that, in the intervening period between consideration of the Police and Criminal Evidence Bill and the consideration of this legislation, he had come a long way towards accepting at least the occasional wisdom of the police service. I welcome the right hon. Gentleman to the group of supporters of the Police Federation and hope that he will long continue to adopt that posture.

It would be wrong to rehearse in detail my new clause 1, because the House will wish most to hear the Government's explanation of their amendments, which, broadly speaking, traverse the same territory as the new clause. In the interests of starting this long Report stage at a good pace, the best thing that I can do is to allow my hon. Friend the Minister of State, Home Office to explain the Government's amendments.

Clauses 4 and 5, with which this series of amendments deal, are among the most important in the Bill. For a long time we have been conscious of the threat to our people from violent crimes — for example, rape, burglary, vandalism and assaults. We have been less conscious of that which affects large numbers of ordinary people but rarely gets into the headlines — the insults and harassment which distress the elderly, the poor and the lonely in the neighbourhoods of our cities, especially in high-rise buildings. Too often such crimes and harassment are ignored by the media. They are rarely tackled in the House because they do not have the political sex appeal of the larger crimes. The House will be going to the rescue of a large number of ordinary people if it passes the amendments.

We should be concerned primarily with the victims— the elderly, the pregnant women wheeling their prams in areas where they are set upon by hooligans, the black people in white neighbourhoods and, sometimes, the white

[Sir Eldon Griffiths]

people in black neighbourhoods, who are confronted by gangs of youngsters who behave in a fashion with which we must deal.

I am glad that the Government's amendments, with the Opposition's support, have included the offensive literature, signs and other graffiti that can be used to cause distress and to harass.

I have just returned from Northern Ireland. I know, of course, that that region is not covered by the Bill. This morning I saw a sign which almost precisely illustrated the types of signs with which we should deal. After the petrol bombing of the homes of a large number of Northern Ireland police officers, especially three women police officers who were intimidated out of their flat by petrol bombs, signs were held up saying, in the language of the National Coal Board, "Go home to a nice warm fire. Join the RUC." By any measure that is insulting, but I am not certain that a court of law would necessarily, under the terms of the amendments, bring in a finding of guilty in such cases.

There is no doubt that the intention behind a sign which says, "Go home to a nice warm fire. Join the RUC" and which is held up in the neighbourhoods in which police officers live is crystal clear. Also crystal clear is the literature put out, I regret to say, by the GLC and some of the London boroughs in their attempts to insult, harass and cause distress to the police service.

I shall not argue the case for my new clause. I look forward instead to hearing the explanation of my hon. Friend the Minister of State of the Government's amendments, which more or less traverse the same ground as new clause 1.

Mr. Tony Marlow (Northampton, North): The greatest environmental nuisance from which our people suffer is noise caused by their fellow citizens. The law is inadequate. The police and environmental health officers believe that it is inadequate. Large numbers of people in the inner cities whose life is made hell by noise from their neighbours certainly know that the law is inadequate.

The environmental health officer who deals with all the problems of pollution would be able to tell us that the greatest number of complaints that he receives on pollution concern noise and noise nuisance. It is a striking fact that in the past two years the number of complaints concerning noise has increased by about 25 per cent. each year.

I should like to give two examples. I remember coming up to London one evening at 8 o'clock. I got out of my car and heard the noise of a pop concert. It was the loudest noise in the vicinity. If I had tried to talk to someone on the street, I would have found it difficult because of the noise. I found out later that the pop concert was a third of a mile away from where I was standing. There must have been 250,000 people within earshot of that din. The concert had started at half-past 2 in the afternoon. No doubt the police had received countless complaints. As my hon. Friend the Minister will know, the police could do nothing about it. There was, of course, always the possibility of going to the environmental health officer, but, because it was Lambeth, no such officer was on duty at that time. Of course, he could have done little about the problem.

My second example concerns a letter from Mr. Bailey, a constituent of the hon. Member for Leyton (Mr. Cohen). Mr. Bailey kindly sent me a copy of a letter that he sent to his Member of Parliament. The hon. Gentleman is not here, but I hope that he will not mind if I read a short extract. The letter stated:

"as I am writing this letter, there is music playing from a flat loud enough to drown the television in my own flat . . . The particular flat in question had a party last night . . . and after a sleepless night . . . at 7.30 the music was still blasting out. This was Sunday evening. On Saturday evening there were five all night parties, so that evening was sleepless. Last Wednesday the flat that is making the noise tonight had had another all night party . . . All this . . . takes place in one section, one of the quadrangles of the estate on which I live, to say nothing of the fact that there are also parties being organised in other sections . . .

These are not simply parties, a large number of them are paying businesses brought about by tickets being printed and issued in public houses . . . charges being made . . . the printed tickets advertise 'the blues party sounds' disco equipment, lights, DJs etc . . . Add to this you get a great movement of people wandering, running and shouting round the balconies, knocking doors at all hours, going from one party to another and back again, shouting across from one walkway to another at each other, bottles are broken on the walkways—milk bottles, wine bottles etc., walls are urinated on and to have to use the lifts in the morning is foul as you literally stand in pools of urine where the lifts are used as a public convenience.

The position at present is that all that can be done by the police is that they can ask for the noise to be turned down, but it rarely has any effect as they have no power to reinforce this. The environmental health officer can be informed though cannot be called out at the necessary times".

Mr. Bailey and the people who live near him, and the many thousands of other people in our inner cities, have a real problem to live with. It is time that we stopped tolerating the intolerant making life intolerable for many of our citizens.

As a result of the experience that I had with the pop concert, I wrote to my hon. Friend the Minister and asked what the Government could do about it. He kindly wrote back to me and said:

"Experience suggests that Part III of the Control of Pollution Act 1974 offers considerable scope for action against environmental noise . . . However, I agree that it does not always provide the perfect solution."

We are not looking for the perfect solution, but we are looking for a solution. The letter continued:

"There can be a problem where the objective is to stop the noise, rather than prevent recurrence".

I suggest to my hon. Friend that if he is in the vicinity of the noise he will find that it is a big problem. My hon. Friend's letter went on:

"successful action usually depends on the availability of the EHO to act during the night, during the holidays or at weekends and this unfortunately is not always possible. Enforcing a notice through the courts would, of course, take time."

I have just proved to my hon. Friend that that is a great underestimate and is a problem as well.

A number of local authorities are anxious to take action to deal with this problem, but many of them are less aggressive in their supervision of this issue. In that context, one has only to look at the local authority run by that seminal influence on the philosophy of the Labour party, Mr. Bernard Grant—Haringey—to answer the question about whether the law is effectively applied there. My hon. Friend said in his letter:

"the Public Order Bill currently before Parliament includes a provision for the creation of a new offence of disorderly conduct, which in certain circumstances could apply to the nuisance caused by noisy parties."

That is this Bill. I welcome that provision and regard it as an invitation to help to reinforce the Bill by bringing forward my amendment. I may well seek to press it to a Division, but we shall see how we go.

A short article was published not long ago in *Environmental Health*. Opposition Members may be every bit as interested in that article as are Government Members, because many of their constituents suffer the same problem. The article stated:

"Early in 1983 the London Borough of Waltham Forest received a complaint about noise nuisance being caused by loud music, live and recorded, being played by a young couple (with two children and pregnant with a third), in a tower block. The nuisance was confirmed by an environmental health officer and despite verbal warnings it continued. In August"—

hon. Members should bear in mind that the nuisance started early in 1983—

"a Section 58 notice was served on them both. Ten days later a contravention was witnessed by an environmental health officer. Legal proceedings were instituted and came to Court on the 8th November."

The section 58 notice was served in August and legal proceedings did not come to court until 8 November. The article continued:

"The case was adjourned and there followed two more adjournments. The music at this time was still continuing to such an extent that one complainant took his family into bed and breadfast accommodation and another slept on a park bench.

The Council then decided to seek an injunction which was granted on the 19th December. On the 23rd December the Section 58 case came to Court and the defendants were found guilty, and each fined £200 with £100 costs.

They appealed against conviction and sentence but failed to attend the Crown Court hearing in May 1984."

—the original nuisance having started well over a year before—

"In July the music started again, intermittently at first but then more persistently. On the 1st October a warning letter was sent and apparently ignored. The Council then reluctantly took action under the injunction and on the 4th December 1984"—

nearly two years after the original offence—

"the case appeared in the High Court.

The Judge found in the Council's favour but due to the now three children did not sentence the woman defendant. The man, however, was given 7 days imprisonment, suspended for 3 months. The Judge further ordered that the music should never again be a nuisance and after 10 pm should not even be audible anywhere outside their flat."

I wonder whether the people have had even that success. That was two years of hell for all the people living in that neighbourhood and that was all that could be done under the law as it exists.

My hon. Friend is bringing forward his amendment which will make it an offence if anybody indulges in disorderly behaviour

"within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby."

If such an offence occurs, a police constable will be able to ask the offender to desist and, if noise is the offence, to turn down the noise. If the offender does not do so, in the final event arrest will ensue. We need to know whether this will apply if a noise case is taken to court. Will the court interpret my hon. Friend's amendment as applying to noise?

4.45 pm

We are anxious to know whether the law is wide enough and whether it can be applied. Many of the people who suffer are the weak, like the little old lady who has to put up with this din week in and week out. Under the present law, if the case is taken to court, the probability is that such a lady will have to go to court and testify. I ask the House to think of the potential harassment, victimisation and intimidation she would have to consider. She would not go to court because it would not be worth her life to do so. To go to court is not a realistic alternative for her.

Mr. Jerry Hayes (Harlow): My hon. Friend is right, but does he agree that the problem is even worse than he has outlined? There is a civil remedy, but no legal aid is available for those who take that sort of action. Because of the time-wasting tactics in such a case, the person that my hon. Friend describes would find herself with enormous court bills and no remedy at the end of the day.

Mr. Marlow: My hon. Friend is an expert in these matters, and I accept his advice. That is the reality of the problem, and the experience of many unfortunate people has taught them that they have no real remedy.

I look forward to what my hon. Friend the Minister has to say about his amendment. Will it remedy the situation? My amendment seeks to give the police powers which will be sensibly used, because the police are always cognisant of the overall necessity of maintaining public order. If this nuisance occurs and many people in the neighbourhood complain, the police will be empowered to go and tell the offender to desist. If he does not desist, the police will be able to take further action. Short of such powers, I do not know how we are to rid our neighbourhoods of this nuisance. I am sure that my hon. Friend will look at the matter as carefully as he can and, hopefully, will see what the Government can do to help.

Mrs. Elaine Kellett-Bowman (Lancaster): I am slightly puzzled by the part of Government amendment No. 12 which reads:

"except that no offence is committed where the words or behaviour are used, or the writing, sign or other visible representation is distributed or displayed, by a person inside a dwelling and the other person is also inside that or another dwelling.'."

However, having seen such an incident once, a passerby would be less likely to do anything or become annoyed than someone in a house across the road who must look at an offending sign day in and day out. I should like to know why the amendment has been so worded.

Sir Geoffrey Finsberg (Hampstead and Highgate): I support amendment *(a)* in the name of my hon. Friend the Member for Northampton, North (Mr. Marlow) to Government amendment No. 13. He has hit on an issue important to those of us who represent inner-city constituencies. Not a surgery of mine passes by without someone complaining about noise nuisance from above them or to the side of them. Such noise arises from parties of various kinds and ranges from guitars to bongo drums, all of which causes immense unhappiness. I suggested that such occurrences are not the everyday life of parliamentary draftsmen or Ministers' advisers. Consequently, they may not realise the problems faced by ordinary people who live in blocks of flats in inner cities.

The Minister is a robust Yorkshireman who comes from a part of the world that used to provide superb cricketers. He is therefore able to knock odd advice away from him and to say, "They may be right in detail, but I want this done. Find a form of words that will do it." I am sure that that is the wish of my hon. Friend the Member for Northampton, North, whose amendment I was delighted to sign, and that is what I certainly want. I do not want to be told, "We think that it is covered by the Bill, but it will

[Sir Geoffrey Finsberg]

have to be tested in the courts." We do not want to be told, "It is rather difficult and we are not sure whether it can be done."

When my hon. Friend the Member for Northampton, North said that he might have to force this issue to a Division, there was laughter from the Opposition Front Bench. I do not find this a funny matter, nor do my constituents who have come to me with very real problems and who have been unable to sleep for weekend after weekend.

I do not expect the Minister to say that he accepts the amendment, because I know that no drafting by Back Benchers ever satisfies the rigid criteria of parliamentary draftsmen—and understandably so. I hope that he will accept that there is a real problem in this regard and say that if the amendment is not pressed he will return at a later stage with a form of wording that will cover the important issues that we are seeking to raise.

I hope that the Minister will understand that this is one of the two most frustrating types of case with which we must deal. At present we cannot help people. We can tell them to use the byelaws and to get three people to sign, but then those who have signed are subjected to unpleasant threats.

There is a case in my constituency at present of people who have done immense service for charity in London and overseas. One is now sick with heart trouble. The council moved those people to a quiet flat, but they are being harassed by a group of young 12-year-olds who constantly skateboard outside, thus making it difficult for them to sleep. When the woman remonstrates gently—and she is a gentle woman — with some of the parents, she is verbally harassed and told to mind her own business. That was not the phrase that was used, but I doubt whether the House would wish to hear the filthy language that exists even in Hampstead. The following night, until dusk, these skateboarding youngsters made life for my constituents utter hell.

That is also a form of noise, and while it may not be possible to bring it within the scope of the amendment suggested by my hon. Friend the Member for Northampton, North, it illustrates the point that a citizen should not be obliged to get the support of other citizens who are then exposed to the verbal harassment and intimidation that might follow.

The intervention of the police under reasonable circumstances would be a more pleasant way of proceeding for the innocent victims of extremely unpleasant circumstances. I therefore hope that the Minister will be able to give some comfort to our constituents who are so disturbed by all this.

The Minister of State, Home Office (Mr. Giles Shaw): In responding to my hon. Friends, I wish also to speak to the Government amendments that have been grouped with the new clause. I thank my hon. Friend the Member for Bury St. Edmunds (Sir E. Griffiths) for having the generosity to move his new clause in such a rapid and courteous way. I shall attempt to deal with the subject of the new clause in my comments on the Government's amendments.

My hon. Friend the Member for Lancaster (Mrs. Kellett-Bowman) asked about the purpose of amendment No. 12. That relates to clause 4, which replaces the existing offence of threatening behaviour in section 5 of the Public Order Act. Although the amendments propose a complete redraft of sections 1 and 2, they contain only two changes. The first was a point put to us by the police to reformulate the test of conduct likely to cause a breach of the peace, and clause 4 specifies parties to the conduct. However, in making the offence more specific, we unintentionally lost some of the conduct currently caught by section 5. In particular, clause 4 would not catch the situation where the defendant used threats towards one person in a way that was likely to provoke a violent response by someone else — for example, the victim's parent or spouse.

There was doubt whether certain other triangular conflicts would be covered. Amendment No. 12 puts this beyond doubt by inserting "or another" in the appropriate place in clause 4(1). In this respect it brings it into line with section 5 of the Public Order Act. That is why the amendment is so drafted.

Sir Eldon Griffiths: In my new clause and in the Government amendment, the offence is not committed where one person is inside a building and the other person is inside that or another dwelling. The problem is that if two flats are adjacent to each other and a vile notice in the window is visible to a person living in an adjoining flat, the other person is aggravated, annoyed, harassed and insulted, but the police can do nothing about it because the person who is harassed is in another dwelling.

Mr. Shaw: My hon. Friend will recall that in Committee we spent a substantial time discussing the extent to which the offence should extend to individuals within private dwellings. He will also be aware that the other part of our amendment refers to the display or writing of visible representation

"which is threatening, abusive or insulting."

We made it quite clear that that does not have the same impact as words or behaviour outside. My hon. Friend is therefore right to say that in this case we are constrained by the privacy of separate homes. He will recall that if a person made an insulting remark or displayed a sign for the benefit of outsiders, that would be covered. But it would not be covered if it was within the same private dwelling. If that does not satisfy my hon. Friend, I shall take the matter up separately with him.

The main amendment is No. 13, which reflects the redrafting to clause 5. There are three changes of substance to which I should draw attention. Much the most important is the introduction of a victim. We said in Committee that we hoped to introduce such a requirement, but without going so far that the victim would be required to give evidence in every case. Some doubt was expressed as to whether we could square the circle in that way, but we believe that we have managed to do that by importing into clause 5(1) the additional requirement that the defendant's behaviour should be within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby.

5 pm

The victim need not be someone who was alarmed, harassed or distressed, but someone who saw or heard the defendant's conduct and was likely to be alarmed by it. The prosecution will not necessarily have to produce the victim in court, but it will have to identify in each case who it was who was likely to be alarmed and so on. The

court's mind will thus be concentrated on the impact, or likely impact, of the defendant's behaviour on those who were around at that time.

Mr. Alex Carlile (Montgomery): I well understand the basis upon which the changes have been made, and, of course, I welcome the concessions that have been made, but does the hon. Gentleman agree that the form of the amendment dealing with the likelihood of someone being affected is yet another example of the law paying slavish adherence to the hearsay rule? Does he not think that it is high time that the hearsay rule was re-examined in respect of offences such as this? Does he not think that it would have been far better to require there to be somebody who was actually harassed, alarmed or distressed, but to permit hearsay evidence to be given in court as to the fact that that person had been harassed, alarmed or distressed? I make the suggestion particularly in the light of the White Paper on criminal justice which was recently published in which the Government appear to accept the principle that we must re-examine the hearsay rule to see whether we need to adhere to it as tightly as we have.

Mr. Shaw: The hon. and learned Gentleman would have witnessed, if he had been a member of the Standing Committee, the substantial discussions that took place on how far we should go to provide an offence which would protect although it would identify those persons on whom a mischief was committed and which did not require such persons to face the defendant. The Committee was also concerned about the court relying solely on the evidence of the arresting officer or the officer bringing the charge.

The points made that convinced us that we were going in the right direction were, firstly, that there was a real need to protect the vulnerable members of society and not to require, in every case, the victims to be produced in court. We believed equally that it was necessary to remove as far as possible the accusation that there was a revival of the sus law and that it was not simply a matter of hearsay or suspicion. We believe that we have gone some way in the drafting of this amendment to achieving those aims.

Where an offence is committed a person must be within sight or hearing whom the officer can claim would have been likely to have been harassed, alarmed or distressed. The amendment still provides for more direct evidence to be produced, but if we are to protect the vulnerable from giving evidence in cases involving disorderly conduct from young hooligans we would not want that to happen in every case.

The victim must certainly be proved to be someone who had been alarmed, harassed or distressed or that the defendant's conduct was at least likely to alarm. The prosecution will not necessarily have to produce the victim, though it must identify who it was who was likely to be alarmed or distressed. In that way, the amendment will have the desired effect.

It is not enough for magistrates to feel that the person would have been alarmed or distressed, or that someone might have been so if present at the scene. They must ascertain who was there and whether that person was likely to be alarmed, harassed or distressed by the defendant's conduct. We believe that that is an important new safeguard which should help to quell any remaining fears that the disorderly conduct provision is a revival of sus.

The next change that we have made to clause 5(1) has been to delete the requirement that the defendant must have reasonable cause to believe that his words or behaviour are likely to cause alarm, harassment or distress. That reflected the views expressed in Committee that we wanted to provide a defence for the defendant who was not aware and had no reason to be aware that his behaviour was likely to cause alarm and so on and that this safeguard might perhaps be achieved by reinserting "reasonable grounds to believe" as a defence. Clause 5(3)*(a)* of the amendment does that by providing a defence that the defendant had no reasonable cause to believe that anyone was likely to be alarmed, harassed or distressed by his behaviour. Clause 5(3)*(b)* provides a similar defence for a defendant inside a dwelling.

Finally, amendment No. 13 deals with a consequential amendment to clause 5 flowing from the deletion of clause 8(5). We initially considered an amendment similar to that I described earlier to clause 4 which would have brought within the offence the distribution or display of any writing and so on. However, if clause 5 were recast to catch the distribution of written matter, letters would come within its scope. That would go potentially very wide if the offence extended to all insulting or abusive correspondence which was likely to alarm, harass or distress. It would cut across the work on poison pen letters currently being done by the Law Commission. For that reason we decided to restrict clause 5 to the display of any writing, sign and so on.

Amendments Nos. 15, 16, 17 and 19 are minor and consequential amendments to the amendment I have been discussing. The amendment moved by my hon. Friend the Member for Northampton, North (Mr. Marlow) draws attention to a very distressing position which he amplified in the examples he gave. It is his intention that we should add a new sub-paragraph to clause 5(1) which specifically penalises the causing of noise which is likely to harass, alarm or distress another person. I must tell my hon. Friend that we cannot accept his amendment as it stands because we have now deleted from the offence the phrase "reasonable cause to believe". However, I hope that I might persuade him that at least some of the examples that he has cited would be covered by the offence that we have revised. In introducing a requirement of a victim we deliberately provided that it should be someone within hearing or sight of the defendant so that noise alone is not excluded from disorderly conduct. Blowing whistles, banging dustbin lids and shouting obscenities would all come within the scope of the offence, as would some of the examples given by my hon. Friend the Member for Northampton, North as they are examples of disorderly behaviour. Using insulting or abusive words likely to cause alarm, harassment or distress will also come within the scope of the offence.

Disorderly conduct may well be appropriate to prosecute people who use noise to harass others, but it would still have to be proved to the satisfaction of the court that that was the intention of the use of the noise, or that the person was simply paying no heed to the consequences of using excessive noise in the street. Where there is persistent noise nuisance a special procedure under the Control of Pollution Act 1974 may well be appropriate and may well be a more appropriate channel to follow.

My hon. Friend the Member for Northampton, North drew particular attention to the problem caused by long and noisy parties which remain a persistent nuisance and cause distress and harassment to other residents in the area. Section 58 of the Control of Pollution Act 1974 enables

[Mr. Shaw]

an officer of the local authority to serve a notice on the person causing the noise. My hon. Friend is well aware of the responsibilities which lie in those areas. If the recipient fails to comply with the notice, criminal proceedings may be instituted, although I accept that that does not bring swift satisfaction.

My hon. Friend must realise that if the new powers are not sufficient we must look again at the position to ensure that we have available the primary powers to deal with the nuisance caused by constant music noise. That power will be found within the Control of Pollution Act; music noise is not, of itself, disorderly conduct.

Of course, this is the first time that we have discussed this issue in the Bill. I therefore tell my hon. Friend that I am persuaded from what he has said that we should take more time to examine the problem and perhaps to enter into discussions with the police about it so that we do not take precipitate action. If my hon. Friend can supply me with further examples of the kind of problems he has addressed in his remarks and if there are gaps in the law, we shall see what we can do to fill them.

However, the extension of clause 5 in the way proposed by my hon. Friend's amendment will not help to ease the distress felt by neighbours as a result of noisy parties. I shall want to examine that point further and, as the Bill proceeds, we may wish to come back to that matter. I would be grateful to have the assistance of further examples from my hon. Friend or from my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg), and I shall enter into discussions with the police on those issues.

In the light of those assurances, I hope that my hon. Friend the Member for Bury St. Edmunds will withdraw his clause and allow us to examine the procedure further.

Mr. Chris Smith (Islington, South and Finsbury): Amendment No. 13 is a major improvement. We welcome the steps which the Government have taken to change the clause in the course of redrafting. However, we still have a number of doubts.

My right hon. and hon. Friends know only too well from everyday experience the difficulties which face many people, particularly in inner city areas, as a result of people who gather in some numbers and cause harassment, alarm or distress. On some of the council estates in my constituency youngsters gather at the bottom of staircases, around blocks or in dark corners and make a considerable amount of noise, frequently late into the evening. Many people, particularly single elderly people living on their own, go in some considerable fear of the activities of such people.

The answer to that problem lies in good sensible practical policing. Again, there are examples to be found in my constituency of tenants sitting down with council officers, counsellors and the local police to work out a programme of action to improve the physical fabric of such estates in order to reduce the opportunities for such gatherings and to discuss with the police how to patrol and deal with such action. In the cases where that solution has been tried it has worked and there has been much improvement.

The major practical response to such problems and difficulties, which all of us recognise exist, certainly all of us who represent inner city areas, must lie in improvements to the fabric of our neighbourhoods and estates and in good sensible patrolling by police officers on the beat who know their local patch and the local people.

Sir Geoffrey Finsberg: The hon. Gentleman is describing a situation that we all know. Does he agree that, in addition to what he has said, it would also be helpful to allow the police on to the estates, where they can be of direct assistance to the people living there?

Mr. Smith: I would certainly agree that beat policing by police officers on council estates, and indeed in council blocks, is to be welcomed. In my area the local authority has issued a standing invitation to the police to do so. I particularly welcome close and careful discussion between tenants, the council which owns the property and the police to ensure that concerted action is taken to deal with such problems.

We still have some disquiet about amendment No. 13 and the new offence of disorderly conduct which the Government have brought forward in response to the acknowledged difficulty. First and foremost, we welcome the fact that the Government wish to include the presence of a potential victim. I stress the word "potential" because the amendment does not make the presence of a victim a necessity. Opposition Members would have preferred to see an actual victim and actual distress and harm having been caused for an offence to be committed. Indeed, we would have welcomed the suggestion made by the hon. and learned Member for Montgomery (Mr. Carlile) about the kind of evidence that might well be permissible in order to prove that actual harm, distress or alarm was caused.

5.15 pm

Let me give one obvious example. If, on a council estate, an elderly tenant went in fear because of a gathering of youngsters and fear was caused, but the elderly tenant was reluctant, for understandable reasons, to give evidence in court, it should surely be possible, for example, for the tenants association on that estate to give evidence on that person's behalf. That would be a sensible way to approach the matter. However, the Government have come up with the formula of the presence of a person having to be demonstrated, but that the distress, alarm or harassment must simply be likely to be caused, rather than actually caused. We are worried about that, because it leaves us with a hypothetical action being the subject of an offence, rather than an actual action being the subject of an offence.

Secondly, we are worried that the Government have not seen fit to include, as they would have done if they had followed the advice of their own White Paper, the word "substantial" as a clarifying definition in the nature of the offence of causing harassment, alarm or distress. It would have brought back a distinction between inconvenience being caused and fear being generated, which is the nub of the problem in attempting to define an offence of this kind. We should have preferred to see the word "substantial".

Thirdly, we are worried that the burden of proof appears to have been changed in the amendment—the change which the Minister described — from the prosecution having to prove that someone had reasonable cause to believe that the use of the words or behaviour was likely to harass, alarm or distress, to the defendant having

to prove that he had no reason so to believe. That changes the burden of proof from the prosecution to the defence, and we are worried about the impact of that.

Those are our three major concerns about the clause as it would stand if the amendment were accepted. We are even more deeply worried about amendment *(a)* to the proposed amendment No. 13. We would not wish to see this amendment accepted, and we warn the Minister against too ready an ear being given by him to his Back Benchers. We are especially worried about the difficulty of definition. All of us who represent inner city areas, where people live close together, accept and acknowledge that there is a noise problem. However, we do not believe that inserting noise into the list of potential offences in the clause would present a solution to that problem.

Mr. Marlow: I understand what the hon. Gentleman says. Does he agree that action of some sort needs to be taken to reinforce the law with regard to the noise nuisance which he has been discussing?

Mr. Smith: If the hon. Gentleman will wait a moment, I shall answer his point. It is difficult to distinguish between the noise which is an inconvenience to others but which would not, in all reasonableness, be described as a criminal offence, and the noise which, because of its loudness, persistence and close proximity to others, should become subject to the criminal law. We are worried because, if the hon. Gentleman's amendment were accepted, it would be difficult for the courts to know where to draw the line.

Mrs. Kellett-Bowman: Does the hon. Gentleman agree that the amendment might have a deterrent effect if it were put on the statute book? People might think twice before acting in such an inconsiderate manner.

Mr. Smith: I am always doubtful about legislating for reasons other than to create an offence. It is not sensible to legislate to give messages to the general public. However, action can be taken, and I would welcome any moves to make a civil proceeding on issues of noise easier for the public to undertake. At present, it is a daunting and difficult process for ordinary members of the public to undertake.

Mr. Marlow: If there is a robust group of young people who consistently make a lot of loud noise, and if there is an elderly, relatively defenceless citizen in proximity who is persistently and consistently abused by this noise, how can the hon. Gentleman suggest that it would be possible to take a civil remedy? How could that person, with all the potential intimidation that would be present, pursue a civil case through the courts——

Mrs. Kellett-Bowman: And the expense.

Mr. Marlow: —let alone the expense.

Mr. Smith: Many suggestions could be made, including making it much easier to use the local authority environmental health service to assist in such action. The Opposition would prefer such a procedure to be examined, rather than the Government seeking to put a sweeping power on to the statute book which could be open to wide misinterpretation.

The Opposition would also say — this is a crucial matter — that it is much better to endeavour to prevent such distress, alarm and noise from taking place than to attempt to create offences after the event. We must enable local authorities to improve the standards of their estates and neighbourhoods. We should pursue that route vigorously.

Sir Geoffrey Finsberg: The hon. Gentleman has tried to find a way through a difficult problem. Does he accept that the majority of environmental health authorities are open only during normal working hours and that much of the trouble occurs outside those hours? Does he also accept that much of the noise nuisance occurs in purpose-built blocks of council flats which have not been affected by a lack of money for maintenance? Even if they were superbly improved as the hon. Gentleman wishes, doors and windows would unfortunately still be left open and the noise would pour out. Does he accept that changing the civil law to make it easier and quicker to obtain redress will not help those whom he and I wish to help?

Mr. Smith: I did not wish to turn this into a party political debate, but it grieves me to hear a Member who supports a Government who have withdrawn rate support grant from local authorities and rate capped authorities in inner cities say that environmental health offices are not open for long enough, and that environmental health officers are not available in sufficient numbers or at the right times to assist tenants in such circumstances.

Sir Geoffrey Finsberg: They never have been.

Mr. Smith: It also grieves me to hear from a Member who supports a Government who have cut housing investment allocations to local authorities by two thirds during the past seven years that there are problems in the standards of construction and maintenance on council estates.

Mrs. Kellett-Bowman: The hon. Gentleman is straying from the Bill.

Mr. Smith: I am not straying from the Bill. I am identifying a major problem in the prevention of crime, and the distress, alarm and harassment caused to individuals who live in inadequate accommodation.

Mrs. Kellett-Bowman: We are talking about windows being open.

Mr. Smith: That is a major problem, and cuts in resources available to local authorities are a major cause of that problem.

We are considerably worried about some aspects of the Government's amendment. We are especially worried about the absence of a victim, and the fact that the victim need only be a potential or likely victim. Some aspects of the offence are similar to the sus law, which is bad for those who must be protected from such behaviour and bad for the police.

Although the Opposition have that major reservation, we shall not divide the House on the amendment, because major advances have been made on the original clause in the Bill that we debated on Second Reading. We are worried that the delicate balance between protecting the peace and quiet of individual citizens and protecting the civil liberties of other citizens, which the Bill is all about, has not yet been struck by the Government. Despite our worries, we welcome the improvements which were won in Committee and which the Government have introduced in the amendment.

Mr. Robert Maclennan (Caithness and Sutherland): I welcome the Government's attempt to meet what was

[Mr. Robert Maclennan]

undoubtedly the most serious matter debated in Committee on clause 5 and its ambit. The Minister will agree that no issue exercised more hon. Members from different parties. It was recognised that the Government's Bill was quite out of line with their own White Paper and that the new offence which was being created would not require the presence of a victim or that the victim should have suffered serious harassment, alarm or distress. The Government have made an important amendment, broadly in line with what the Minister promised in Committee. He has, therefore, made a measurable improvement to the Bill.

I still have doubts as to whether the Minister has wholly squared the circle, as I think he put it in Committee, in that I suppose it will still be necessary to demonstrate by evidence that there was such a victim. That will place upon the police some requirement to prove that there was somebody there and that the somebody was not just a figment of an overheated imagination. So the presence of the victim in court may on occasion be a necessary part of the process of obtaining a conviction under the clause as amended. I am bound to say that I do not think that it is necessarily a bad thing. There will be many cases where evidence of this kind which obtains convictions will act as a strong deterrent to behaviour of the kind that the clause is designed to catch.

5.30 pm

Sir Eldon Griffiths: The hon. Gentleman has a very good point. I am sure that he will accept that where the police can find a suitable person to come forward, a robust person who is not likely to be intimated by others, they will wish to produce such a person to the court. The point that we are really getting at here is that some people are fearful of the consequences of giving evidence. That is the heart of the matter.

Mr. Maclennan: That is right. That is why the Minister was sensitive to the need to try to avoid a situation in which a conviction could not be obtained without the evidence of the victim. The Minister has made an appreciable move. I welcome it, and I do not propose to seek to divide the House on the amendment.

Mr. William Cash (Stafford): Having had experience of a peace convoy and its activities in and around my constituency in Stafford, where a considerable amount of alarm was caused to the local community and to individuals, I strongly welcome this amendment, which has been given careful consideration by the Government. I am sure that the chief constable of Staffordshire, who has helped to work out proposals which would enable these measures to go through, will be equally pleased, as will my constituents.

Sir Eldon Griffiths: It falls to me now to propose whether new clause 1 be pressed. Perhaps I can comment very briefly on what my hon. Friend has had to say.

I cannot see that the Government's amendments are vastly better than new clause 1, but I accept, of course, that, with the benefit of parliamentary counsel, which was not available to the Police Federation when I drafted new clause 1, the Minister is likely to be better advised.

I was for my sins chairman of the Noise Council while Minister at the Department of the Environment, a task that I think my hon. Friend took on himself somewhat later. I also drafted, or was the Minister responsible for drafting, much of the Control of Pollution Act 1974, carried through by the successor Government when we lost office. I am conscious of the limitations that it imposes on those who wish to bring actions for noise nuisance. I subsequently became president of the Association of Environmental Health Inspectors and discussed with its members on many occasions their difficulty in enforcing that law. My hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) was quite right in saying that it is sometimes very difficult to find an environmental health inspector on a Saturday evening when much of the nuisance occurs.

There is a problem here, and my hon. Friend the Minister genuinely accepted it. I understood the reservation expressed from the Opposition Front Bench about it. I would have thought, however, that at least in some cases the phrase "disorderly behaviour within the hearing"—the words in this clause—would catch at least some of the worst forms of musical noise that are persistently directed at people and cause distress.

I hope that my hon. Friend will look into the matter seriously. I think that I can say that the police service will be anxious to co-operate with him, because one is conscious of the fact that there is unlikely to be legislation of this scope again for some years. We might as well deal with it now as wait for what could be a decade or more to have another vehicle as apt as this one to tackle the problem. So I hope that my hon. Friend will press on seriously with his consultations with the police to see if he can produce a solution before the Bill goes to another place.

Mr. Hayes: Will my hon. Friend agree that the very last thing that the police—or, for that matter, the public—want is for the police to be embroiled in neighbours' disputes and that this is to be avoided at all costs?

Sir Eldon Griffiths: I was going to say that at the end of my remarks but my hon. Friend allows me to say it now. The police dislike being dragged into arguments about whether music is noise or music. Some may think that Beethoven is noise; others may think that bop is noise. There is a problem here, and definition is a tricky matter. However, it may be possible for the Minister to come up with some solution before the Bill concludes its processes through the House.

I have one technical point to make to my hon. Friend in respect of Government amendment No. 12. He sought to deal with my intervention and that of my hon. Friend the Member for Lancaster (Mrs. Kellett-Bowman). May I try again to explain what is bothering us? If I were to put up in my back window a most offensive notice which was provocative to my immediate neighbour looking through his back window, that could certainly qualify as behaviour which was caught by this clause.

The note that my hon. Friend very courteously passed to my hon. Friend the Member for Lancaster and me contained the advice that all the affronted person had to do was to step outside his house. Then, if he could see the notice displayed in his neighbour's window, the offence would have been created. Alas, with back-to-back houses, particularly when one is ten storeys up, if I were to step outside my house in such a fashion as to be able to see that offensive notice, I would immediately fall a considerable distance and break my neck in the process. The only way

that I can step outside is through my front door, and from my front door, by definition, I cannot see what is visible through my back window.

This is a simple practical problem. I know that my hon. Friend, in his diligent manner, will address it, and I look forward to his taking care of it in another place.

The Government have the balance right between not reintroducing sus and avoiding the practical problems of the police being unable in all circumstances to provide a victim who is willing to come to court. It is because I think that the Government have the balance right that I beg to ask leave to withdraw the new clause in favour of the amendment of the Government.

Motion and clause, by leave, withdrawn.

Mr. Marlow: May I say a few words on my amendment, Mr. Deputy Speaker?

Mr. Deputy Speaker: No. We will come to the hon. Member's amendment in due course. We have already discussed it.

New Clause 3

ABUSE OF UNION FLAGS

'Any person who uses the union flag in any procession or demonstration the purpose of which is to stir up hatred against a racial group in Great Britain or at which such hatred is likely to be stirred up shall be guilty of an offence.'. — *[Mr. Lawrence.]*

Brought up, and read the First time.

Mr. Ivan Lawrence (Burton): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 28, in clause 12, in page 8, line 4, at end insert

'or if its intention is to incite racial hatred'.

Mr. Lawrence: The name of the hon. and learned Member for Leicester, West (Mr. Janner) ought also to appear as supporting new clause 3, but by a printing error his name appears on the marshalled list as supporting amendment No. 1.

One of the most pernicious and objectionable kinds of public disorder that is too often perpetrated today is public disorder connected with racial hatred. This is particularly objectionable, because in our multiracial society an increasing number of people who come from races not indigenous to the United Kingdom are easly offended, hurt and distressed by manifestations of this kind. It is to deal with that matter that part III of the Bill has been particularly and importantly created. It deals with a whole range of despicable offences that cause racial hatred.

One of the most sickening and offensive manifestations of racial hatred is when the National Front and its satellite organisations march through the streets carrying the Union flag, as though the people of Great Britain approve of that kind of racialism, or any racialism, as though the people who gallantly fought under the Union flag in the second world war against fascism have relented of their activity and now favour what some of them laid down their lives to oppose.

It is difficult to think of a more insulting abuse of decent society than to have racially hateful processions being swathed in the honour and dignity of the Union flag. In order to avoid the kind of distress that is caused not only to racial minorities but to every decent citizen in this country, it is necessary to take more action than is available under part III of the Bill. Unfortunately, we do not seem now to respect the flag, or to encourage respect for it, as we ought to do. Those of us who have the privilege from time to time of going to the United States cannot help but notice that every office of state and that every office of public administration has, by the desk, the United States flag. Hardly any activity of a public kind in the United States takes place without some reference to, or some prayer directed to, their union flag.

Sir Eldon Griffiths: They do not have a queen.

Mr. Lawrence: My hon. Friend points out that they do not have a queen, but makes the fact that we do not have such respect even worse because, in a sense, the Union flag is an embodiment of the monarchy and a manifestation of the monarchy, for which we in this country have so much respect.

As long as there is no special provision to deal with abuse of the flag, such abuse will continue. So will the dissatisfaction and distress of decent British citizens and racial minorities whom we in this place have to protect. As long as no offence arises from such abuse, distress will needlessly be caused. My amendment will remedy that defect in our law. It will encourage respect for the Union flag. It will restore some degree of decency to political demonstrations, which we must, of course, tolerate and perhaps encourage in this country, but which often get out of hand.

Manifestations of public disorder are dealt with elsewhere in the Bill. A provision that specifically makes it an offence to abuse the Union flag will have the additional virtue of weakening the public persona of that most repulsive of all political groups, the National Front, and its satellite organisations.

5.45 pm

As for amendment No. 28, under the Bill, conditions on public processions can be imposed by a senior police officer in certain circumstances. He can do so if he reasonably believes, first, that a procession may result in serious public disorder; secondly, if it may result in serious damage to property; thirdly, if it will cause serious disruption to the life of the community; and, fourthly, where the purpose of the organisers is the intimidation of others. That is all very praiseworthy and welcome, and I sure that all right hon. and hon. Members will support provisions that deal with matters of that kind, but my complaint is that the line has been unnecessarily drawn at that point.

Where the purpose of the organisers is the intimidation of others, it is most sensible that a limitation should be placed upon processions, in certain circumstances, by senior police officers but, alas, that restriction is limited to two kinds: intimidation that compels somebody not to do something that he has a right to do, such as going to work, and intimidation that compels others to do something that they have a right not to do, such as not to go to work. However, the amendment does not deal with intimidation for the purposes of inciting racial hatred, which is a particularly unpleasant form of intimidation. Why is it not dealt with? Racial hatred is dealt with in part III of the Bill. Racially insulting matter may not be published or distributed, or possessed with a view to publication, and words or gestures that are racially hurtful may not be used in a public place. However, one cannot

[Mr. Lawrence]

stop a procession or impose conditions upon a procession whose purpose is to incite racial hatred. That is quite an important and glaring hole in the Bill.

Mr. Derek Spencer (Leicester, South): Is my hon. and learned Friend aware that on two occasions during the 1970s under the existing law conditions were attached to marches of the National Front through the Highfields area, an area where many Asian people live? Under the existing law, therefore, there is a measure of control that will be extended by the Bill. Does my hon. and learned Friend think that that is sufficient, or would he go even further?

Mr. Lawrence: I am pleased to hear from my hon. and learned Friend that from time to time such a limitation is indeed imposed. Clause 12 either consolidates and clarifies the existing law, which is one of the purposes of the Bill, or it adds something to the existing law. It contains no mention of the very power to which my hon. and learned Friend has referred. If there is no mention in this consolidating, explanatory and extending measure of a power that already exists, it might be taken that that power no longer exists. That seems to me to present some kind of danger.

Irrespective of whether my hon. and learned Friend the Member for Leicester, South (Mr. Spencer) is right, the fact remains that clause 12 gives senior police officers powers to impose conditions on public processions when there is intimidation. However, it makes no sense to restrict the kind of intimidation which can be limited, or to exclude an especially repulsive form of intimidation —intimidation which is intended to incite racial hatred. Therefore, for clarification and simplication, if not for the extension of the existing law, all senior police officers in any threatened part of the country should have clearly in mind what the law is. The law should be extended so that all of the examples referred to by my hon. and learned Friend will apply generally throughout the country and not just within the police authority to which he referred.

It appears eminently sensible to extend clause 12(1)*(b)* to read:

"the purpose of the persons organising it is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act they have a right not to do or if its intention is to incite racial hatred."

For that sensible reason, I hope that I have the support of all hon. Members.

Mr. Greville Janner (Leicester, West): First, may I draw attention to the misprint on the Amendment Paper. I had intended that my name should appear under that of the hon. and learned Member for Burton (Mr. Lawrence) and not under that of "Mr. Secretary Hurd" as he is described in the amendment underneath. That is entirely due to a printing error.

Happily, there are occasions when hon. Members, who disagree profoundly on many issues, come together in an attempt to preserve and extend those basic decencies which lie at the root of democracy and which allow us to disagree as freely as we do without violence and usually without ill will. I am pleased to support the efforts of the hon. and learned Gentleman both in connection with new clause 3 and amendment No. 28.

New clause 3 deals with the Union flag. It is an obscenity that those who would stir up racial hatred and ill-will, who are basically devoted to the philosophy of Hitler and Mussolini, who regard fascism as their creed and "Mein Kampf" as their bible, should wrap themselves up in the Union flag as the symbol of their despicable organisations.

The campaign of fascists and Nazis—whether they call themselves the National Front or the National party —is aimed against blacks, Asians, Jews or any other minority. It is wrong that, in our law, they can freely use the Union flag, the symbol of our democracy and our decency, to precede them in their parades.

Some of us remember the Mosley marches in Ridley road. Some of us emerged from the armed forces to find that the philosophy which we had been rallied to fight against was using the Union flag as its banner. I served as a war crimes investigator in Germany and came back to find fascists using the Union flag in their parades. It is undoubtedly a source of great unhappiness to those who are proud of our democracy and to whom the flag is a symbol to defend.

I hope that new clause 3 will be accepted. It does not represent a new effort by the hon. and learned Gentleman or me. I have before me a copy of *Hansard* for 3 February 1982. Similar discussions took place then, but unfortunately the Government declined to accept the amendment. There was no vote on it and it faded into the mists of the past as one of those worthy motions which did not receive the assent of the House. I hope that will not happen again.

Amendment No. 28 is allied to new clause 3 and it is a happy decision to take them together. The amendment is specifically aimed at making clear beyond doubt, manifest beyond peradventure, that those who march with the intention of inciting racial hatred will be in breach of the law and should be dealt with by the authorities. Unfortunately, the freedom which we cherish and which we do not like to impede in any way is used too often by those who would destroy it and attack the decent and happy lives of our citizens. We are concerned only with the prevention of the abuse of freedom. It is a poignant, vicious and too common evil to use the freedom in our decent democracy deliberately to stir up racial hatred. That is the intention of marches and demonstrations in areas where black people live or, as in Leicester, where Asian people live.

I remember a march one Saint George's day during a general election campaign. The candidates of all of the decent parties—which means all parties other than the National Front and the National party — went to the chief constable and asked him to place a restriction on a march which would clearly cause ill-will, unrest and no small danger to the police whose unhappy job it was to try to preserve the peace of a city in the face of deliberate disruption.

When the chief constable decided to allow the march to continue, I concluded that the law was too weak and that it was wrong to leave such a decision in the hands of the chief constable. There was, inevitably, a battle and the police were in the centre. A vast number of police were doing their best to preserve the safety of our citizens at great cost and risk to themselves and at great cost and risk to ratepayers. A breach of the peace, which should never have been permitted, occurred.

The hon. and learned Member for Leicester, South (Mr. Spencer) said that it is possible to place restrictions or bans on such demonstrations under the existing law. I agree with the hon. and learned Member for Burton that the law

is not clear enough and that the guidance given to chief constables is not manifest. It would be wrong to amend the existing law without specifically including the intention to incite racial hatred.

I hope that that proposition will unite the House and that the discussions which are going on on the Government Front Bench are intended to ensure that the Government agree to the amendment so that there is no need to rally the troops and press it to a Division. I anticipate that all of the Opposition parties who sit on this side of the House will agree to the amendment. I know that the Government willingly adhere to the principle and hope that they will accept the amendment.

In advance of the attacks, which I know will be made on those of us who support the new clause and the amendment, by the National Front and other fascist and Nazi organisations, may I say that there is no desire to restrict the decent expression of free speech. There are, however, certain restrictions in any society. We are not allowed to engage in defamation, libel or slander. We are not allowed to speak treason or to incite violence. There are limits on our freedoms so that we may live together in decency and dignity.

At present, the restrictions are not great enough when applied to those who would remove the freedom of others to live in equality, irrespective of their race, creed or ethnic origin. We are here concerned only to restrict the freedom of fascist and Nazi organisations and racist bodies to stir up hatred in demonstration, march and by use of the Union flag. I strongly hope that the Government will accept the new clause and the amendment.

6 pm

Mr. Spencer: I hope that the Government will be able to consider amendment No. 28 further. The lesson to be learnt from a study of public order in the past few years is that what is tolerable at one time is utterly intolerable a few years later and justifies the intervention of the criminal law. Recognition of that fact has led to the Bill, and the extension of police powers to attach conditions to marches which were not to be found in the Public Order Act 1936.

We must ask whether the Bill goes far enough. The Select Committee said that an amendment such as amendment No. 28 had two faults—first, that it was impracticable because it introduced a test which did not raise a justifiable issue and, secondly, that it would lead to the prohibition of marches by certain political groups. Those objections seemed valid to the Select Committee at the time, but I should like to consider them in turn.

Does anybody think that the test would be impracticable? Does anybody think that a National Front march through the Highfields area should not attract the intervention of the criminal law? What is so fine and nice about the application of the test in Highfields and countless other areas in large cities? I do not regard it as a matter of nicety—I regard it as being as plain as a pikestaff.

Mr. Lawrence: My hon. and learned Friend's argument is extremely valid and is surely answered in clause 17 and, no doubt, others. In clause 17, precisely the type of judgment which was previously objected to is required. It requires somebody to decide whether the publishing and distribution of written matter is intended to cause or provoke racial hatred. There seems therefore to have been a shift in the approach to practicability since the Select Committee reported, and I am grateful to the Government for it.

Mr. Spencer: My hon. and learned Friend is quite right. The existing law requires that there is a reasonable belief that serious public disorder will ensue. Acting under that provision, the police in Leicester have twice attached conditions to marches. That shows how closely linked are the concept of causing serious public disorder and the intention to cause racial hatred. In practice, it is almost impossible to isolate the two. We must now recognise that the law should be specific.

The Select Committee's argument that an amendment such as is proposed might prohibit marches by certain political groups is invalid. It said that the amendment would automatically prohibit certain political parties from processing publicly because of their notoriety and because their views constitute an insult and a provocation to various communities. It is quite right—their views do constitute an insult and a provocation, and their very presence inspires such feelings. If marches have that effect, the matter must require further consideration. I invite the Government to say that, upon better reflection, the reasons which seemed good to the Select Committee have at best worn thin and at worst should be rejected.

Mr. Seamus Mallon (Newry and Armagh): The anomaly of my speaking as a representative of Northern Ireland on a Bill which does not apply to the north of Ireland is that, if ever there were two amendments or new clauses which should apply to Northern Ireland, these are them.

The hon. and learned Member for Leicester, West (Mr. Janner) spoke emotively and effectively of the Mosley marches in Ridley road. I ask him to remember that I have such experiences nightly as, where I live, there are people who engage in fascist activities each night. From 1 to 26 April, 79 people who happened by birth to be Catholic by religion were burnt out of their homes simply because they were Catholic. Over the same period 50 policemen were burned out of their homes by those same people because they earned their living as policemen.

That, in any man's language, is fascism. It is fascism equal to that referred to in the Mosley marches. We could coin a phrase in relation to the type of fascism we see in the north of Ireland, to which this legislation does not apply. We could see a new type of fascism emerging which could best be described by saying that it is accompanied by a bible in one hand and a petrol bomb in the other.

Mr. Reg Freeson (Brent, East): Is the hon. Gentleman aware that the links are even closer than that? There is evidence of links between the National Front and associated groups in this country and certain extremist Protestant groups in Northern Ireland. In some instances those links lead to suspected gun and ammunition running from this country to Northern Ireland to assist extremist groups such as those to which the hon. Gentleman refers.

Mr. Mallon: I thank the hon. Gentleman for reminding me of that. I can confirm his point.

Court records, show that members of the National Front have appeared before the courts in Northern Ireland charged with this type of fascist activity, centring on threatening people in their own homes, backed up in a

[Mr. Mallon]

cowardly fashion by petrol bombs. They are also accused of attacks upon the families of police officers in their own homes. The irony and ambiguity are there. This legislation is very much needed within Northern Ireland, yet it does not apply there. Indeed, as someone who wishes to see the peaceful reunification of the Irish nation I would be tempted to ask for a definition of "Great Britain" in this new clause. If ever an amendment were needed in the part of Ireland where I live, it is this.

It is sad and tragic when, from the hour one is born, and as one grows up, one sees the flag that most hon. Members and I would look upon with respect—the Union flag—hoisted on broomsticks and used as a means of incitement and intimidation against another section of the community for seven months of the year.

There is a mirror image of fascism in Northern Ireland. On one side we have that which avows its loyalty to this Parliament, this Government and the British Crown. They used to call themselves Unionists. I do not know what they will call themselves in the future. Every time they hoist the Union flag on a broomstick and use it as a means of incitement within my community they are behaving in a fascist way and in a way which should come under the influence of this new clause. That is also reflected by another section of the community. As someone who honestly wishes to see the reunification of Ireland, when I see the Irish flag used to insult those who are Unionist and Protestant, my blood boils. That is the type of racial incitement covered by this new clause. That is the type of fascist problem we are dealing with in Northern Ireland.

It is an anomaly that I, as a Northern Ireland representative, am debating something which does not apply to Northern Ireland, where it is most needed. On the Benches behind me we should have those who represent the Unionists, but they dare not come here even to hear the debate.

On amendment No. 28, anyone who has been following the problems in Northern Ireland would realise that the prohibition of marches is very relevant. For the next three or four months, until the end of October, Ministers who represent the Government in Northern Ireland, I as a Northern Ireland representative, and every person living in Northern Ireland face 2,000 more marches. One hundred and eighty six of those marches are controversial. We have seen what has happened in two of them. Is it not time that we started to look at the problem in Northern Ireland and at the way in which the marching season is allowed to dominate not just the lives of the ordinary people but the whole political process. One could almost say that for seven months of the year politics goes into abeyance while everyone — Unionist, Nationalist or whatever creed — is allowed to trail his coat up and down the streets of Northern Ireland causing inconvenience to everyone, enormous expense to the taxpayer and great danger to everybody who lives in those areas and to the people who have to police them.

It would be remiss of me if I allowed the debate to continue without reminding the House of the anomaly that new clause 3, amendment No. 28 and the Bill do not apply to Northern Ireland. The things I have mentioned are happening in Northern Ireland. The term "Great Britain" is used in an anomalous way in new clause 3. Is it not time that we looked at that type of developing and rampant fascism? There is no means of dealing with it. Those marches continue year after year, costing millions of pounds of taxpayers' money, yet we bring down the blinkers. The usual type of myopia creeps in and we put it to one side by saying, "It is only Northern Ireland." The right hon. Lady the Prime Minister once reminded people under questioning that the north of Ireland was as British as Finchley. God help Finchley.

6.15 pm

Sir Eldon Griffiths: I wish that the Bill applied to Northern Ireland, but it does not. This morning in a police station in Northern Ireland, which shall be nameless, I saw what was left of the possessions of three young policewomen who had been subjected to petrol bombing. Those possessions were gathered in half a dozen black plastic bags. There were photographs of their loved ones, a charred badminton racket, a couple of pairs of gym shoes and all the artefacts of the life of those young women, as they had been living peacefully in their flat doing their duty as police officers. Of course, those who threw the petrol bomb which intimidated those women out of their homes were the same people who carry the Union flag. The hon. Member for Newry and Armagh (Mr. Mallon) is right to make his protest against that.

I am glad that the leaders of the other Northern Ireland parties, who unhappily are not here, have very responsibly denounced the attacks on the homes of the police. I am pleased to say that there is some evidence that those attacks are diminishing.

I understand very well what the hon. Gentleman has said about the marches still to come. However, he illustrated the problem of the amendment. No one could claim that the use of the Union flag in Northern Ireland, in the distressing circumstances I have just described, is strictly directed to the incitement of racial hatred. It may be religious or political, but I doubt whether it is strictly racial and that is the purport of the new clause and the amendment.

The hon. Gentleman illustrated another problem. He knows, as well as I do, that occasionally the tricolour of the Irish Republic is used—I will not say in an equally repugnant fashion, but in a manner which certainly incites other people in Northern Ireland. I have had the distressing personal experience of knowing that one man, carried to his funeral in a coffin which bore the flag of southern Ireland—although within our own country—accompanied by hooded men who were members of Sinn Fein or worse, carrying weapons and firing them into the air, said that his aim in life was "killing Protestants". The flag of the Irish Republic was used in just as obnoxious a fashion as the Union flag is used.

That is the technical problem that I face. If the new clause were passed, it would have all my sympathetic support, but I am not sure whether we would be right to say that only one flag should be banned from use in a demonstration. All flags, whatever they are—American or German flags, swastikas, fascist or Communist flags —if they are used to incite the hatred and harassment that we seek to deal with, are the artefacts of violence, irrespective of whether they are the Union flag or any other.

Therefore, the House must be careful before it imputes an intention to the flag itself. The intention lies in the hearts and minds of the people, not in the piece of cloth. Although I understand—I am sure that the House will,

too — and largely support the intentions of the new clause, technically there are many problems in passing it as it stands.

Mr. Clive Soley (Hammersmith): It is helpful to have the benefit of a speaker from the Social Democratic and Labour party in Northern Ireland. The hon. Member for Newry and Armagh (Mr. Mallon) always speaks powerfully. Those who remember his maiden speech will recall the eloquence and force with which he made his remarks, and he did so again today. We must be grateful to him for that.

I think—indeed, I hope—that everyone in the House will be sympathetic to the ideas and intentions behind the new clause and the amendment. I suspect that I can say with certainty that the Minister will be, too, because, to be fair to him, in Committee, particularly on part III of the Bill, on racial hatred, he was very good and showed his willingness to accept amendments from us and to insert some himself, which strengthened the offences that most of us are anxious to stamp out.

There is a problem of definition. For example, the Conservative party uses the Union flag at its conferences from time to time. Although a conference is not a demonstration, if a person used a Union flag outside and made comments that were seen as racialist, that party or organisation would be in trouble. I take the view that no political party should ever use the flag of the country because, in doing so, it tries to take unto that party the national identity of the country. I do not believe that one can legitimately do so. I can see that there is a problem of definition, but I ask the Minister to take away and look at the two amendments to see whether they can be incorporated in the Bill. There is a powerful argument for the wording and intentions behind them.

I remember, as many of us will, how, in the 1950s and 1960s, many black people from the Caribbean used to put, with pride, the Union flag on their cars, carry the Union flag, and speak highly of it. It was only after the flag was taken over by various racialist organisations and used to flaunt in their face in an offensive manner that that practice began to fade out among the ethnic minority groups, especially black people from the Caribbean.

As I suspect the Minister will tell us, some aspects of the problem are already covered by part III. Clause 19 says:

"A person who uses in a public place or at a public meeting words or gestures which are threatening, abusive or insulting is guilty of an offence if he intends hatred against a racial group in Great Britain".

If a person carrying a flag was doing other things, in words or gestures, which showed racial hatred, one could argue that the two points that the amendments seek to deal with are already dealt with in that clause.

Amendment No. 28, in the name of my hon. and learned Friend the Member for Leicester, West (Mr. Janner), changes the position inasmuch as it applies to processions. The Minister might like to tell us whether he thinks that the wording of clause 19 covers the circumstances referred to by my hon. and learned Friend and perhaps also by the hon. and learned Member for Burton (Mr. Lawrence).

I ask the Minister not to reject the amendments out of hand. They put powerful arguments, which we touched on in Committee. If the Minister argues that the matter is already covered by the Bill, he will have to demonstrate to the House that clause 19 does the job. If he says that that is not so, there is a strong argument for him to look at the amendments while the Bill is going through the House of Lords, and perhaps table amendments later if he feels that that is appropriate.

Mr. Cash: I share many of the sentiments expressed on both sides of the House about this provision. I await with interest what the Minister has to say on the subject.

As my hon. and learned Friend the Member for Burton (Mr. Lawrence) said, there is no doubt that no flag should be used to incite racial hatred of any description. I would consider voting for the new clause in a Division if what the Minister said did not satisfy us and matched up to the sentiments that have been eloquently expressed on both sides of the House.

Mr. Giles Shaw: The debate initiated by my hon. and learned Friend the Member for Burton (Mr. Lawrence) has taken, for me at any rate, a substantial turn. The hon. Member for Hammersmith (Mr. Soley) will recall that we debated such issues in Committee. We debated an amendment that was akin to amendment No. 28, grouped with new clause 3, moved by my hon. and learned Friend the Member for Burton. We negatived the amendment after a fairly full discussion of the complexities involved in inviting the police service to seek to interpret the situation in which they become involved in making such a judgment.

I remind my hon. and learned Friend the Member for Burton that this is the nexus of the public order problem, where the police are seeking to take a view on a situation that could be fluid, and have to decide whether it would be wise to intervene for this or that reason to prevent greater mischief. This is an emotive and powerful issue. Hon. Members on both sides of the House have spoken with feeling. The hon. and learned Member for Leicester, West (Mr. Janner), my hon. and learned Friend the Member for Burton and the hon. Member for Newry and Armagh (Mr. Mallon) all did so. The contribution by the hon. Member for Newry and Armagh was relevant to the discussions that we are having, although the Bill does not apply to the Province that he so proudly represents. It is vital to hear a point of view that is as cogent as his.

In dealing with these matters, we are seeking, at the extremity, to avoid the major provocation, which, collectively, we all seek to prevent. In Committee, we tried to improve and tighten the conditions under which we are taking action on public order.

There is a significant difference between new clause 3 and amendment No. 28. New clause 3 requires that the Union flag should be a provocation. I hate to say "provocation", but that is the impression that is given. I suspect that that is a broader concept. On the other hand, amendment No. 28 appears to include major mischief that is the consequence of action being taken which could result in racial difficulties of one sort or another — intimidation, the creation of racial hatred and so on.

I must remind the House—this was touched on by my hon. and learned Friend the Member for Leicester, South (Mr. Spencer)—that this issue was substantially discussed both in the Select Committee's report and in the Government's White Paper published last year. The report states:

"Assessment of the likelihood of a breakdown in public order remains a relatively technical matter upon which the chief officer of police may pronounce. The likelihood of a procession stirring up racial hatred or intolerance is a more difficult test to apply.

[Mr. Giles Shaw]

A measure which rested on the judgment that incitement or intolerance was likely to be caused would present insuperable problems of enforcement and could easily backfire by creating martyrs for free speech out of groups whose policies and activities, having been subjected without hindrance to the judgment of the electorate have been decisively rejected."

That is the type of problem to which the Select Committee drew our attention, and we reflected that concern in the preparation of the Bill.

6.30 pm

Likewise, in our White Paper on the review of public order law, paragraph 6.4 on the Union flag states:

"In the course of the review of public order law it has been suggested to the Government that the use of the Union Flag should in some way be restricted. This suggestion reflects concern at the use of the national flag by extremist right-wing groups. The Government considers this use of the flag deeply offensive, and believes that most people share this view. But it has proved impossible to devise a provision which defines satisfactorily those organisations or individuals who should be allowed to use the flag or those occasions on which its use would be permitted. Accordingly the Government has concluded that it is not practicable to try to legislate to control the use of the flag."

My hon. and learned Friend the Member for Burton seeks primarily to deal with that particular provision through new clause 3. It is probably not as significant in terms of public order, of controlling racial incitement and racial difficulties as amendment No. 28.

The substantive mischief seems to be addressed by amendment No. 28. I recognise the concern felt on both sides of the House about marches where the intention is to intimidate others, especially ethnic minorities, and that, perhaps, in clause 12 our definition of "intimidation" may be unduly tied to the concept of coercion, as, indeed, it is. We talked a great deal about that in Committee. That limitation is perhaps something which we should be prepared to reconsider and, in particular, to discuss with the police.

I cannot be so welcoming to new clause 3 about the use of the Union flag. I suspect that an amendment penalising the use of the flag in a procession the purpose of which is to stir up racial hatred would probably already be subordinate to amendment No. 28. The real mischief is not the misuse of the flag, but marching to stir up hatred or deliberately to put whole communities in fear. I am sure that my hon. and learned Friend also considers that to be the problem.

I shall certainly reconsider the issue in relation to amendment No. 28, despite the fact that it was talked out in Committee where we felt that we had reached a consensus. I am minded to do so because of the range of expressions put to the House, and I would be grateful if my hon. Friend would agree to accept that advice in relation to his amendment.

Mr. Lawrence: To some extent I am grateful to my hon. Friend the Minister for his undertaking, which will be most welcome, but may I take the opportunity to say that this might not have happened had it not been for the enthusiastic support for the new clause and amendment which has been voiced by hon. Members on both sides of the House, especially those representing Leicester constituencies. I am grateful for that.

Perhaps I might be permitted to attempt to strengthen the Minister's elbow with the following observations when he tries to imbue those who are about to reconsider the matter with the good sense behind the inclusion of amendment No. 28. The objection raised by the Select Committee to such provisions because they might automatically prohibit political groups cannot possibly apply where we are merely giving a power to a senior police officer to consider whether it is appropriate to impose a condition on a march. That is not automatic prohibition of political marches or political parties. Therefore, that criticism falls.

The second criticism is that the measures are impracticable. Clearly that objection has now been superseded by the completely new approach which the Government have adopted, and which is welcome. In clause 17 they see no practical difficulty in creating an offence for:

"A person who publishes or distributes written matter which . . . intends hatred against a racial group in Great Britain".

There is no impracticability about that measure. If there had been, it would not have been included.

In clause 18 the Government see no impracticability in applying such a restriction to the possession of racially inflammatory matter where a person intends

"hatred against a racial group in Great Britain to be stirred up as a result of the publication".

The same applies to clause 19, where "words or gestures" create an offence if a person

"intends hatred against a racial group in Great Britain to be stirred up".

It is nonsense for the Government to say that there is some impracticability about using the test in new clause 3 when they have said that there is no such impracticability about using it in those three provisions which relate directly to the same intention—to stir up racial hatred.

Mr. Giles Shaw: My hon. and learned Friend is stretching my credulity a bit far when he examines the judgments that can be arrived at in printed material on the one hand and a fluid public assembly on the other. The problem is the practicability of the fluidity of a situation.

Mr. Lawrence: It must be manifest to anyone with even the meanest of intelligence whether a publication is intended to stir up racial hatred, that a gesture or action is intended to stir up racial hatred, or that a march or procession is intended to stir up racial hatred. Those matters are not subtle. They do not require close attention with a magnifying glass or weighing up with scales. They are blatant, open perversions of what people consider to be ordinary decencies. To march past the Cenotaph on Remembrance Day with the Union flag, boasting about fascism and the National Front is a manifest perversion to which nobody should have the least difficulty in applying a practical test.

Mr. Cash: My hon. and learned Friend may care to draw the Minister's attention to the Flags and Emblems (Display) Act (Northern Ireland) 1954, which has been a source of considerable controversy. Does he recall that serious questions arise in relation to that Act, which may have implications in this context for the rest of the United Kingdom?

Mr. Lawrence: I am grateful to my hon. Friend for drawing the Minister's attention to that point. However, until I have studied it, I have nothing useful to add.

Mr. Soley: To assist the House, will the hon. and learned Gentleman ask the Minister to clarify his commitment? We understand that the Minister will

reconsider the words in amendment No. 28 and will, at some stage, insert them into the Bill. On the other hand, the Minister may just be reconsidering the matter. At some point the House will surely want to insert those words into the Bill.

Mr. Lawrence: I am grateful to the hon. Gentleman for that helpful intervention. Of course I assume that when my hon. Friend the Minister says that he is taking away an amendment to reconsider it, he intends to do something constructive and not just talk about it. It would be churlish to come to any other assumption. Certainly nothing that my hon. Friend the Minister has ever done would lead me to suppose that he intends to do nothing.

Mr. Giles Shaw: Perhaps I can respond to the invitation that has been conveyed to me by my hon. and learned Friend on behalf of the hon. Member for Hammersmith (Mr. Soley). I said that if my hon. and learned Friend was good enough to withdraw amendment No. 28 we would take it away and discuss it with the police in the context of the Bill, as drafted, to see whether the Bill is adequate. If it is not, we will introduce an amendment. There will be a discussion about the amendment in relation to the conditions contained in clause 12, and we shall have to see whether the latter are adequate to deal with the problem highlighted by the amendment.

Mr. Lawrence: The hon. Member for Hammersmith (Mr. Soley) said that he thought there might be a problem of definition. There might be a problem if one accepts what my hon. Friend the Minister says about the difficulties of amendment No. 28, but of course I do not accept what he says. However, there can be no problem of definition with regard to new clause 3, because there is only one Union flag. I refer to the national flag, which is commonly, but wrongly, known as the Union Jack. Moreover, "Any person" means any person. If someone comes out of the Conservative party conference waving a flag in a despicable way, he should be as subject to the restrictions of the law as anyone else who does something grossly offensive with the Union flag. Whether the person involved is a Conservative does not matter; the same rule must apply. There is obviously no problem of definition, and I hope that my hon. Friend the Minister will not be unnecessarily deterred from considering the issue more fully.

Mr. Mallon: Is there not something slightly contradictory in restricting the terms of the amendment and the clause to racial hatred? For 65 years the same sort of hatred has been expressed in violence year after year in Northern Ireland. That hatred could not, strictly speaking, be defined as racial hatred. It could be defined as religious or political hatred, but the net result is the same. Such dangerous hatred results in great violence and bloodshed.

In Northern Ireland the concentration of violence and hatred that has gone on for 65 years has culminated in the past 17 years of extensive violence. Almost 3,000 people have died. That seems to be excluded from the Bill, and there is something contradictory about that. From Northern Ireland's point of view, it seems cynical to exclude all that on the ground that it does not come within the definition of racial hatred.

Mr. Lawrence: There may be something contradictory about it, but I have enough problems trying to get the Government to accept my limited and less all-pervasive proposal.

Mr. Janner: Perhaps I can ease one of the problems facing the hon. and learned Gentleman and the Minister. If amendment No. 28 is withdrawn on the basis that the Minister has implied, that he will positively reconsider it, and that reconsideration does not lead to the Government's acceptance of it, there is a distinct likelihood that a further effort will be made to reintroduce it in the other place. If the hon. and learned Gentleman saw fit not to press his amendment, we would not press it either.

Mr. Lawrence *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. I remind the House that there is no question of amendment No. 28 being withdrawn. It has not been moved, but is being discussed with new clause 3.

6.45 pm

Mr. Lawrence: I had hoped that when my hon. Friend the Minister reconsidered amendment No. 28 he would not exclude the possibility of reconsidering new clause 3. I would feel happier about accepting his undertaking if he could give the tiniest sign that the abuse of the Union flag will also be reconsidered. I have no doubt that that issue will also arouse the concern of those in the other place. If that happens, it may well increase the amount of activity when the Bill returns to this House.

Mr. Mallon *rose*——

Mr. Lawrence: I shall not give way, as there are many other important matters to consider. I hope that the hon. Gentleman will forgive me.

The House has discussed this issue several times, and most recently on 3 February 1982, when it debated the Local Government (Miscellaneous Provisions) Bill. On that occasion we were again told that the Government were sympathetic but that it would be premature to introduce such a measure into the Bill because a Public Order Bill would be presented to the House in due course. It was said that the matter was being considered in a much wider review and that instead of pre-empting any discussions on the point it would be better to leave it until later and not adopt a piecemeal approach towards improving the law. That time has now come. If that improvement is not made now, when will it be made, so that the ethnic minorities can be protected against such indecent activities? The excuses are getting a little thin. The objections raised hitherto seem to have even less foundation now.

I do not wish to be churlish, and I am grateful to my hon. Friend the Minister for his undertaking. However, if he could move just a little, almost imperceptibly, so that those of us who are very careful to discern movement can see some, and if he would agree to reconsider the Union flag issue, I should be most grateful. Its use is very hurtful and offensive to many people. On the basis of that most welcome undertaking, I shall not press the amendment or the new clause. Accordingly, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

RIOT

Mr. Giles Shaw: I beg to move amendment No. 1, in page 1, line 8, after 'threaten', insert 'unlawful'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 2, 3, 5, 6, 7, 9, 10, 20 and 21.

Mr. Shaw: The amendments flow from undertakings we gave in Committee to look further at the definition of violence in clause 8. Two criticisms were made of the definition—first, that it was wrong to refer to "violence justified by law", which appears in clause 8(2) and, secondly, that the definition of violence in clause 8(3) was rather cumbersome. We have moved to discharge our obligation fully under the first head. Under the second head, despite my best endeavours to find a more elegant phraseology, we have not been able to satisfy the recommendation. I hope that the House will regard the changes that we have made as suitable.

Mr. Cash: I believe, as I have done for a long time, that, to deal with violence during a riot, we need a provision analogous to section 24 of the Northern Ireland (Emergency Provisions) Act 1978, which deals with dispersal when requested by a member of the Royal Ulster Constabulary whose rank is not below that of chief inspector. However, in this context I state specifically that I would not expect the military to be involved, as they are in Northern Ireland. We face a potentially serious situation. Plastic bullets and so on may be used and innocent children may get caught up in a riot.

If a power of dispersal were made available which enabled people to take responsibility upon themselves to disperse—when a warning had been given, or when the police knew the framework within which they were operating when an incident appeared riotous—the public would have greater safeguards than they do at present. That power would provide an opportunity for a person to take a moment to reflect on the position and would provide a cooling-down period.

I hope that, when the Bill reaches another place, those matters will be taken on board. There are serious deficiencies in the law which will become apparent sooner or later, such as when an innocent person gets caught up in a riot but could have avoided it if a warning system were available, during the night or during the day, to allow him to get off the streets before the police moved in.

I received a lengthy letter from the Prime Minister on this point. I understand that some chief constables have reservations about it. The matter is by no means as clear-cut as has been thought. Some chief constables would favour such a provision and others would not. I should be grateful if the matter could be given further consideration as the Bill proceeds. I believe that the Riot Act 1714, which was repealed about 10 years ago, should have been replaced by a provision along the lines suggested.

Mr. Gerald Kaufman (Manchester, Gorton): I thank the Minister of State, Home Office for fulfilling the undertakings he gave in Standing Committee.

Amendment agreed to.

Amendments made: No. 2, in page 1, line 11, after 'using', insert 'unlawful'.

No. 3, in page 2, line 2, after 'threaten' insert 'unlawful'.—*[Mr. Giles Shaw.]*

Mr. Alex Carlile: I beg to move amendment No. 4, in page 2, line 9, leave out 'life' and insert '7 years'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments:

No. 8, in clause 2, page 2, line 22, leave out '5' and insert '3'.

No. 11 in clause 3, page 3, line 4, leave out '3' and insert '2'.

Mr. Carlile: I did not have the advantage of serving on the Committee — a pleasure I missed with some disappointment—but I did follow its proceedings with awe, if not with total admiration. I know that the matters which I am about to raise were discussed then to some extent, so I propose to be brief.

The offence of riot provided for in clause 1 is subject to a maximum sentence of life imprisonment, or a fine, or both. When the Bill's proposals were first mooted by the Government, we were told that it was intended to provide a scale of offences dealing with public order—a scale of decreasing seriousness, starting with riot, moving on to violent disorder, which was the next offence down, affray, and so on. One can understand the good sense of introducing a scale of offences to deal with a problem, but one would expect, reasonably and logically, a corresponding scale of sentences to deal with those offences. One would expect that the maximum sentence for the most serious offence would be the highest, that the sentence for the second most serious offence would be lower but in proportion, and so on.

The Bill provides for a maximum sentence of imprisonment for life for the offence of riot. There is an enormous drop to imprisonment for five years for violent disorder and for three years for affray. The relationship between the maximum sentence for riot and the maximum sentence for violent disorder—offences which may arise on the same set of facts—is distant indeed.

I recognise that we have already, at least in part, an independent Crown prosecution service and that within a few months the whole of England and Wales will be covered by an independent prosecution service. Hopefully, we can count on the good sense of the Crown prosecution service not to prosecute people for riot when they have not done something terribly serious. On the other hand, despite the good work that was done in Committee and particularly the concessions which the Government have been prepared to make on the definition of "violence", in respect of the definition of riot one is left with the possibility — this was canvassed widely in Committee—of relatively trivial behaviour falling within the offence of riot. In my view—it is also the view of many others—it is important that maximum sentences are proportionate to the conduct which is described in the offence.

If a riot takes place, and if a group of people acting either separately or together commit serious offences of personal violence against others, they can be charged with substantive offences of violence. We are used to heavy sentences, indeed life sentences, being available for offences including murder, rape, robbery, arson with intent to endanger life, and causing grievous bodily harm with intent.

If people are to be subject to a maximum sentence of life imprisonment, they should be charged with a specific offence of personal violence which might justify a sentence of life imprisonment. Riot, as defined by the Bill, could not strictly be described as an inchoate offence, but it is an unspecific offence. I suspect that juries, being members of the public and knowing perhaps that the maximum sentence for riot is life imprisonment, would be extremely reluctant to convict people of such an unspecific offence as riot.

Will the Government consider whether it might be right to introduce a much lower maximum sentence than life imprisonment for the offence of riot? I believe that few judges would be tempted in any circumstances to pass a sentence of more than seven years imprisonment for an offence of riot. A seven-year sentence would be a proper maximum.

7 pm

Mr. Spencer: Does the hon. and learned Gentleman have evidence that juries have been loth to convict at common law for the offences of affray, unlawful assembly and riot where the maximum sentence is life imprisonment?

Mr. Carlile: The three offences which the hon. and learned Gentleman mentioned are ancient common law offences. They were developed by the common law over the centuries to deal with the changing exigencies of life. Juries on the whole have little knowledge of maximum sentences, especially for offences the origins of which are found deep in history. This offence of riot has been very much in the public gaze in recent months—indeed, in the past couple of years. I believe that someone on the jury will be bound to know what the maximum sentence is.

The hon. and learned Member for Leicester, South (Mr. Spencer) knows that sometimes a little knowledge can be very dangerous, especially with juries. I fear for the efficacy of this offence before juries if the maximum sentence of life is retained.

Surely seven years is a perfectly proper and realistic maximum for this type of offence. If we are to have realistic maxima as a general principle, let us start with new offences which we lay down in Parliament. If in so doing we reduce the maximum sentence for riot from life to the right level of seven years, we still will not have the right sort of scale if we leave five years as the maximum for violent disorder and three years as the maximum for affray. A much more realistic scale which would meet the requirements of sentencing and what the judge has to do in court would be provided if the maximum sentence were three years for violent disorder and two years for affray.

I urge upon the Minister and the Government an important principle which I believe the judges share and in which the Government too should believe. Generally today, the sentence passed by the judge often bears little resemblance to the sentence to be served by the defendant. We should use the Bill as part of our journey along the road to a much more realistic and common-sense policy on sentencing, under which we should introduce maxima and judges should pass sentences which bear a much closer relationship to the reality of what happens to the prisoner after he walks down the step from the dock. I therefore urge the Minister to accept these amendments as reflecting a realistic and common sense view.

Sir Eldon Griffiths: A good deal of the speech of the hon. and learned Member for Montgomery (Mr. Carlile) was persuasive. My difficulty is that, on convicting a person, the only choice for the court is life imprisonment or a fine. That is what clause 1(6) says.

Mr. Alex Carlile: It is not really for me to correct the hon. Gentleman. It is, in fact, a maximum of life.

Mr. Giles Shaw: Anything up to life.

Sir Eldon Griffiths: That is not what the Bill says. I am glad to hear that confirmation from my hon. Friend the Minister. Despite the fact that clause 1(6) states

"liable on conviction on indictment to imprisonment for life or a fine or both"

the word "liable" presumably covers the gradations.

I shall make only one other comment because I suspect that when the Bill goes before another place some of the judges will weigh in on this matter. My hon. Friend is conscious of that. Does it not follow that, if a court concludes that a life sentence is appropriate, at least 12 people will be liable to be given that sentence? The definition of riot is that 12 people must have been involved. No doubt a court could start off with a life sentence for the most serious rioter and go down through the gradations. However, I think that their lordships may well consider that point.

I do not share the view of the hon. and learned Member for Montgomery that the jury would be less liable to convict if the maximum sentence was life. For all that, bearing in mind our experience over the years of the other place, it might be a good idea for my hon. Friend the Minister to ensure that our amendments are not overturned in the other place.

Mr. Spencer: We now see the limp wrist of the alliance drooping pathetically in the breeze of public misgiving about public disorder. The hon. and learned Member for Montgomery (Mr. Carlile) suggested that the maximum sentence for the new offence of violent disorder should be three years. That proposal is totally out of touch with the real world. In practical terms, any judge approaching the task of sentencing a person who commits that offence would have to regard the maximum as two years. It is rare that a judge is driven to conclude that the case with which he is dealing is the worst one possible to imagine and therefore justifies the maximum sentence.

As for affray, the proposal is even more absurd. A maximum of two years is proposed, which, in practical politics, would give rise to a maximum sentence of about 18 months. Recently, we have had a number of cases of affray in which the sentences passed by the courts have been measured at between six and eight years. The hon. and learned Member for Montgomery should be ashamed of himself——

Mr. Alex Carlile *rose*——

Mr. Spencer: —for putting his name to the amendment.

Mr. Kenneth Hind (Lancashire, West): I endorse the comments of my hon. and learned Friend the Member for Leicester, South (Mr. Spencer). Again we see the alliance being soft on law and order. We must reject the amendment. If the hon. and learned Member for Montgomery (Mr. Carlile) has any argument about scale,

[Mr. Kenneth Hind]

he should argue that the sentence for violent disorder should be seven years and the sentence for affray five years.

What about juries who are afraid to convict a person for riot because a life sentence may be passed? There is no respectable academic evidence that juries have ever been afraid to convict in such cases, except when the death penalty was the result. In the multitudinous offences in the English system in which life imprisonment is the maximum sentence, no one has ever claimed that such a sentence has deterred juries from carrying out their duty. That argument does not hold water.

It is an insult to juries to suggest that they will somehow evade their responsibility because the maximum sentence for riot is life imprisonment. That suggestion is an insult also to the judges who examine the involvement of the accused, consider the degree of fault under the charge of riot referred to in clause 1 and set appropriate sentences. The purpose of a maximum sentence of life imprisonment is to give the judge the necessary flexibility to reflect, as he sees fit, on the degree of culpability of the person who breeches the law. It also reflects the feelings of horror and opprobrium attached to this offence by the general public. The maximum sentence should stay.

If the hon. and learned Gentleman has an argument, it is that the alternative to five years' imprisonment for violent disorder should be seven years and for affray it should be three years. The matter has been fully discussed in Committee, and I am sure that the public will join with Government Members in recognising that public order offences must be dealt with firmly and that judges should have the option to impose lengthy sentences of imprisonment. I oppose this silly amendment.

Mr. Giles Shaw: As my hon. Friend the Member for Lancashire, West (Mr. Hind) has reminded the House, this matter was fully discussed in Committee. I remind the hon. and learned Member for Montgomery (Mr. Carlile) that we spent a lot of time debating the matter. The Law Commission recommended 10 years as the maximum sentence for riot, and in the White Paper published in May the Government reflected the Law Commission's view.

As the hon. and learned Gentleman knows, a life sentence was passed at the Old Bailey which suggested that the 10-year maximum might not be sufficient for the worst cases. That case is now the subject of an appeal which is to be heard on 19 May, and the Government think it right to keep the position open until the appeal is heard. We shall, of course, study with care any judgment by the Court of Appeal and we will also listen carefully to the views expressed in Parliament. I note the views of my hon. and learned Friend the Member for Leicester, South (Mr. Spencer) and my hon. Friend the Member for Lancashire, West. I hope the hon. and learned Member for Montgomery will not divide the House on his amendment because we still have an open mind and a decision will depend on the Court of Appeal judgment.

On the other two amendments, the Law Commission recommended maximum sentences for violent disorder and affray of five and three years respectively, and those are the maxima in clauses 2 and 3 of the Bill. The invitation that the hon. and learned Gentleman makes to us to reduce those is not an invitation that I could ask the House to accept because I know the views of my hon. Friends on the matter.

In its working paper the Law Commission originally suggested 10 years for affray and five years for unlawful assembly. The sentences recommended in its final report are a considerable reduction on the working paper proposals. I must remind the hon. and learned Gentleman that we are dealing with major public order offences of great gravity. They are offences that give rise to anxiety and it is right that in the Bill there should be a significant tariff of sentences available so that the courts may offer the public the protection that they deserve.

Mr. Kaufman: I am sorry that the hon. and learned Member for Montgomery (Mr. Carlile) was not with us in Standing Committee. He knows that we debated these matters at length and that the amendment that he has moved follows the spirit of the arguments put forward by me and by my hon. Friends. I would certainly not wish the Bill to reach the statute book with a life sentence for the offence of riot, especially the offence of riot as it is defined in this Bill. I might as well say it now, although I will say it later, that when this Minister of State makes a statement in good faith it is just that and I certainly accept it in that spirit.

In Standing Committee the Minister said that it was necessary from the point of view of the Government not to alter the Bill at this stage in the light of the sentence to which he referred. That was taken by us as meaning that once that matter—now very close—was out of the way, the Government would make a change. My hope and expectation is that when the Bill goes to the House of Lords an amendment will be moved from our Benches and I hope from the Government Benches to deal with this matter. I cannot say that I am happy to leave it like that, but I am content to do so in this case because the Government have got themselves on a hook.

I concur with the general drift of the speech by the hon. and learned Member for Montgomery. We said the same thing during the debates in the Standing Committee, that we regard this as unique and not something to be repeated in any circumstances. Statutory sentences must be decided by Parliament for judges to follow, rather than decided by judges for Parliament to follow.

Mr. Alex Carlile: I am grateful to the Minister for dealing in a serious way with what was intended to be, and is, a serious matter. The hon. and learned Member for Leicester, South (Mr. Spencer) and his junior thought this to be a matter upon which they could indulge in a little by-electioneering. That comes ill from two hon. Members, one of whom is an hon. and learned Member, from a party which has seen crime increase out of all recognition during its period of office; who cannot even keep the prisons in order, including prisons in the constituency, to my knowledge, of at least one of those hon. Members; and which cannot present the people of our towns and villages with a policeman on foot walking up and down the streets as part of their community. I could continue at some length to deal with the matter in the vein that they adopted. However, I shall not do that because I realise the importance of staying in order during this part of the debate.

7.15 pm

I share with the right hon. Member for Manchester, Gorton (Mr. Kaufman) the understanding that the Minister

of State says what he means and means what he says. I see a chink of light, in that this matter may be reconsidered in another place, especially after the case to which the Minister referred has been decided.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 2

VIOLENT DISORDER

Amendments made: No. 5, in page 2, line 11, after 'threaten', insert 'unlawful'.

No. 6, in page 2, line 14, after 'threatening', insert 'unlawful'.

No. 7, in page 2, line 16, after 'threaten', insert 'unlawful'.—*[Mr. Giles Shaw.]*

Clause 3

AFFRAY

Amendments made: No. 9, in page 2, line 26, after 'threatens', insert 'unlawful'.

No. 10, in page 2, line 30, after 'the', insert 'unlawful'.—*[Mr. Giles Shaw.]*

Clause 4

FEAR OR PROVOCATION OF VIOLENCE

Amendment made: No. 12, in page 3, line 8, leave out from 'if' to end of line 25 and insert

'he—

(a) uses towards another person threatening, abusive or insulting words or behaviour, or

(b) distributes or displays to another person any writing, sign or other visiable representation which is threatening, abusive or insulting,

with intent to cause that person to believe that immediate unlawful violence will be used against him or another by any person, or to provoke the immediate use of unlawful violence by that person or another, or whereby that person is likely to believe that such violence will be used or it is likely that such violence will be provoked'.—*[Mr. Giles Shaw.]*

Clause 5

HARASSMENT, ALARM OR DISTRESS

Amendment made: No. 13, in page 3, line 32, leave out from 'if' to end of line 7 on page 4 and insert

'he—

(a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or

(b) displays any writing, sign or other visible representation which is threatening, abusive or insulting.

within the hearing or sight of a person likely to be caused harassment, alarm or distress thereby.

(2) An offence under this section may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the writing, sign of other visible representation is displayed, by a person inside a dwelling and the other person is also inside that or another dwelling.

(3) It is a defence for the accused to prove—

(a) that he had no reason to believe that there was any person within hearing or sight who was likely to be caused harassment, alarm or distress, or

(b) that he was inside a dwelling and had no reason to believe that the words or behaviour used, or the writing, sign or other visible representation displayed, would be heard or seen by a person outside that or any other dwelling, or

(c) that his conduct was reasonable.'. — *[Mr. Giles Shaw.]*

Mr. Chris Smith: I beg to move amendment No. 14, in page 4, line 19, at end insert—

'(8) The Secretary of State shall issue a code of practice in connection with the exercise of the power of arrest under subsection (5) of this section.

(9) Section 67 of the Police and Criminal Evidence Act 1984 shall have effect as if references to a code of practice included references to a code of practice to which subsection (8) above applies.'.

Many of the arguments about the offence of disorderly conduct and the now amended clause 5 have already been rehearsed. Our major anxiety is about the manner in which the offence will be policed. There is the possibility that a mistaken interpretation of the offence and the way in which it should be dealt with could in some circumstances lead to another sus law. We have been worried about that all along in connection with this new offence and clause 5. Accordingly, we suggest in this amendment that the Secretary of State, in exactly the terms of the Police and Criminal Evidence Act 1984, should issue a code of practice to the police to ensure that they are made extremely well aware by the Government and by the Home Office of the manner in which the Government intend them to police this offence and about the way in which they conduct themselves.

I hope the Government will see the advantage of issuing a clear statement of guidance to the police that that code of practice would enshrine. In those terms I hope that the House will accept the amendment.

Mr. Shaw: I am grateful for the way in which the hon. Member for Islington, South and Finsbury (Mr. Smith) moved this amendment. I fully understand the interest that is aroused about the use of the arrest powers in clause 5. We had substantial discussions about that in Committee. It is not our intention to publish a code of practice about this arrest power, because such a single arrest power does not justify such a code. It is our intention to issue guidance about its interpretation in the circular that we send to police forces about the workings of Acts, if and when the Bill becomes an Act.

If the hon. Gentleman withdraws the amendment, I shall write to the right hon. Member for Manchester, Gorton (Mr. Kaufman) and set out the guidance contained in the general circular on the arrest powers. That will have the full description of the arrest power element that he wishes to be discussed, and it will be placed in the Library so that it becomes a published document. I will do that rather than publish the circular itself, as that will deal with many other issues that it would not be sensible to publish.

Mr. Smith: I am extremely grateful to the Minister for what he said. It is an extremely helpful compromise that guidance should be given to protect the public and to facilitate the job that the police must do. There is considerable public concern about this, and the Opposition are also concerned. It is therefore right that such guidance should be made public in the way that the Minister has suggested.

Sir Eldon Griffiths: Will the hon. Gentleman join me in inviting the Minister to be sure that the document is placed in the Library before the Bill is considered in another place, just in case some people wish to comment upon it?

Mr. Smith: I echo the hon. Gentleman's anxiety and his keenness to ensure that the matter is available for public consideration by both Houses in advance of discussion in the other place. However, the Government may find that the timetable does not permit such a rapid placing of the document in the Library.

Mr. Giles Shaw: I fear that it would be wrong for the hon. Gentleman to expect that we should be able to give this guidance prior to the matter coming before the other place. The circular will be in draft before we are ready to issue it, and we shall have to bear in mind possible changes as the Bill goes through.

Mr. Smith: I accept the practical problems that face the Minister, but I also expect that their Lordships might wish to consider these matters during their consideration of the Bill. In the light of what the Minister has said, and given the extremely helpful content of his contribution, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 15, in page 4, line 26 leave out from 'behaviour' to 'may' in line 27 and insert

', or the writing, sign or other visible representation, to be threatening, abusive or insulting, or is aware that it'.

No. 16, in page 4, line 29 leave out from 'words' to 'may' and insert

'or behaviour, or the writing, sign or other visible representation, to be threatening, abusive or insulting, or is aware that it'.

No. 17, in page 4, line 31 leave out 'threatening, abusive, insulting or'.—*[Mr. Giles Shaw.]*

Clause 7

PROCEDURE: MISCELLANEOUS

Mr. Giles Shaw: I beg to move amendment No. 18, in page 5, line 9 leave out '2 to 4' and insert '1 to 5'.

Mr. Deputy Speaker: With this we may take Government amendments Nos. 66 to 68.

Mr. Cash: On a point of order, Mr. Deputy Speaker. I do not know whether hon. Members have noticed that there is a curious smell in the Chamber which seems to be associated with food that has somehow wafted through the air-conditioning system. Can that be looked into, because if it persists it will be most unpleasant?

Mr. Deputy Speaker: I have detected it myself, and I shall have inquiries made.

Mr. Giles Shaw: I rise in an aroma of take-away.

These amendments are relatively straightforward. Clause 7(2) as drafted provides that clauses 2 to 4 create only one offence for the purpose of the rules against charging more than one offence in the same count or information. The offence in clause 5 can be committed either by using threatening, abusive or insulting words or behaviour or by the use of disorderly behaviour.

It is possible that a court will decide that two offences are thereby created and that an information charging someone with an offence would be bad for duplicity if it did not clearly indicate which conduct it was alleged the accused had committed. To guard against that eventuality amendment No. 18 extends clause 7(2) to clause 5 and also to clause 1 to avoid unnecessary argument in relation to any alternative element in the offence. The other amendments are similar and consequential.

Amendment agreed to.

Clause 8

INTERPRETATION

Amendments made: No. 19, in page 5, leave out line 19 and insert

'In this Part—

"dwelling" means any structure or part of a structure occupied as a person's home or as other living accommodation (whether the occupation is separate or shared with others) but does not include any part not so occupied, and for this purpose "structure" includes a tent, caravan, vehicle, vessel or other temporary or movable structure;'.

No. 20, in page 5, line 20, leave out from beginning to 'and' in line 27 and insert—

'"violence" means any violent conduct, so that—

(a) except in the context of affray, it includes violent conduct towards property as well as violent conduct towards persons,'.

No. 21, in page 5, leave out lines 33 and 34.

No. 22, in page 5, leave out lines 35 to 38.

Clause 11

ADVANCE NOTICE OF PUBLIC PROCESSIONS

Mr. Giles Shaw: I beg to move amendment No. 23, in page 6, line 37, leave out from 'notice' to 'notice' in line 39 and insert

'shall be given in accordance with this section of any proposal to hold a public procession intended—

(a) to demonstrate support for or opposition to the views or actions of any person or body of persons,

(b) to publicise a cause or campaign, or

(c) to mark or commemorate an event,

unless it is not reasonably practicable to give any advance notice of the procession.

(1A) Subsection (1) does not apply where the procession is one commonly or customarily held in the police area (or areas) in which it is proposed to be held or is a funeral procession organised by a funeral director acting in the normal course of his business.

(2) The'.

Mr. Deputy Speaker: With this we can take amendment *(a)* thereto, leave out

'*(c)* to mark or commemorate an event.'.

and Government amendments Nos. 25 and 26.

Mr. Shaw: The requirement to give advance notice under clause 11 as drafted applies to every procession unless, under clause 11(5), it is exempt because it is a procession commonly or customarily held or it is a funeral procession.

We had a full and interesting debate in Committee on whether clause 11 was too wide, and we undertook to consider whether we might redefine this requirement in such way as to exclude processions of no interest to the police, such as school crocodiles. That is the main effect of these amendments.

Instead of advance notice being required of all processions—except those caught by subsection (5)—advance notice will be required only of those types of procession set out in the amendment—namely, those intended to demonstrate support for, or opposition to, the views or actions of any person or body of persons; those publicising a cause or campaign; or those marking or commemorating some event. Consequently, organisers of any procession that has the sole aim of getting from A to B, such as crocodiles of schoolchildren or tourists following a guide, will not be required to give advance

notice. But those organising demonstrations of a political nature or processions with a wider purpose than movement from A to B will need to give notice.

The existing exemption for processions commonly or customarily held and funeral processions will be retained by virtue of the new subsection (1A) which replaces subsection (5). The reason for this is quite straightforward. If a procession is commonly or customarily held, the police will already be aware of it and have no need of advance notice. If the event is likely to give rise to problems, or the police want an update about this year's arrangements, they will get in touch with the organisers near the time.

These amendments also help to clarify that where a procession arises spontaneously in response to some event —I recall discussion of demonstrations arising out of a sense of grief or loss — no advance notice of it is required. This is achieved by the addition of the phrase

"unless it is not reasonably practicable to give any advance notice of the procession."

at the end of subsection (1). Amendment No. 26 is consequential. This represents substantially the views that were expressed in Committee, and I commend the amendments to the House.

Mr. Soley: I acknowledge that to some extent the Government have moved, but we are still unhappy about the clause and the amendments that the Government have proposed. There are a number of reasons for that. We feel yet again the Government are making the mistake of having far too wide catch-all phrases in the Bill. For example, notice will be required if the object is

"to mark or commemorate an event".

That is wide open and could catch just about anything.

If people choose to celebrate another person's birthday down the road by marching together as a group to award a bouquet of flowers, that would be caught by the Bill. I am puzzled as to why the Government have decided to introduce this in the manner that they have. It is an unnecessary extra catch-all phrase that is too wide to be justified.

Originally, it seems that the Government intended to get information about those processions that they thought would cause difficulty for the police and so on. They were really thinking about the 15 per cent. or so of processions that cause such problems. I am sure that the Government accept that the other 85 per cent. cause no problems of any kind. Even by their own standard, I am surprised that they find it necessary to introduce a phrase so wide as

"to mark or commemorate an event",

as that is a catch-all phrase.

The Opposition are far from convinced that the case for giving notice has been made. We made the point in Committee that there was real doubt as to whether it was desirable for notice to have to be given. There is little evidence that such notice changes behaviour. In fact, most of the assemblies and processions pass off peacefully without trouble. Most people who organise processions give notice to the police. Even if we accept the case for giving notice, as we said in Committee, there is a strong argument that notice should be given not to the police but to the local authority.

7.30 pm

I do not wish to weary the House by going over the ground that was covered in Committee. However, I shall quote from the annual report of the Chief Constable of the Royal Ulster Constabulary in Northern Ireland, Sir John Hermon. It will speed matters up if I simply quote from the relevant passages in that report. The Chief Constable states:

"Earlier I referred to the grievous casualties suffered through acts of terrorism. I regret to report that 1985 was also a year in which the RUC experienced substantial public order problems. This subject is dealt with at some length in the body of my Report and I recommend its study to all interested organisations and individuals."

As an aside, I would hope that the Minister and his Department will consider this specific part of the annual report in some detail.

"I wish to emphasise that the policy of the police in respect of parades and demonstrations is to seek responsibility and co-operation and to encourage dialogue and agreement with parade organisers."

That actually happens in most of the areas, most of the time.

"Furthermore, despite impressions created to the contrary, I would point out that of the 1,897 loyalist parades and demonstrations policed by the RUC in 1985, only 2 were banned and 15 re-routed after unsuccessful attempts to reach agreement through negotiation."

I stress that only 15 marches were re-routed, because this is where the crunch comes in the chief constable's report in relation to the Bill. The Chief Constable continued:

"The police are faced with making difficult judgements in sensitive situations. The decisions taken are genuine, professional police decisions and the law ought to be respected.

Whilst the police will always be responsible for the actual enforcement of the law in public order situations on the streets, it may perhaps be worth considering if responsibility for decisions on the holding and routing of parades should rest with an independent public tribunal."

I must stress here that the Chief Constable's report came out after we had passed the relevant amendments in Committee. The report is especially relevant to the Government's drafting of the Bill. The Government are still asking the police to take what the Opposition have always said would be seen as political judgments. That is precisely what has happened in Northern Ireland. It is precisely because the RUC was asked to take such judgments that it came into the front line. Although I am not suggesting that the problems in Northern Ireland will be repeated here, I would say that people will increasingly see the police as making political judgments concerning the route, the numbers and the timing of assemblies.

In such circumstances, I would warn the Government to listen carefully to what the Chief Constable of the RUC said. That difficulty does not exist here, but the Government should not continue to duck the point about the position in Scotland, where notice is given to a local authority. That process has worked very well and nobody has criticised that co-operation. Notice is given to the local authority and the authority seeks the co-operation of the police. The Government must realise that, at a time when the police are already being drawn into the party political debate, Ministers have come forward with an amendment which keeps the police in that position. I acknowledge the changes made in Committee, but I must say that these changes are not good for the police or for the public.

The Government have written into the amendment, because of the concern expressed by the Opposition and by the Minister during the Committee stage, that there is a need to give advance notice. The Government have added the words to amendment No. 23 — and the Minister correctly stressed this—

"Unless it is not reasonably practicable to give any advance notice of the procession."

[Mr. Soley]

I am a little worried about the word "any". That word could be interpreted in a court of law in a number of different ways. It may be interpreted in a loose manner, that it was not possible to give any notice, or it could be interpreted more tightly, that only 10 minutes' notice should be given. It may be said that someone should have telephoned or handed a notice to a police station only 10 minutes before the event.

As an example, I quote the case of the American bombing of Libya, which took place in the early hours of the morning. People feeling strongly about that event the next day, marched and demonstrated in many towns. It would be possible, as the Minister would argue, that the event was of considerable emotional importance and people should be allowed to demonstrate without notice being given. Yet, as I understand it under the amendment, it could be interpreted by a court that those people could not demonstrate as seven days' notice had not been given of the demonstration. The demonstration was not planned seven days in advance, but some notice could have been given. The trouble with the word "any" is that it could be anything between seven days and a couple of minutes.

I am sure that lawyers would be able to argue for a long time in courts of law as to the use of the word "any". It could mean that they were not required to give notice if the demonstration had not been planned seven days in advance. Whatever is regarded as reasonable in these circumstances becomes a matter for interpretation, whether it be three days, seven days or 10 minutes' notice. There seems to be a curious use of the phrase "any advance notice" and I would welcome the Minister's comments on that part of the amendment.

I am also a little unsure about the question of the posting of notice in the amendment. I do not wish to go ahead of matters now, but we must take account of the way in which notice must be given and that raises the question of notice posted in advance and what happens if that does not get to the police station.

I conclude by saying that the dangerous part of the Bill and the reason why we are still so unhappy with the new Government amendment is that we still do not think that the Government have correctly addressed the problem of achieving a balance between the democratic rights of the people to express their views on political, social, economic and other matters, and the need to keep public order. It seems that the Government are under-estimating the extent to which they are forcing the police into political decisions. The police are being forced into making political decisions and this only makes the waters less clear.

At times of acute economic and social distress—as today — when there is mass unemployment and uncertainty, there will always be demonstrations and assemblies as a means of expressing the anger and anxiety in society. If we try to deal with that by amending the clauses to the Bill which are as widely drawn as they are in paragraph *(c)* of amendment No. 23 or as loosely drawn in the amendment which includes the words "any advance notice", we will be creating powers which will not only cause problems for the police but will create problems of public order for the nation. At the end of the day, if the police try to exercise these powers, we cannot be sure that they will not trigger off the public order disturbances that people are seeking to avoid.

I would like the Minister to address us about the use of the word "any" in paragraph *(c)* of amendment No. 23 and to explain the line—

"to mark or commemorate an event."

I would also ask him if he will at least guarantee to the House that he will take a long, hard look at the evidence given by the Chief Constable of the RUC so that the police in this country should have the same kind of powers as those enjoyed by the police in Northern Ireland.

Sir Eldon Griffiths: I, too, read with great interest Sir John Hermon's report when it came out, and I have had the opportunity of discussing his thoughts with police officers in Northern Ireland and here. In a word, I think that he is mistaken.

I understand, of course, that in the peculiarly sensitive circumstances of Northern Ireland today, where for one reason or another there are attempts to embroil the police in the politics of the Anglo-Irish agreement, the police face some difficult dilemmas. It is interesting that the Chief Constable's report, which was written before the most poignant of those dilemmas arose, addresses a proper matter. I respect Sir John Hermon for having put his finger on the problem, but that is not to say that I agree with his conclusion.

I can only ask the hon. Member for Hammersmith (Mr. Soley) to accept—he has the advantage of having the report with him and I do not—that Sir John Hermon does not suggest that the matter should be put in the hands of a local authority. He is, as I understand it, suggesting some outside body. In present circumstances in Northern Ireland I cannot imagine anything worse than placing the responsibility to allow or not to allow marches in the hands of local authorities which are at one another's throats. Therefore, I hope that the hon. Gentleman was not trying to imply that the Chief Constable's report gives any support for the notion of local authorities being the arbiters.

Mr. Soley: If the hon. Gentleman had listened to my quotation properly, he would know that I said that responsibility should be given to an independent body. He should bear in mind that I also said that Northern Ireland was not Britain. The system is working well in Scotland, and that is what he needs to address himself to, along with the fact that the police in Northern Ireland have been dragged into the party political arena.

Sir Eldon Griffiths: In the spirit in which we have addressed the Bill, I was seeking only to make sure that the hon. Gentleman was drawing no inference from Sir John Hermon's report that that responsibility should be a local authority function, although he properly cited the Scottish example in support of his proposition.

The police, with all their problems and difficulties, are by far the best people to make that decision. They are completely objective, impartial and experienced. Therefore, the responsibility should remain with them.

Let me say one further word about amendment (a). The Opposition seek to leave out paragraph *(c)*. I heard what the hon. Gentleman said about birthday parties, and so on, but I do not think that he was pressing that seriously. It is precisely the events that we have seen commemorated in Northern Ireland which can frequently cause the problem. I notice that in the following paragraph (1A) the Government say:

"Subsection (1) does not apply where the procession is one commonly or customarily held".

That opens the door to a wide number—probably the majority—of innocent processions of the kind about which the hon. Gentleman and the rest of the Committee were concerned.

The Government have achieved a better balance in amendment No. 23 than they did in the original Bill. Indeed, they have got it just about right.

Mr. Hind: I congratulate my hon. Friend the Minister of State on finding a good solution to a difficult problem. I must disagree with the hon. Member for Hammersmith (Mr. Soley) for a number of reasons. First, the clause is designed to prevent public disruption arising for political reasons. In the majority of cases they are matters which are likely to raise temperatures in our society and cause trouble. It places a requirement on organisers of such political demonstrations to give notice to the police in their district. That is all that it is doing.

To suggest that an event which is
"to mark or commemorate an event"
should not be included in this definition would surely create a lawyer's paradise. My hon. Friend has set out to make sure that no lawyer's paradise is created by extensively defining the criteria under which notice of a demonstration or procession should be handed in to the police.

Paragraph *(c)* clearly covers the sort of situation where, for example, the National Front would wish to march through Brixton to celebrate the birthday of Adolf Hitler. That is surely something that we would wish the police to know about and, accordingly, be able to take action to prevent any attendant rioting or public disorder. There are other obvious examples of a more Left-wing nature, such as a march to celebrate the birthday of Karl Marx. Such matters all lead to considerations of public order. People who violently oppose a point of view may wish to demonstrate that on the streets with violence or other breaches of public order.

This is a sensible clause, tackling a difficult problem, and I commend it to my hon. Friends as one for which we should vote and give our full support to this evening.

7.45 pm

Mr. Giles Shaw: I should like, with the leave of the House, to deal briefly with the points made by the hon. Member for Hammersmith (Mr. Soley). My hon. Friend the Member for Lancashire, West (Mr. Hind) gave the clue to why we are seeking still to include commemorative events. Any regular commemorative event, such as an Easter or Christmas procession or May day parade, will be exempted because customarily held processions are exempt, but to go further would create the loophole to which my hon. Friend has drawn attention.

Supporters here of Sinn Fein may call a procession and claim that rather than seeking support for their views they were merely commemorating Bloody Sunday or some other event. Loyalist marchers might claim that the purpose of their procession was merely to commemorate the Battle of the Boyne, and so on. A commemorative occasion as such cannot be divorced from the possible consequences to public order that would occur. Therefore, there is a case for including it and that is why I cannot favour amendment (a).

I take the hon. Gentleman's point about "any" notice. It is clearly a fact that under the clause, as he will know, such notice as would in the circumstances be practicable should be given. Ultimately, if would be for the court to decide whether, under the circumstances, a day's notice could have been given. The importance of including this is that we have asked that, if possible, notice should be given. The hon. Gentleman has frequently and rightly drawn attention to the fact that for the vast majority of processions the police have been provided with full notice, after full discussions and arrangements are made in full agreement. That is the ideal situation.

There is a requirement here to allow for the spontaneous procession as a result of an accident or some other tragedy which, as the hon. Gentleman made clear, could give rise to such a procession. That is certainly acceptable. We have no intention to resile from that. But if it is practicable to give any notice which is commensurate with the circumstances, that notice should be given.

Mr. Soley: Will the hon. Gentleman clarify for the House and people outside whether, in the case of the American raid on Libya, a procession held the following day, say 12 hours after the event, would be a circumstance in which he would expect the law to say that notice must have been given, or is he saying that that would be a spontaneous event?

Mr. Shaw: I cannot hypothecate, but that is the kind of event giving rise to public opinion which is designed to be acceptable under the arrangements that we have proposed. We have provided for a response which is virtually immediate, and a matter of hours is virtually immediate. I would suggest that that would come within the definition of a spontaneous procession when notice cannot be given. But if the procession were a day and a half after the event, I would conclude that some notice should be given. I am sure that most organisers would wish that.

With regard to the hon. Gentleman's third point about local authorities, we have already discussed this with the Association of District Councils, which objected strongly to it and wanted to have nothing to do with it at one time. It would have preferred the police to take that burden off the collective shoulders of the district councils. Wisdom would lie in that direction, but I am sensitive to the hon. Gentleman's point that the police should not be dragged in to make political decisions. Their responsibility is the public order consequence of what has been proposed, and that must be a decision for them.

Question put, That the amendment to the proposed amendment be made:

The House divided: Ayes 163, Noes 243.

Division No. 163] **[7.50 pm**

AYES

Abse, Leo	Bray, Dr Jeremy
Adams, Allen *(Paisley N)*	Brown, Gordon *(D'f'mline E)*
Alton, David	Brown, N. *(N'c'tle-u-Tyne E)*
Anderson, Donald	Brown, Ron *(E'burgh, Leith)*
Archer, Rt Hon Peter	Buchan, Norman
Ashley, Rt Hon Jack	Caborn, Richard
Atkinson, N. *(Tottenham)*	Callaghan, Rt Hon J.
Bagier, Gordon A. T.	Callaghan, Jim *(Heyw'd & M)*
Barnett, Guy	Campbell, Ian
Barron, Kevin	Campbell-Savours, Dale
Beckett, Mrs Margaret	Canavan, Dennis
Beith, A. J.	Carlile, Alexander *(Montg'y)*
Bell, Stuart	Carter-Jones, Lewis
Bennett, A. *(Dent'n & Red'sh)*	Clark, Dr David *(S Shields)*
Bermingham, Gerald	Clay, Robert
Bidwell, Sydney	Clelland, David Gordon
Blair, Anthony	Cocks, Rt Hon M. *(Bristol S)*

Coleman, Donald
Conlan, Bernard
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Craigen, J. M.
Crowther, Stan
Cunningham, Dr John
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dormand, Jack
Douglas, Dick
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
Freud, Clement
Garrett, W. E.
George, Bruce
Godman, Dr Norman
Golding, John
Gourlay, Harry
Hamilton, W. W. *(Fife Central)*
Hancock, Michael
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howells, Geraint
Hughes, Dr Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Simon *(Southwark)*
Janner, Hon Greville
John, Brynmor
Johnston, Sir Russell
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lambie, David
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Park, George
Parry, Robert
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Robertson, George
Rogers, Allan
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Snape, Peter
Soley, Clive
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Wareing, Robert
Weetch, Ken
White, James
Wigley, Dafydd
Wilson, Gordon
Woodall, Alec
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. James Hamilton and
Mr. Lawrence Cunliffe.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Biggs-Davison, Sir John
Body, Sir Richard
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Couchman, James
Critchley, Julian
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Evennett, David
Fenner, Mrs Peggy
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John S
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hawksley, Warren
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irving, Charles
Jackson, Robert
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, Andrew *(Berkshire)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Morris, M. *(N'hampton S)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Needham, Richard
Newton, Tony
Nicholls, Patrick
Onslow, Cranley
Oppenheim, Phillip
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Porter, Barry
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Rippon, Rt Hon Geoffrey

Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Spicer, Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Terlezki, Stefan
Thompson, Donald *(Calder V)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
van Straubenzee, Sir W.
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Walker, Bill *(T'side N)*
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Tony Durant and
Mr. Michael Neubert.

Question accordingly negatived.
Amendment agreed to.

8 pm

Mr. Giles Shaw: I beg to move amendment No. 24, in page 7, leave out lines 3 to 10 and insert—

'(3) Notice must be delivered—

(a) to a police station in the police area in which the procession is intended to be held, or

(b) where the procession is intended to be held in more than one police area, to a police station in each area.

(4) If delivered not less than 6 clear days before the date when the procession is intended to be held, the notice may be delivered by post by the recorded delivery service; but section 7 of the Interpretation Act 1978 (under which a document sent by post is deemed to have been served when posted and to have been delivered in the ordinary course of post) does not apply.

(5) If not delivered in accordance with subsection (4), the notice must be delivered by hand not less that 6 clear days before the date when the procession is intended to be held or, if that is not reasonably practicable, as soon as delivery is reasonably practicable.'.

Clause 11 as drafted allows advance notice only to be given by hand. I undertook in Committee to bring forward an amendment to provide for advance notice to be given by recorded delivery post. This amendment makes good that commitment. It provides that, where advance notice is given not less than six clear days in advance, delivery may be effected either by hand, or by post by recorded delivery. If an organiser wishes to take advantage of this facility, it is his responsibility that the notice arrives at least six clear days in advance of the procession being held. That is the effect of disapplying section 7 of the Interpretation Act 1978.

Where it is not practicable to give six clear days' notice of a procession because it is called at short notice, notice must be delivered by hand. In such cases, it is important that the organisers get together with the police as soon as possible. So we did not think it right to allow service by post except when the notice reaches the police at least six clear days before the procession.

Mr. Kaufman: As the Minister will know, we are not in the least happy about the notice provisions of this Bill. Nevertheless, what the Minister has just moved is the fulfilment of a concession that he made to us in Committee, and we thank him for that.

Amendment agreed to.

Amendments made: No. 25, in page 7, leave out lines 11 to 15.

No. 26, in page 7, leave out line 22 and insert 'the notice'.—*[Mr. Giles Shaw.]*

Clause 12

IMPOSING CONDITIONS ON PUBLIC PROCESSIONS

Mr. Giles Shaw: I beg to move amendment No. 27, in page 7, line 35 leave out 'This section applies'.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take Government amendments Nos. 29, 30, 31, 33, 34, 41, 42, 43, 44 and 45.

Mr. Shaw: Again these amendments respond to amendments moved in Committee, in particular the amendment moved by the hon. Member for Tyne Bridge (Mr. Clelland). I agreed to bring forward amendments to provide that, where the chief officer of police gave directions imposing conditions in advance of an assembly, these should be given in writing. Amendment No. 45 makes good that commitment. Amendment No. 34 makes similar provision in respect of processions.

In Committee my hon. Friend the Member for The Wrekin (Mr. Hawksley) tabled amendment No. 54, which would have had the effect that directions imposed by the police on an assembly could prescribe the place at which an assembly either might or might not be held. The intention behind the amendment was to ensure that, where an officer imposed conditions as to the place where an assembly might be held, he would not be obliged to specify an alternative site. He could simply say that the assembly could not take place there. My right hon. Friend the Home Secretary indicated that we would bring forward an amendment to give effect to this intention, and that is the effect of amendment No. 43.

Mr. Cash: I am advised, by the tone of your voice in calling me, Mr. Deputy Speaker, to speak very briefly. I hope to do so, as I have indeed done so far in this debate, as hon. Members who have been present throughout will testify.

My concern is with a constituency matter, namely the peace convoy which has been descending on my constituency and its vicinity from time to time. It has also moved from the place where it had settled down, on Cannock Chase, to invade parts of my constituency and to cause a great deal of harassment and concern.

The chief constable of Staffordshire has been extremely helpful in putting together a detailed case to illustrate the way in which the people in my area have been affected. The total cost incurred by the county council ratepayers is as much as £85,000, a considerable amount of money, and this expenditure has been caused by the disruption of the lawful enjoyment of Cannock Chase. These people were leaving Cannock Chase and were going into gardens and other parts of my constituency, thereby causing a great deal of concern. I hope, therefore, that this provision, in conjunction with clause 5, will do the trick.

[Mr. Cash]

We have a serious situation on our hands. The peace convoy is rolling all over the country. It splits up into sections. I hope that the provisions of the clause will go some way towards helping to deal with this matter which is so worrying to my constituents.

That is all that I wish to say. I hope that I have gained your approval, Mr. Deputy Speaker, by the brevity of my speech. I beg to ask leave to sit down.

Mr. Kaufman: The hon. Gentleman has, in my view, rather spun it out. I trust that he will take warning from the way in which you called him, Mr. Deputy Speaker, should he deem it necessary to intervene again.

All that I would like to do is to thank the Minister for fulfilling the undertaking that he gave in Committee.

Amendment agreed to.

Amendments made: No. 29, in page 8, line 5, leave out '(2) The senior police officer' and insert 'he'.

No. 30, in page 8, line 6, leave out 'any conditions which' and insert 'such conditions as'.

No. 31, in page 8, line 9, leave out 'prescribing' and insert 'as to'.—*[Mr. Giles Shaw.]*

Mr. Lawrence: I beg to move amendment No. 32, in page 8, line 10, at end insert—

'(2A) For the avoidance of doubt subsection (2) above shall not apply notwithstanding any conventions or regulation which may otherwise permit such procession to approach the close vicinity of the premises of any foreign mission provided that the senior police officer shall have reason to believe that the procession may lead to a disturbance of the peace of the mission or impairment of its dignity in accordance with Article 22, section 2 of the Vienna Convention on Diplomatic Relations (1946).'.

There is a printing error——

Mr. Deputy Speaker: Order. I apologise to the hon. and learned Gentleman. I should have pointed out the error to the House. The hon. and learned Gentleman is, I am sure, about to point out to the House that in line 1 the word "not" is a printer's error and should not be included. I apologise to the hon. and learned Gentleman.

Mr. Lawrence: I am grateful for that, Mr. Deputy Speaker, and I will proceed with the amendment as corrected.

I am concerned about processions to foreign embassies of the kind that resulted in the tragic death of WPC Fletcher on 17 April——

Mr. Kaufman: It was not a procession; it was an assembly.

Mr. Lawrence: It was an assembly that was the conclusion of a procession of sorts, and it resulted in the tragic death of WPC Fletcher on 17 April 1984. I am concerned that such a tragedy should never be allowed to happen again. It happened because the police authorities, although the Foreign Office was apparently alerted to the likelihood of trouble from the Libyan people's bureau, allowed the movement towards the square—which to some degree was a procession, if not to a complete degree a procession—to take place close to the front of the Libyan people's bureau. Obviously the police authorities considered that either the threat was not serious enough or that the police did not have the power to stop such a procession.

I am delighted and relieved to see that clause 12(1) provides for such a general power to stop or limit processions, but I am not satisfied that it will be used to stop dangerous processions to embassies. My fear is caused by views expressed when the Select Committee on Foreign Affairs considered the abuse of diplomatic immunities and privileges that arose out of the St. James's square event on 17 April 1984. That Committee reported in December 1984. It was the view of witnesses, some officials and Ministers and also of the Committee, with the exception of myself—my proposal appears in the report and it was negatived—that it was so important that embassies should not be insulated from expressions of public opinion within the receiving state that, provided that work at the embassy could continue normally, there ought to be no restriction upon processions or demonstrations other than those that are already imposed by the existing laws. The tragedy of the existing laws is that they did not prevent the tragedy of WPC Fletcher, although trouble was expected.

If that view, arising from an interpretation of the Vienna convention, or of less official conventions and regulations, were to prevail in future, following the introduction of clause 12 of the Bill a senior police officer might be advised, when a procession approaches an embassy, not to restrict the procession, and it is possible that another police constable will then be shot. At any rate, if it were to happen that processions were to be more freely allowed to approach embassies, considerable danger might still exist in future, as it has existed in the past. It is to remove that potential limitation upon the powers of senior police officers, as set out in clause 12(2), that I move this amendment.

In further support of my proposition, may I add that it was the view of Professor Draper, one of the United Kingdom's leading authorities on international law, when he gave evidence to the Select Committee that a receiving state owes a wider duty to a guest mission than to preserving the Queen's peace. He pointed out that the Metropolitan Police Act 1839 contains no special powers for police commissioners to prevent processions at or near diplomatic premises and that section 3 of the Public Order Act 1934 does not provide sufficient control, although in relation to other processions there is such control. In Professor Draper's view, article 22 of the Vienna convention, which was given the force of law in the United Kingdom by the Diplomatic Privileges Act 1964, places a greater, not a lesser, duty on the Government to protect embassies. That article imposes an additional obligation, as a special duty, to prevent "impairment of" a mission's "dignity." Professor Draper's view to the Select Committee was that:

"allowing demonstrators to form up behind barriers placed for the purpose in the immediate frontage of the Libyan mission premises"

was such an impairment of dignity and therefore it was incompatible with article 22 of the convention.

Professor Draper's view, which I supported in the Committee, was rejected by the majority of the Committee —I believe with insufficient reason. The view prevailed in the Committee that embassies should not be insulated and that perhaps they should even be encouraged to be subjected to processions and demonstrations so that they could see and understand what feeling there is against the activities of another country in the host country. Therefore, it is sad to relate, WPC Fletcher died. That was not the fault of the British. The murder was by the

Libyans, but the fact remains that it would not have happened if the procession and the demonstration had not been allowed to take place near the mission.

8.15 pm

I have tabled this amendment so that any temptation that there might be by the authorities to say, "Yes, the senior police officer has the power to say that the procession which will lead to a demonstration shall not be allowed to go as close as this, or shall not be allowed to go into St. James's square" shall not be restricted in any way by any argument advanced by any authority that, because it is a diplomatic mission, the caution that he would otherwise impose to restrict a procession shall not apply.

If my hon. Friend the Minister of State will assure me that, as far as the Home Office is concerned, no such advice will be given to a senior police officer that he should, at the margin, allow a procession to take place to an embassy, because it is an embassy, when he would have stopped it if it had been going anywhere else, I shall be satisfied. However, if he is not in a position to give such an assurance, I ask the House to consider the addition of amendment No. 32 in order to make sure that processions that look as though they may be dangerous and that are going in the direction of an embassy shall not be allowed where others would not be allowed, for the very simple reason that the last time that this happened somebody died and this House must make sure that that never happens again to any of our policemen or to any citizen of this country.

Mr. Giles Shaw: In moving his amendment my hon. and learned Friend the Member for Burton (Mr. Lawrence) deleted the negative which inadvertently appeared on the marshalled list, and I am grateful to him for doing so. As my hon. and learned Friend said, under article 22(2) of the Vienna convention the United Kingdom is under a duty:

> "To protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity."

I draw my hon. and learned Friend's attention to the fact that the United Kingdom is under a duty to prevent any disturbance of the peace of the mission or the impairment of its dignity. Over the years we have more than fully discharged that duty effectively in this capital city. Most of the credit for that, if not all of it, rests with the Metropolitan police, who have the onerous task of providing protection for the embassies in London.

As my hon. and learned Friend will appreciate, the Vienna convention does not ban demonstrations and marches outside embassies. That would be contrary to our traditional freedoms of assembly and demonstration, and would not be acceptable. On occasion—and we can all think of different occasions—it is right that our citizens should be able peacefully to demonstrate their views to the representatives of foreign Governments here. What the Vienna convention does do is to say that we should take all appropriate steps to prevent intrusion or damage or any disturbance of the peace of the mission or impairment of its dignity. The police, and only the police, have the task of discharging that responsibility and they strive to do so without unduly infringing the right of peaceful protest and freedom of assembly. On occasion, no doubt, some of those in foreign missions would have wished the police to do more, and on occasions demonstrators and protestors would no doubt have wished them to do less, but in general they seem to have got the balance about right.

During our review of public order law we considered whether any special controls were necessary for demonstrations outside embassies. Paragraph 5.12 of the White Paper which preceded the Bill stated:

> "The police's existing statutory and common law powers, together with the new controls which are proposed in relation to static demonstrations, should provide the police with all the powers which they need to maintain order outside embassies, and to fulfil their special duty under the Diplomatic Privileges Act 1964."

The Bill contains provisions which may assist in three particular respects to ensure that our obligations under the Vienna convention can be carried out. First, the police will be able to impose conditions on static demonstrations as well as on processions. Secondly, the ability of the police to impose conditions will be extended from the present sole test of serious public disorder to cover demonstrations which threaten serious damage to property or serious disruption to the life of the community or the intimidation of individuals. Thirdly, the offence of disorderly conduct in clause 5 can be deployed where the offending conduct is likely to harass, alarm or distress the people going to and from or working inside an embassy as well as any other person. My hon. and learned Friend will recognise that these are the conditions which are available in the Bill, which covers all citizens for all events of this character. Subject to the House passing the legislation, there is no change in the rules or conditions which will be imposed on citizens or any person.

There is no special arrangement in the conditions which apply to embassies. On the contrary, the conditions will be identical. Those imposed on demonstrations outside embassies will be the same as elsewhere. The use of the powers will depend on the circumstances. I certainly do not claim that they are likely to lead to a fundamental change in the policing of demonstrations outside embassies. In our view that would neither be right nor necessary to comply with the Vienna convention.

The theme of the Bill is that we should bring the law relating to public order up to date and ensure that the police have the power to prevent and deal with disorder without infringing the right of peaceful protest. Even without our international obligations, it is right that those working in embassies should have the same protection as our own citizens. We continue to take the view, as we did in the White Paper, that additional specific controls are not required and that, with the existing law, the current Bill will confirm that the police have the powers that they need to ensure that our obligations under the Vienna convention are discharged.

The same criteria on public order will apply. The House will take note of the tragedy which occurred as a result of the assembly outside the Libyan people's bureau. I am convinced that the police, who have the right to impose conditions, will take note of that in ensuring that citizens of whatever country, at whatever place—certainly not just our own citizens — are not put at risk by any misapplication of the conditions pertaining to public order.

I trust that my hon. and learned Friend will accept that, in setting out the conditions in this way, the provisions for dealing with the matters which he rightly raised are adequately contained in the Bill. The powers that the police will have will ensure that the conditions are applied outside embassies as they are applied anywhere else.

Mr. Lawrence: I take note of what my hon. Friend has said, and that no instructions will be given by the Home Office or anybody else. In the case of a procession to an embassy, any doubts concerning the dangers of the procession will be suspended because of the supreme importance of a demonstration appearing in front of an embassy. That being so, I am satisfied, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 33, in page 8, line 11, leave out 'this section' and insert 'subsection (1)'.

No. 34, in page 8, line 18, at end insert—

'(3A) A direction given by a chief police officer by virtue of subsection (3)*(b)* shall be given in writing.'. — *[Mr. Giles Shaw.]*

Mr. Giles Shaw: I beg to move amendment No. 35, in page 8, line 29, after 'constable', insert 'in uniform'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 39 and 46.

Mr. Shaw: In Committee I undertook to bring forward amendments to provide that the power of arrest in clauses 12 and 14 would be exercised only by a constable in uniform. That is the effect of these amendments.

Mr. Kaufman: I thank the Minister for fulfilling the undertaking that he gave in Committee. I am especially pleased that the Government are making this point in statute, in the light of the disquieting reports that come to us from Wapping.

Amendment agreed to.

Mr. Harry Ewing (Falkirk, East): I beg to move amendment No. 36, in page 9, line 1, leave out subsection (11).

Mr. Deputy Speaker: With this it will be convenient to take the following amendments:

No. 51, in clause 16, in page 11, line 35, leave out from 'highway' to 'and' in line 36.

No. 54, in clause 17, in page 12, line 5, leave out 'Great Britain' and insert 'England and Wales'.

No. 58, in clause 18, in page 12, line 27, leave out 'Great Britain' and insert 'England and Wales'.

No. 62, in clause 19, in page 13, line 11, leave out 'Great Britain' and insert 'England and Wales'.

No. 70, in clause 22, in page 13, line 40, leave out subsection (1).

No. 71, in page 14, line 7, leave out 'a sheriff or'.

No. 72, in page 14, line 10, leave out 'sheriff or'.

No. 73, in clause 23, in page 14, line 35, leave out subsection (3).

No. 78, in clause 24, in page 15, line 11, leave out from 'highway' to 'and' in line 12.

No. 83, in clause 33, in page 19, line 22, leave out from '1985' to 'shall' in line 23.

No. 84, in clause 35, in page 20, line 7, leave out subsection (1) and insert—

'(1)This Act shall extend to England and Wales only.'

No. 85, in page 20, line 7, leave out '12, 14' and insert '17'.

No. 86, in page 20, line 3, leave out paragraph *(b)*.

No. 89, in schedule 1, in page 24, line 11, leave out Part II.

Mr. Ewing: Amendment No. 36 and the large group of associated amendments are not as forbidding as they might appear. The only purpose of these amendments is to remove Scotland from the terms of the Bill.

I am sure the Solicitor-General has heard the arguments before. The Solicitor-General has failed to convince public opinion and the local authorities of Scotland—I am not sure whether he has convinced the police authorities—that there is a need for Scotland to be included in the Bill. There are two good reasons for that submission.

First, the Solicitor-General will be aware that we have sufficient powers under common law in Scotland. The Scottish position is radically different from the position in England and Wales. The Scottish common law covers any situation which may arise in England and Wales and which will be subsequently covered by legislation contained in the Bill. If the Solicitor-General is not convinced of that argument, he need look no further back than three weeks ago. In central Scotland there was a demonstration which had been properly organised and properly authorised. It certainly did not appear to have the portent of trouble. However, under Scottish common law, those organising the demonstration were persuaded not to go ahead with the demonstration in the interests of the community in which the demonstration was to be held.

That is a recent example of a demonstration being cancelled at the last minute without the existence of this proposed legislation. All those concerned were aware that there were sufficient powers in Scottish common law to deal with that situation.

The second good reason for excluding Scotland from the Bill is the Civic Government (Scotland) Act 1982. That Act gave responsibility to regional councils and all-purpose island authorities to authorise any public assembly, a march or merely static demonstration. So great is that responsibility and so great is their authority that the regions and all-purpose island authorities can decide the route, the number of people who may attend and the duration of the demonstration. I should stress that the Civic Government (Scotland) Act 1982 was put through largely with the agreement of my right hon. and hon. Friends and me. I would not want anybody to think that it was a party political Act. What makes the inclusion of Scotland in this Bill so surprising and unnecessary is the fact that we spent so much time in 1981-82 getting that Act right so that it would cover assemblies such as are addressed by the Bill.

We believe that people have a right to demonstrate within the law. Nobody is trying to justify unlawful assemblies. Our argument is that an organisation could have made all of the necessary arrangements with the regional council or island authority, only to turn up on the day to be confronted by the most senior police officer present and be told that it cannot go ahead.

8.30 pm

All of the briefing notes and other literature that has been provided refers to a sergeant being the most senior officer present, but I am sure that the Solicitor-General for Scotland will concede that there are remote areas of Scotland where the only police officer present could well be a constable. A constable, albeit in uniform, might cancel all of the arrangements that have been authorised by the regional council or island authority. The police officer might be acting with the best possible intentions. I am not criticising the police — I am criticising the Solicitor-General and his Scottish Office colleagues for putting Scottish police forces in a difficult, if not impossible, position.

The regional councils and island authorities are responsible for administering the 1982 Act and are the police authorities. Central regional council could authorise a demonstration which was cancelled by one of its employees at the last minute. That is ludicrous, but police officers are ultimately employees of the regional police authorities. By including Scotland in the Bill, the Government are putting Scottish police forces in an impossible position. I have yet to hear any justification for including Scotland.

I do not see the need for a review of the legislation, but that does not mean that no need exists. If it is necessary to consider the 1982 Act and common law on demonstrations, however, this is not the way in which to go about it. We should be much more thorough than include a small section—with major implications—on Scotland in a United Kingdom Bill. I must plead with the Solicitor-General to exclude Scotland. If a review is needed, we should have properly thought-out and structured legislation which meets our needs. I am sure that the House agrees with that proposition, bearing in mind the differences between English and Scottish law. Our needs and circumstances are often different. I hope that the Solicitor-General will respond positively.

Mr. James Wallace (Orkney and Shetland): I must endorse much of what the hon. Member for Falkirk, East (Mr. Ewing) said. Those of us who represent Scottish constituencies are generally anxious about how Scottish reforms are dealt with. Many of us would prefer that these debates took place in a devolved Scottish parliament.

This is another example of Scots legislation being tacked on to a substantially English Bill. Much the same happened in 1982, when there was an English Criminal Justice Bill with one or two Scottish speckles. Lord McCluskey described it as somewhat akin to a Yorkshire pudding with porridge oats in it. The Bill does not have regard to the long and separate traditions of the Scottish common law.

Scotland also has very different statutory provisions, especially as regards the Civic Government (Scotland) Act 1982. That Act puts emphasis on the regional council or island authority to determine whether processions should take place. It empowers them to specify the date and time of a procession, its route, the number of people who can take part, arrangements for its control and to impose certain conditions on it. An applicant for a procession who believes that the council has not fulfilled its statutory duties can appeal to the sheriff. The Bill, however, gives power to a police officer to stop a procession. It is unlikely but, as has been said, that police officer could be a constable. He might overturn provisions that have been considered by a local authority and been subject to considerable debate.

There is one matter on which I take small issue with the hon. Member for Falkirk, East. He referred to processions and assemblies. It is my understanding that the Civic Government (Scotland) Act 1982 does not cover assemblies. In fact, what we have is a totally new provision in relation to assemblies. Therefore, we shall have an entirely separate means of controlling and dealing with assemblies compared with processions. That is illustrative of the anomalous position one can get into by such piecemeal legislation.

Although I was not a member of the Standing Committee, it is my understanding that on at least one occasion hon. Members suggested a Scottish-type solution for some of the English problems. They were told that that was not appropriate because conditions, circumstances and the tradition of law are different in Scotland. What is sauce for the goose should be sauce for the gander. Because this legislation is thought appropriate for England, it does not follow that it is appropriate for Scotland.

Reference was made to the fact that the Bill brings the police into circumstances where they might not wish to become too deeply involved. If the Government are to make a case for this legislation applying to Scotland they should show that there are circumstances in Scotland which are crying out for this type of reform. They should show that there are circumstances in which there is an absence of the law as it stands in England.

I am advised from a reasonably reliable authority that on one day in December of last year there were a series of incidents in Glasgow. One of them involved the hon. Member for Antrim, North (Rev. Ian Paisley) who had gone to Glasgow to address a rally. On the same day there was a protest march against strip searching in Armagh gaol. There was a counter-march by Ulster loyalists, who sought to intercept those who were protesting against strip searches. That protest was taking place in the City halls. The Loyalists were milling around George square in Glasgow. Those who know the geography of Glasgow will know that Buchanan street underground station is not far away and the National Front was holding a rally there. The Strathclyde community relations council held a multi-racial festival in the City chambers and the Scottish Asian advisory committee was involved in another demonstration nearby. That demonstration was held at short notice and the committee was given permission to waive the necessary 24 hours notice. The National Front attempted to disrupt that demonstration.

I am told by someone who observed all of that that the police handled it brilliantly and that they coped particularly well. That is because they had to use the common law tools available to them. They had to show their policing skills and they did so. The amount of trouble involved was minimal. I fear that if the police have the powers that will be available under this Bill it would not encourage the best policing. There would, perhaps, be an early resort to using the powers and that would lead to lax policing and could cause trouble where, at the moment, more sensitive policing has managed to avoid it.

I do not think that there have been incidents in Scotland which would have given rise to these powers being given to officers of as low a rank as constable. For those reasons I ask the Solicitor-General for Scotland to consider whether Scotland needs the legislation. It will not put a hole through the Government's legislative programme or substantially diminish the effect of the Bill if, even at this late stage, he was to reconsider the position and take out the provisions relating to Scotland. If he feels that there is a need for a broad overhaul and review of the law in Scotland relating to public order and mobbing and rioting that could take place, we would be prepared to consider that if it was brought forward in a specifically Scottish Bill. Once again, law reform for Scotland in this half-hearted, piecemeal and tacked-on fashion is not in the best interest of Scottish law or the Scottish people.

8.45 pm

Mr. Gordon Wilson (Dundee, East): I support this series of amendments. I am sorry that I was not able to hear the speech of the hon. Member for Falkirk, East (Mr. Ewing). I had understood that the debate would take place later. Nevertheless, without having heard the hon. Gentleman, my views on this matter are fairly clear.

I am against Scotland being included in the Bill—for two reasons. The first is that to which the hon. Member for Orkney and Shetland (Mr. Wallace) has already referred. We are dealing with Scottish provisions tacked on to an English measure. I am told that Scotland is included because the Bill was produced in panic by the Government and the police in England because during the miners' strike and on other occasions they found that the English legal system was not capable, in their view, of dealing with some of the difficulties which ensued. Even if there were a case for action in relation to Scotland, it is wholly wrong that the Government should have produced this Bill with Scottish provisions tacked on.

I believe that the Committee had only one or two Scottish members—I do not know the exact composition — and I would not be pleased to have legislation changing Scottish law in a major way in relation to demonstrations and assemblies from a Committee largely composed of members representing constituencies in England and Wales. There is no way in which Scottish Members could hope to give any input from our Scottish experience in that context. Therefore, I reiterate the case which has been made within Scotland on many occasions by the Law Society and many others, that where a substantial change in Scottish law is called for, it should be done by separate legislation. I cannot see any reason why there should not have been a separate Bill for Scotland if it is argued that the changes are justifiable.

I now move from my first objection, which is one of principle, to my second objection. I am not convinced that any real change is required in the arrangements for dealing with public assembly, demonstrations and processions in Scotland. Despite all the difficult factors which can arise — the hon. Member for Orkney and Shetland (Mr. Wallace) referred to an intelligent system operating in Glasgow — we have not had many inflammable situations which have not been dealt with by the police using common sense, and the laws as they already exist in Scotland.

It is for the Government to persuade the House that Scotland should be included in the Bill. I await the arguments, but I think that the Solicitor-General for Scotland may be hard pressed to produce arguments which will be acceptable to me. I agree with many of the arguments adopted by the hon. Member for Orkney and Shetland and I do not intend to go over the same ground again. However, as a matter of general principle it should be for the local authority — the democratically elected body—to have a say in these matters as we have now.

It seems strange that, only a few years after the Government produced the Civic Government (Scotland) Act 1982, we have to have such a major reshaping of the arrangements for dealing with processions and assemblies. I do not know what has conditioned the Government to do it, but it seems that they have joined the stampede in favour of a change in the law, without having done their homework. A major change of this kind, which takes responsibility from a democratically elected authority and gives it to the police, should not be done within a time span of two or three years.

An element of civil liberty is involved. It is always easier to erode civil liberties than to establish them. By taking responsibility from the elected authorities and giving it to the police, the Government are not helping either civil liberties in Scotland or, I suspect, the police themselves. The police will look askance at the powers that they have been given. When they take decisions on their own authority, they will become involved in political activity, which is wrong. The police should be shielded from that wherever possible, in the interests not just of the citizens but of the police themselves.

Respect for the police comes from the way in which they enforce the law, but that is not so if people suspect that politcal bias might creep in. I am not saying that the police would adopt a politically biased attitude, but if a demonstration or assembly is stopped or interfered with under the Act, the blame will be placed on the police, when they may not be guilty of anything. It is much better that the responsibility for such decisions is taken by elected politicians who have, in turn, to answer to their electorate for the way in which the powers of the Civic Government (Scotland) Act are enforced.

The Solicitor-General for Scotland (Mr. Peter Fraser): This debate is about the disapplication of the Bill to Scotland. The objective of the official Opposition is to disapply all the provisions of the Bill. I am a little surprised that there is not an amendment on the Scottish provisions in schedule 2, which amends the Civic Government (Scotland) Act 1982. I think that the basic intention of the hon. Member for Falkirk, East (Mr. Ewing) is that it is wrong to legislate for Scotland in what he sees as an English and Welsh Bill.

While I understand that argument—I hope that the hon. Gentleman will not think that I am making a cheap political point—I am to some extent surprised that it was only in Committee that, for the first time, the hon. Member for Caithness and Sutherland (Mr. Maclennan) advanced the argument. No Scottish Labour Member spoke on Second Reading. While the hon. Member for Caithness and Sutherland spoke, I understand that he did so in his capacity as law and order spokesman for the alliance, and he made no specific reference to the disapplication to Scotland.

This matter was not suddenly sprung on Scottish Members of Parliament. As hon. Members who are interested in these areas of the law will appreciate, in the White Paper of May 1985, we set out in a paragraph that related solely to Scotland exactly what is now included in the Bill.

The hon. Member for Falkirk, East wishes to disapply the whole Bill. As I understand it, the objective of the amendment tabled by the alliance is more limited. It is to disapply only clauses 12 and 14. It is identical to the amendment introduced by the hon. Member for Caithness and Sutherland in Committee.

It might be useful if I looked at the effect of the group of amendments tabled in the name of the hon. Member for Glasgow, Garscadden (Mr. Dewar). I am concerned that, although the broad point of opposition has been stated, some of the consequences of what is proposed might not be appreciated. Most particularly, although the hon. Member for Falkirk, East did not include this in his

remarks, what concerns me is that part III of the Bill would be disapplied to Scotland. The measures in that part of the Bill are essentially a modernisation of the present law on racial hatred, now contained in section 5A of the Public Order Act 1936, which was inserted by section 70 of the Race Relations Act 1976, at a time when the hon. Member for Falkirk, East was a member of the Government.

Section 5A of the 1936 Act applies both north and south of the border. I see no reason why this attempt to update and extend the statutory protection offered by the new measures should not do so. Indeed, if the measures did not apply in Scotland, following the repeal of section 5A we would be left without statutory powers in that area, where we cannot confidently rely on the adequacy of Scots common law to come to our aid in every instance involving incitement to racial hatred.

Mr. Ewing: The Solicitor-General is making a valid point, which I accept. In the spirit of negotiation and good will that we are now enjoying, I am prepared to drop the amendments, in exchange for the hon. and learned Gentleman accepting the rest of my amendments.

The Solicitor-General for Scotland: I am grateful to the hon. Gentleman for his generosity. I appreciate that he sees the importance of having the provisions in Scotland. However, the interesting thing about the argument is that his Government, when he was a member of it, saw that some parts of public order should be legislated for on a United Kingdom basis. After the Race Relations Act 1976, the process of legislation was to bring that into the Public Order Act 1936, which applied on a Great Britain basis. Therefore, the idea that for the first time we are legislating on public order on a Great Britain basis, when previously we had done it separately for England and Wales and Scotland, is not true.

I do not need to labour that point. I am relieved, as I am sure every other hon. Member is, that in Scotland we have had fewer racial hatred problems than elsewhere. The hon. Gentleman seems to appreciate that it would be wrong to give a signal to any racial minority, wherever it was in Great Britain, that it is not to enjoy the statutory protection of the law.

Mr. Soley: It would be a little disingenuous to imply that that was the main problem. The Solicitor-General will remember that more than once in Committee I raised the fact that the system in Scotland, leaving aside the racial hatred part of the Bill, was working very well. Time and again, I challenged the Government to say why they felt it necessary to impose on Scotland something which we felt in England and Wales was not necessary. The Solicitor-General never answered that point in Committee, and he is not answering Scottish Members tonight.

The Solicitor-General for Scotland: I am still dealing with part III and racial hatred. I understood that the hon. Member for Falkirk, East recognised what I was trying to say.

The substance of both sets of amendments concerns processions, covered in part II of the Bill. Both the official Opposition and the alliance seek to remove clause 12(11) from the Bill. I remind hon. Members of the purpose of the clause. It is to give the police at the scene the power to impose conditions on a procession — provided the statutory criteria are met — when the procession is in progress or when the marchers are assembling. It is essentially an on-the-spot power for the police.

This point was picked up by the hon. Members for Orkney and Shetland (Mr. Wallace) and for Dundee, East (Mr. Wilson). The hon. Member for Falkirk, East referred to the powers under the Civic Government (Scotland) Act. However, the difference is this. We have to deal with circumstances that may emerge after the local authority, given the regulatory power that it has under the 1982 Act, has taken its decision. The 1982 Act establishes that regulatory framework, allowing for the imposition of conditions in advance of the march taking place.

Having introduced the measure with the agreement of all parties in Scotland, I would be the first to recognise that it has worked well. Apart from the minor changes in schedule 2, I have no desire to change it. As the hon. Member for Falkirk, East will appreciate, when we introduced the 1982 Act, the powers at present contained in section 3 of the 1936 Act and which continue to give the police power on the spot in relation to processions in Scotland were still in being. They apply with equal force north and south of the border.

9 pm

During the debate on the Queen's Speech last year, the hon. Member for Garscadden argued for the need to withdraw section 3 of the 1936 Act from Scotland, on the basis that the Civic Government (Scotland) Act 1982 was sufficient to deal with all the problems that might arise. I am surprised at that stance and at the line that is being followed by the hon. Member for Falkirk, East. Hon. Members will recollect that two years ago I was regularly questioned about the way in which the police were exercising their common law powers in relation to the unhappy circumstances of the miners' dispute. At that time, the hon. Member for Garscadden expressed his concern about what he called the extraordinary wide use of powers under the Police (Scotland) Act 1967, and asked of me:

> "Is the hon. and learned Gentleman not worried . . . that . . . the police will be able to ban any rally, demonstration or meeting without recourse to public order legislation? Is that now wrong?"—[*Official Report*, 16 May 1984; Vol. 60, c. 360.]

It is precisely because we think that it is important for police powers in relation to processions to be expressly defined that clause 12(11) has been inserted in the Bill. Its removal would give rise to the very fears that the hon. Gentleman expressed then.

I find it curious that in Strathclyde, which includes more than half the population of Scotland, the regional authority imposed conditions on allowing exemption from the notification requirements under section 62 of the 1982 Act. One of its standard conditions is that police instructions shall be obeyed. I would have thought that the hon. Member for Falkirk, East would have thought that that power was not clearly defined. If, for example, that were to be the Bill's provision for the way in which those participating in a procession should act, the right hon. Member for Manchester, Gorton (Mr. Kaufman) and others would undoubtedly say that it wholly lacked any specification.

I am puzzled why the hon. Member for Falkirk, East takes such exception to setting out clearly in Scotland, subject to the stern criteria of serious public disorder, serious damage to property or intimidation, the powers of the police on the spot to regulate the circumstances. He made some play of the fact that the police have common law powers in Scotland, and I do not dissent from that observation. However, I remember equally well that

[The Solicitor-General for Scotland]

during the miners' dispute he and some of his colleagues went to see the Secretary of State, and openly and clearly expressed their anxiety that the police were resorting to common law powers in those difficult and delicate circumstances. What is wrong with taking the opportunity to set out clearly, subject to those stern criteria, how the police should be able to impose their conditions on a procession or assembly, instead of leaving it to the less clearly defined powers of common law which the police have?

The hon. Gentleman rightly points out that it is undesirable for the police to be intimately involved when members of the public are exercising their democratic right either to assemble or to engage in a procession. I hope that the circumstances of such assemblies or processions are such that the powers under clauses 12 to 14 would rarely be used. Indeed, I would consider the management of our affairs in Scotland a success, if the powers were never relied on. Essentially, these powers are to be held in reserve.

The hon. Gentleman said that the regional authority in Scotland was the police authority. He made the fair point that it might seem slightly odd that if that authority gave a group of people permission to process, it might find that a police officer wanted to impose conditions on the exercise of that right. I recognise that possible difficulty, but the criteria are stern. I should have thought that the hon. Gentleman's Labour colleagues on Central region would be somewhat alarmed if police officers employed by them, under the direction of the chief constable, would not take the necessary action if there was serious public disorder, intimidation or serious damage to property.

I hope that we will not have another miners' strike in Scotland. But the hon. Member for East Lothian (Mr. Home Robertson) will certainly remember that at the time of the strike, several people came up from south of the border to express their views about the dispute. There is a good argument for saying that the powers that the police can take to themselves in such circumstances are widely known and that if they are widely known on a Great Britain basis that is all the more to the good.

My final point may prove unnecessary. The amendment to disapply would also disapply several changes made in the Bill in relation to alcohol at sporting events, as contained in the Criminal Justice (Scotland) Act 1980. The hon. Member for Falkirk, East seemed to address his remarks primarily to part II and not to any changes that might be included in relation to alcohol at football grounds. But, as he knows, those measures have operated successfully in Scotland for more than five years. I hope that he will accept that the law could be updated and improved, just as it will be elsewhere in the United Kingdom.

Although the argument for disapplying has been put, the Government believe that we are talking about desirable reserve powers that fall into the pattern that has existed successully in Scotland for some time. Although anxieties have been expressed, those powers are not in any way at variance with what is contained in the civic government code. They merely provide useful complementary provisions where on-the-spot difficulties might arise.

Mr. Ewing: With the leave of the House, I shall reply to the debate. I accept what the Solicitor-General says about the safety of sports grounds and the provision of alcohol there.

But on the whole the Solicitor-General's argument is based on the fact that the amendment will somehow damage the Bill. He has singularly failed to convince me and my right hon. and hon. Friends of that. The Government will have an opportunity in the other place to reinsert anything taken out of the Bill, and so I advise my right hon. and hon. Friends to vote for the amendment so that the Bill is disapplied in the case of Scotland.

Mr. Maclennan: One thing missing from the Solicitor-General's speech on the proposed disapplication of the public order provisions was any justification, based on evidence, that the law in Scotland does not work. When we debated the subject in Committee, he relied on arguments of tidiness and on ex hypothesi arguments that carried no weight with the Committee. He dismissed the views of the Law Society of Scotland, which complained that the Scottish Office had dreamt up this matter, hanging on to the coat tails of the Home Office.

The arguments have been well made about the procedural objections to reforming the law of Scotland via a side wind. I realise that some hon. Members from Labour constituencies in England are not concerned about this measure. Fortunately, they do not represent the views of the majority of the Opposition. *[Interruption.]* Hon. Members would be wise not to provoke me. If they do, I cannot guarantee that this important matter will be dealt with expeditiously.

The arguments which the Solicitor-General deployed were the best that could be made. He made the typically persuasive speech of an advocate. The fact remains that there is no mischief to be remedied. The law in Scotland is working well. We are being dragged along for reasons of tidiness alone. I regret that the Solicitor-General has seen fit to kowtow to the Home Office. He would be better advised in future to make major changes in Scots law by means of a Scottish Bill. The participation of Scottish Members would therefore be greater at all stages than it has been during this legislation. It is highly unsatisfactory that it is possible only at the concluding stages of the Bill for Labour Members to define their arguments. They are, for understandable reasons, terribly anxious to do so. We cannot proceed in that way.

Question put, That the amendment be made:—

The House divided: Ayes 168, Noes 229.

Division No. 164] **[9.13 pm**

AYES

Abse, Leo	Brown, Gordon *(D'f'mline E)*
Adams, Allen *(Paisley N)*	Brown, N. *(N'c'tle-u-Tyne E)*
Alton, David	Brown, Ron *(E'burgh, Leith)*
Anderson, Donald	Buchan, Norman
Archer, Rt Hon Peter	Caborn, Richard
Ashley, Rt Hon Jack	Callaghan, Rt Hon J.
Atkinson, N. *(Tottenham)*	Callaghan, Jim *(Heyw'd & M)*
Bagier, Gordon A. T.	Campbell, Ian
Barnett, Guy	Campbell-Savours, Dale
Barron, Kevin	Canavan, Dennis
Beckett, Mrs Margaret	Carlile, Alexander *(Montg'y)*
Beith, A. J.	Carter-Jones, Lewis
Bell, Stuart	Clark, Dr David *(S Shields)*
Bennett, A. *(Dent'n & Red'sh)*	Clay, Robert
Bermingham, Gerald	Clelland, David Gordon
Bidwell, Sydney	Clwyd, Mrs Ann
Boyes, Roland	Cocks, Rt Hon M. *(Bristol S)*
Bray, Dr Jeremy	Coleman, Donald

Conlan, Bernard
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dormand, Jack
Douglas, Dick
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
Freud, Clement
Garrett, W. E.
George, Bruce
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Fife Central)*
Hancock, Michael
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howells, Geraint
Hughes, Dr Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Janner, Hon Greville
John, Brynmor
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lambie, David
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McTaggart, Robert
Madden, Max
Marek, Dr John
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Moore, Rt Hon John
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
O'Brien, William
O'Neill, Martin
Park, George
Parry, Robert
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Rogers, Allan
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Ross, Stephen *(Isle of Wight)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wallace, James
Wareing, Robert
Weetch, Ken
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Woodall, Alec
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John McWilliam and
Mr. Allen McKay.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Best, Keith
Biggs-Davison, Sir John
Body, Sir Richard
Bottomley, Mrs Virginia
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brown, M. *(Brigg & Cl'thpes)*
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Coombs, Simon
Cope, John
Couchman, James
Critchley, Julian
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Durant, Tony
Evennett, David
Fenner, Mrs Peggy
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Fry, Peter
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hawksley, Warren
Hayes, J.
Hayhoe, Rt Hon Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jenkin, Rt Hon Patrick
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, Andrew *(Berkshire)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Morris, M. *(N'hampton S)*
Moynihan, Hon C.
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Onslow, Cranley
Oppenheim, Phillip
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Porter, Barry
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rhys Williams, Sir Brandon
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas

Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Spicer, Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Terlezki, Stefan
Thornton, Malcolm
Townend, John *(Bridlington)*
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Donald Thompson and
Mr. Michael Neubert.

Question accordingly negatived.

Mr. Alex Carlile: On a point of order, Mr. Speaker. I understand that tonight there has been a riot at Northeye prison near Bexhill, that the prison is on fire, that a number of prisoners have escaped and that what has happened may well have been partly caused by the problems arising from the prison officers' dispute. I ask that the Home Secretary or a relevant Home Office Minister should come to the House tonight to make a statement on what has happened at Northeye prison, which appears to be extremely serious and ought to be dealt with urgently.

Mr. Giles Shaw: Further to that point of order, Mr. Speaker. Subject to the proceedings and courtesies of the House, I understand that my right hon. Friend intends to make a statement at 10 o'clock.

Clause 13

PROHIBITING PUBLIC PROCESSIONS

Mr. Giles Shaw: I beg to move amendment No. 37, in page 9, line 5, after 'police', insert 'reasonably'.

Mr. Speaker: With this we may take Government amendment No. 38.

Mr. Shaw: In Committee I undertook to look at aspects of the judicial review procedure—namely, the insertion of "reasonably" in two places in clause 13 which reflects the power to ban. I did so in response to amendments moved by the right hon. Member for Manchester, Gorton (Mr. Kaufman). These amendments give effect to that undertaking and add a requirement of reasonableness to the chief officer's belief, for the purposes of clause 13, and therefore bring the clause into line with clauses 12(1) and 14(1).

Mr. Kaufman: If it were not so pleasant, it would become monotonous, but I thank the Minister for fulfilling his undertaking.

Amendment agreed to.

Amendments made: No. 38, in page 9, line 22, after 'Metropolis', insert 'reasonably'.

No. 39, in page 9, line 42, after 'constable', insert 'in uniform'.—*[Mr. Giles Shaw.]*

Clause 14

IMPOSING CONDITIONS ON PUBLIC ASSEMBLIES

Mr. David Clelland (Tyne Bridge): I beg to move amendment No. 40, in page 10, line 13, leave out clause 14.

We now come to what is probably the most contentious clause in the Bill, in so far as it proposes the introduction of restrictions on traditional liberties and freedoms. Our intention is to oppose the inclusion of clause 14, and to this end we have tabled the amendment.

This part of the Bill threatens to introduce the criminal law into picketing, and in so doing it presents the distinct possibility — indeed, probability — that other forms of assembly will also fall foul of its provisions. The fact that the Bill defines an assembly as being constituted by as few as three people reveals the extent to which the Government have been taken over by their more extreme element, and how much of an influence it has within the Conservative party. It also says much about the Government's policies and proposals as they affect other sections of our society.

I do not have the experience to recall the progress of other Bills, but the number of amendments that the Government have had to accept as a result of the force of argument from the Labour party reveals a carelessness in drafting that must be horrifying to all thinking people who live in the realisation of the power that the Government wield and the extent to which that power can affect their everyday lives and freedoms.

In Committee my hon. Friend the Member for Hammersmith (Mr. Soley) attempted to persuade the Government that to define a group of only three persons as an assembly, which could thereby make them liable to be in conflict with the criminal law, was an act of the utmost folly that threatened to be a more serious erosion of traditional liberties. Thankfully, the Minister, who evidently does not share the extremist views of some of his colleagues, accepted the strength of the arguments of my hon. Friends and agreed to an increase in the number to 10. That was an improvement on the proposal in the Bill, but it was still short of our perception of what was reasonable if such a provision had to be included at all. I am pleased to learn that the Government, having thought more seriously about the matter, may now be disposed to accept the amendment tabled in the names of my right hon. and hon. Friends proposing that if the clause is to be included in the Bill the number constituting an assembly for the purposes of the Act should be increased to 20.

9.30 pm

Notwithstanding this and other amendments tabled by the Government following arguments advanced in Committee by Opposition Members, it remains our contention that clause 14 constitutes a major change in the right of ordinary citizens to demonstrate their discontent.

Much has been said about the rights of individuals, as though there was some doubt whether the Labour party believes that the rights of individuals deserve protection. It appears that some Conservative Members are under the impression that if an individual seeks support from a number of his fellow citizens—only two originally, but now 19—to protect or advance these rights, he ceases to

be an individual and becomes a mob, and as such his rights become less important than they were when he was an individual. What nonsense that is. That defies the traditions and principles of democracy.

On Monday I visited a voluntary group in my constituency called the Riverside Child Health Project. This project brings together mostly young mothers and one-parent families to discuss health and other problems which they have to face — problems of which my constituency has more than its fair share.

In discussions with one young mother, who was extremely concerned about the implications of the Government's proposals for the social services system, I was asked what can these young mothers do but demonstrate to illustrate their opposition? What struck me as significant and cruel is that this week, while the Government continue to progress their proposals for further eroding the standard of living of that young woman and her family, we will have to listen to the Government putting up arguments as to why her one direct avenue of protest should be restricted. Conservative Members may say that that will not happen and that it is not the purpose of the Bill to do that. How do they know that that will not happen? There is nothing in the Bill which says that it cannot happen, although there is plenty that says it can.

The clause reveals that it can happen, and the police will make it happen. A policeman must decide whether an assembly can be effective or not by imposing the conditions laid down in the Bill as to time, place, numbers and so on. In some cases a single police officer must believe that an assembly will result in serious public disorder, serious damage to property or serious disruption to the life of the community. He must decide whether the purpose of the persons organising the assembly is to intimidate others with a view to compelling them not to do something they have a right to do or to do something they must not do. There is too much scope for interpretation within the clause.

What is

"serious disruption to the life of the community"

which a policeman must decide in advance may occur? As the hon. Member for Harlow (Mr. Hayes) said in Committee:

"what may be serious disruption to my tranquil village of Wendons Ambo will not have the same effect on a street in Islington?" — [*Official Report, Standing Committee, G,* 13 March 1986; c. 744.]

What is intimidation? As we saw in the case of Thomas v. The National Union of Mineworkers, at least one judge, Mr. Justice Scott, believes that simply standing glowering can be highly intimidating.

The clause does not say that the participants in the assembly must cause disruption in order to trigger this legislation. Therefore, the opponents of an entirely peaceful demonstration could, by threatening disruption, without necessarily having the intention to do so, cause a demonstration to be moved on by the police and even broken up. We can all think of organisations or individuals who would take great delight in such activity.

Some Conservative Members may still insist that that will not happen, but there is another law which says that if it can happen, it will happen. Even the most ardent supporters of the Bill cannot deny that under these proposals it is possible for a demonstration to be inhibited for reasons entirely within the personal prejudices of an individual police officer.

I am not suggesting that police officers will deliberately set out to act in such a way, but the fact that it is in their power to do so is as worrying to many of them as it is to anyone else. Senior police officers have said that the police should not be thrust into the arena of political decision making. Indeed, the Home Secretary said as much. Under the Bill and this clause they will be, or at best, they may be, thrust into that arena. Because so much will depend upon the judgment and discretion of the police, even when demonstrators act reasonably and genuinely fear the consequences set out in the Bill, they will always have the suspicion that the police are biased against them and that they are making decisions of a political nature. That will cause a further deterioration in relations between the police and the public, and that is why some senior police officers are worried and do not want to be put in that position.

The clause is designed to be restrictive. Therefore, in carrying out the law, as it is their duty to do, police officers will be viewed as acting in a restrictive manner. They will be seen to be against the demonstrators and so, by implication, for the subject of the demonstration. That is why it was argued by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) that the Bill should contain some positive measures to balance the negative elements; that the Bill should recognise the rights of individuals to the right to protest and demonstrate, rather than deal entirely with restrictions on such activities.

The Minister has agreed, again after strong argument by Opposition Members, to issue a circular to the police reminding them of the right of people to assemble and demonstrate peacefully, but a golden opportunity has been missed to win back the confidence of the vast majority of people who will be directly affected by the legislation— the opportunity to give something rather than once again be taking more away.

It is perhaps a measure of the distaste which the Government have for those traditional rights that, while they are willing to issue a circular, they could not bring themselves to incorporate in legislation the right to protest. In Committee the Home Secretary said:

"We have no desire to heap powers on the police for some political purpose. The sole test should be the better protection of the public."

I certainly agree with that, but the public whom I represent want protection against burglars, muggers, rapists and vandals. Not one constituent has asked me for protection against a May day rally or students' rag week parade.

Mr. Nicholas Lyell (Mid-Bedfordshire): I am grateful to the hon. Gentleman, who had the greatest possible success with his amendments in Committee, which is no doubt why he is proposing this amendment. But should not the public who wish to go to work at least have protection from those who mob around the gates in that the police can ask them to stand back? All right, they may demonstrate, but the man who does not wish to be stopped, even by menaces, should be able to walk through to work. Does the hon. Gentleman not accept that in the case of Mr. Justice Scott, to which he referred, some 50 people sought, by much more than glowering, to try to intimidate people from exercising their lawful rights?

Mr. Clelland: The hon. and learned Gentleman ignores the fact that the police already have considerable powers to make way for people going to work, as was done

[Mr. Clelland]

during the miners' strike. This is an additional power which is designed to restrict not only that activity but some other peaceful activities, as I have described. I am sure that we shall see examples of that as time goes on. This further restriction is an infringement of individual liberties and that is why we shall oppose the clause.

What are we to read into the Home Secretary's words? They reveal to me that the right hon. Gentleman identifies three groups of people—the police, the public and the demonstrators. The job of the police, as he sees it, is to protect the public against the demonstrators. This was confirmed, to my mind at least, when he went on to say:

"I think that we all agree that a balance must be struck between the rights of those who organise and attend assemblies and the rights of other people who are going about their lawful occasions." — [*Official Report, Standing Committee G,* 11 March 1986; c. 729-30.]

I could not help noticing that the word "lawful" is used of one group but not of the other. It may be a bit Freudian of me, but the right hon. Gentleman's words reveal to me a bias, perhaps subconscious, against those who wish to demonstrate. I must not, however, be too disparaging. The decision to issue the circular is welcome and will, no doubt, have an influence over the practical operation of the proposals, if enacted.

In the Government's whole approach to this matter, we perceive a desire to curtail the freedom of groups and individuals to protest and to dissent. While the amendments which have been accepted have gone some way towards tempering the original proposals, the clause remains too restrictive, potentially too damaging to police-public relations, and too intolerant of traditional rights and liberties. It is good news for Rupert Murdoch, but it threatens to weaken even further the position of those who find themselves in conflict with the rich and powerful.

We spent about 80 hours in Committee on this Bill. When we spend that much time discussing how we may correct the social conditions which have led to so much crime and unrest in our country over the past seven years, that will be when the House really begins to tackle the problem of public order.

Mr. Hind: If this clause is removed from the Bill, we may as well not have a Public Order Bill at all. Nobody who realises the problems of public order today and who is responsible for organising demonstrations will doubt that this Bill will affect in any way the control and administration of demonstrations and processions that are properly organised and responsibly carried out. Those organisers have nothing to fear. What this clause strikes at is the problem outside the print works in Warrington and Wapping, outside Orgreave coke works, outside Nottingham pits. Those are the problems that the public look to us to solve, and this is one of the ways in which we do it.

If we vote against this clause, we fail in our duty to the public — and they are not expecting us to do that tonight. I ask that the amendment be rejected.

Mr. Alex Carlile: Clause 14 demonstrates not only the Government's failure to understand what is required in the situations with which they are attempting to deal but, far more fundamental and disturbing, the Government's continued failure to recognise their international obligations as regards the right of peaceful assembly.

This is a failure not only of the present Government but of successive Governments over many years. It is my view, a view that I urge the House to take, that it is wrong to enact a further series of prohibitions dealing with assemblies without at the same time attempting at long last to enact some positive legislation which gives and defines the right to protest and of peaceful assembly. We tend to assume that, in common with some other countries, we have a right to make peaceful protest, and to assemble to make that protest, but, of course, that is not the case. As Lord Hewart said in the case of Duncan v. Jones:

"English law does not recognise any special right of public meeting for political or other purposes. The right of assembly . . . is nothing more than a view taken by the court of the individual liberty of the subject".

This Government, like all Governments since Lord Hewart spoke those words many years ago, should have brought into domestic law the obligations to which we as a nation have assented in more than one international agreement.

9.45 pm

Pursuant to article 11 of the European Convention on Human Rights, we as a nation have agreed that

"Everyone has the right to freedom of peaceful assembly and to freedom of association with others",

subject to restrictions which, in my view, do not go as far as those in the present clause 14. The Universal Declaration of Human Rights declares that

"Everyone has the right to freedom of peaceful assembly and association."

The United Nations International Covenant on Civil and Political Rights states that

"The Right of Peaceful Assembly shall be recognised."

It is worth bearing in mind, too, the first amendment of the United States constitution which provides that

"Congress shall make no law . . . prohibiting . . . the right of the people peaceably to assemble, and to petition the Government for a redress of grievance."

The word "right" is repeated again and again in those international declarations. It must be within a framework that includes a clear statement of what our rights are that prohibitions such as those that are contained in clause 14 should be enacted, and then only if they are absolutely necessary.

Mr. Cash: There seems to be something slightly wrong with the hon. and learned Gentleman's argument. All right hon. and hon. Members would subscribe to the idea of peaceful assembly, but clause 14 deals with a completely different situation where a senior police officer reasonably believes that it may result in serious public disorder, et cetera. That is the precise opposite of the hon. and learned Gentleman's case.

Mr. Carlile: The hon. Gentleman is quite wrong. It is the use of the phrase "et cetera" that gives away where he is wrong, because "et cetera" includes the right of a senior police officer to order an assembly to move if he believes that there will be "serious disruption to the life of the community". Quite apart from involving a very subjective judgment or belief, it also involves the police officer in an interpretation of what will be serious disruption to the life of the community. In my constituency in mid-Wales, which is not, on the whole, prone to demonstrations and assemblies, on the day following the American bombing of Libya there were two peaceful assemblies, one in the country town of Welshpool, the other in the country town of Newtown. It was a very unusual occurrence in each of those towns. They were peaceful assemblies and, judging

by the newspaper photographs, extremely respectable and respected citizens took part. They assembled to protest against the British Government's error of judgment, as they perceived it, in allowing American F111s to fly from bases in the United Kingdom. *[Interruption.]* I give way to the hon. Member for Stafford (Mr. Cash). I think that he wants to intervene.

Mr. Cash: I intervene briefly only to say that the hon. and learned Gentleman may remember that Welshpool is where Llewelyn died.

Mr. Carlile: If the hon. Gentleman had been a little more straightforward with us, he would have repeated what he said earlier from a sedentary position and I should have asked him to withdraw it.

It would be quite wrong for a police officer to be empowered to tell an assembly like that which, legitimately in my view, is protesting publicly and seeking signatures for a petition, to go into a hall or back street because it happens to be holding up the traffic. On one occasion I saw a demonstration in a village by ladies with prams and pushchairs, who, because a child had been injured the day before in a road traffic accident, were protesting about the lack of a pedestrian crossing. They could have been caught by clause 14 merely because they were holding up the traffic on the main road. It is outrageous for hon. Members to seek to give police officers a discretion which, as the hon. Member for Tyne Bridge (Mr. Clelland) said, will often be severely misunderstood — a discretion to intervene in such assemblies and to try to move them on. Many police officers — indeed, most police officers — are unhappy about the discretion which is invested in them in the clause. That is a discretion which they would be willing to undertake, as opposed to compelled to undertake if this clause is enacted, only if it was set out in a much clearer framework which enabled them to know what the rights of the public are, not just giving them a discretionary slate of prohibitions.

Sir Eldon Griffiths: On what authority does the hon. and learned Gentleman say that most police officers are opposed to this provision?

Mr. Carlile: The hon. Gentleman talks to some police officers, just as I talk to some police officers. From the conversations that I have had with police officers—not union officials but ordinary bobbies—I understand that they are unhappy about this provision. The hon. Gentleman appears to have a slightly different opinion. No doubt we shall hear from him in due course.

The clause as it stands imposes no duty on the police to recognise that the purpose of an assembly should be taken into account. It does not require the police to consider, for example, whether the purpose of an assembly relates to the affairs of the community, such as the pedestrian crossing protest to which I referred. It gives what some regard—perhaps it is slightly overstating the case—as draconian powers to the police. It gives them the ability to say, on the widest grounds of alleged "disruption", that a meeting must take place elsewhere.

The clause as it appears in this Bill is outside what would be its proper context. Of course, if one set out in positive form the right of peaceful assembly—I and my colleagues would say that it should be, as part of the European Convention on Human Rights, incorporated in our domestic law—one would be entitled under article 11(2) of the convention to set out a lawful series of prohibitions within the terms of the convention. That is the proper context for provisions of this general nature. This Bill is not.

Mr. Lyell: I speak in strong support of the clause as an important part of the Public Order Bill. I was not surprised that it was opposed by the Labour party, but I was interested that the hon. and learned Member for Montgomery (Mr. Carlisle), speaking on behalf of the Liberal party, should also oppose it. If one considers the major public disorder that can be caused not only by the enormous demonstrations which we saw at Orgreave, Wapping or Warrington, but the way in which ruffians can describe themselves as a peace convoy and descend on a whole community, the way in which the villagers of Molesworth can be completely swamped by people, albeit most of them thoroughly sincere, the way that militant animal rights protestors can sometimes descend on farms and homesteads, the way in which the "Stop the City" campaign or a major demonstration on Oxford street can bring the life of a community into serious disruption, is it unreasonable for the police to have powers, when they fear serious disruption to the life of the community, serious public disorder or serious damage to property, to say, "Stand back. Move on. Demonstrate, but go to some more suitable place"? That is not preventing peaceful demonstration but preventing what should be a peaceful demonstration from turning into a riot or a rowdy mob, which is the denial rather than the protection of liberty. That is the essence of the clause and why, reasonably interpreted, as it will be, and checked by the courts, as it can be, it is central and important to the Bill and should be supported.

Sir Eldon Griffiths: It should be said that the police service was not happy at the task that it had to undertake last year during the miners' strike. The police found the duties that fell upon them distasteful, damaging to their relations with the community and a heavy burden on them individually. They nevertheless carried out their duties effectively. In no way did they allow the distinction between their duties under the criminal law to be confused with the Government's trade union legislation, which is an entirely separate matter.

After the scenes that we all saw on television and many of which I saw personally, it would be outrageous if a Bill which purported to deal with public order did not contain a clause such as this. I appreciate the arguments advanced by the hon. Member for Tyne Bridge (Mr. Clelland). I congratulate him on his appearance at the Dispatch Box and on his contribution to the Committee. I hope that he will accept, however, that, taking account of the problems confronted by the police, and which the public observed, it would be nothing less than a dereliction of duty if the House failed to tackle the problem of serious disruption.

Mr. Giles Shaw: I join my hon. Friend the Member for Bury St. Edmunds (Sir E. Griffiths) in congratulating the hon. Member for Tyne Bridge (Mr. Clelland) on speaking from the Dispatch Box so soon after arriving in the House. I am sure that he has deserved that promotion, to say nothing of his contribution to the Standing Committee. Although his speech might have been

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excellent in rhetorical content and in terms of mastery of brief, I cannot share much joy or rapture at it because he elected to argue that we should have deleted clause 14.

At least the hon. Member was at the Committee when we last debated the inclusion of clause 14. He was present with three other Labour Members when the Committee decided, by four votes to 10, that the clause, as amended, should stand part of the Bill. I make that observation because no vote was cast by the representative of the Social Democratic party/Liberal alliance, who was absent then, as he often was. The hon. and learned Member for Montgomery (Mr. Carlile) tried to make good that omission in his speech tonight. He does himself no credit when he suggests that the clause has no place in a public order Bill. It is essential that there are changes in the public order law governing static assemblies.

I remind the hon. and learned Member, because he was not a member of the Committee, that, in the Metropolitan police district, of the incidents of severe public disorder, eight involved processions, three involved meetings and six involved assemblies. Since 1980 we have witnessed serious disturbances on the picket lines during the miners' dispute, at Warrington during an industrial dispute and now at Wapping. Those are examples of serious disorders resulting from static assemblies. I have to remind the House in firm tones that the requirement to trigger conditions imposed on assemblies——

It being Ten o'clock, the debate stood adjourned.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Public Order Bill may be proceeded with, though opposed, until any hour.—*[Mr. Peter Lloyd.]*

Prisons

10 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): With permission, Mr. Speaker, I should like to make a statement about the situation in the prisons. There have been a number of serious developments during the course of the evening. At Northeye prison near Bexhill-on-Sea, prisoners this evening set fire to an office, the kitchen, the library and some other wooden structure. There have been no reported casualties. The staff on duty were obliged to withdraw to the gates for their own safety and some prisoners went on the rampage. Parts of the prison have been burnt out. The governor established a command post in the officers' club and, on my latest information, it is still unsafe for the fire brigade to enter the premises.

Off-duty staff have returned to the prison indicating that they are anxious to help restore the situation, irrespective of the present industrial action. The police are at the perimeter of the prison, although it appears that some prisoners have escaped. Some 60 prisoners at Lewes prison in Sussex are out of their cells in one wing and probably seven are on the roof.

In Bristol prison there is a serious situation. Prisoners have broken out of their cells. The governor has felt obliged to call in the police in order to maintain control of the prison. There are reports of minor trouble at three other prisons.

Hon. Members: Resign.

Mr. Speaker: Order.

Mr. Gerald Kaufman (Manchester, Gorton): This is a very serious statement. I make it clear right away that we shall expect another statement from the Home Secretary tomorrow afternoon and, if the situation is not in hand by them, we shall expect the Government to bring about another debate right away. If the Government do not do that, we shall be seeking your agreement for such a debate, Mr. Speaker, under Standing Order No. 10.

This is a very grave situation and it is right that the Home Secretary has given this statement this evening. It is on the record that we warned the Government—*[Interruption.]*—we warned the Government as recently as yesterday about the delicate and dangerous nature of this crisis, and we spoke of the nation's prisons as a tinder box. Yesterday, the Home Secretary saw fit to dismiss the warnings that we gave. We now face a position the consequences of which cannot be calculated or forecast. The decline of law and order has spread to the prisons themselves.

Yesterday I drew attention to the contingency plans for this dispute at the Association of Chief Police Officers. The Home Secretary responded by saying that it was right that there should be contingency plans. However, Mr. Jarman of the executive of the Prison Officers' Association said this evening that at Northeye prison contingency plans were not brought into operation. Can the Home Secretary confirm that, and can he explain it?

Before there are further disturbing developments, I appeal to the Home Secretary to abandon the preconditions for talks that he laid down yesterday. [AN HON. MEMBER: "That's right—give in to anarchy."] Give in to anarchy? The anarchy has been created by the

intransigence of the Home Secretary—anarchy which I warned the Home Secretary about yesterday and which the Home Secretary rejected with disdain.

The prison officers at Northeye prison this evening have shown their sense of duty by returning to duty, to try to remedy the situation despite the dispute. Let the Home Secretary respond in the same spirit by accepting the offer of the Prison Officers Association, to suspend industrial action while talks take place. That would be the proper response in this dangerous situation. [AN HON. MEMBER : "It is called blackmail".] This dispute must be solved quickly. Let action be taken now to bring that about, or the responsibility will rest plainly with the Home Secretary.

Mr. Hurd: The only factual question that the right hon. Gentleman asked me was about the Sussex police. As I said in my statement, they have been in action in support of the prison authorities at Northeye through the evening, so their role in the matter has already proved extremely helpful. I think that the House will forgive me if I do not follow the right hon. Gentleman tonight into the rigmarole of contentious statements with which he finished.

My information is incomplete, but I thought it right to come to the House and say what I knew without embroidery and without any allocation of responsibility. There will and must be an opportunity to discuss these matters. It will be necessary for me to report again to the House tomorrow afternoon. I rejected no warnings, and I yield to no one in my desire, as I made clear yesterday, to bring this unnecessary dispute to an end at the earliest possible moment.

Mr. Charles Wardle (Bexhill and Battle): Will my right hon. Friend urge the leaders of the Prison Officers Association to follow the example set this evening by their members at Northeye, who were off duty and who all came in to see what they could do to help in this difficult situation? When it is under control, will my right hon. Friend immediately instigate an inquiry, bearing in mind the considerable anxiety that will be felt in the Bexhill community? Will he bear it in mind that for the past two years, concern has been expressed about staffing ratios at Northeye? In view of what has happened, will he include that aspect in the inquiry?

Mr. Hurd: I agree with my hon. Friend, and join him in the tribute that he paid. The format of the inquiry into these events, which have been not just at one prison, is one of the things that I shall consider swiftly, as well as its scope.

Mr. Alex Carlile (Montgomery): In commending the Home Secretary on coming to the House so promptly to make his statement, may I ask him, when he comes to the House again tomorrow, to explain why the Government have not heeded warnings given by the noble Lord Whitelaw when he was Home Secretary some five years ago about the dangerous situation that was being created by overcrowding in the prisons? Will he tell the House tomorrow why the Government did not take action to resolve the manning issues giving rise to the present dispute long ago? Will he confirm tomorrow that it is now recognised that the time has come for the dispute to be settled, and settled quickly on the basis of discussions without any preconditions on either side?

Mr. Hurd: My noble Friend not only realised the dangers of overcrowding but acted to prevent and cure them. That was the origin of the prison building programme that is now under way. I agree with the hon. and learned Gentleman that the sooner this dispute is brought to an end, the better. I believe that the offer that I made on 22 April provides a basis for a fair resolution of the dispute.

Mr. Tim Rathbone (Lewes): Will my right hon. Friend accept praise from this side of the House for coming so quickly to the House, making a straightforward, honest statement, and giving a commitment to return tomorrow to elaborate on it? Will he also accept that there seems to be little link in Lewes between the prison officers' dispute and the illegal actions taken by the prisoners, which are all the more sad because of the recategorisation of many of the prisoners and the reorganisation of the regimes and of the staffing to meet those new regimes there? Therefore, when he institutes an inquiry, as I am sure he will, will my right hon. Friend please bring it clearly to the notice of the officers and everybody else concerned that this seems to be an illegal uprising which should be treated as such and no more?

Mr. Hurd: I thank my hon. Friend for his first remarks. I am aware, as he is, of the excellent work which has been done over the years at Lewes prison.

Mr. Merlyn Rees (Morley and Leeds, South): In the face of this further breakdown in law and order and this dangerous state of affairs, may I say from past experience that in no way should any hon. Member support insurrection, arson and what has just gone on? My party does not do that. *[Interruption.]*

Mr. Speaker: Order.

Mr. Rees: But we are not prepared to take this stuff about the Conservative party being the only party concerned about law and order. The House is concerned, and we support the Home Secretary. But tonight he should call the POA into his office and should say, "Suspend your action. Come back in the morning and talk." Otherwise, the breakdown in law and order will become worse, and no amount of Saatchi and Saatchi words will deal with it.

Mr. Hurd: I am not dealing with the matter with Saatchi and Saatchi words, and I hope that the House will not do so either. My information is as yet incomplete, so tonight I do not want to enter much further into the details of what has occurred, or into the right steps to be taken in future. Tomorrow there will certainly be an opportunity to do that, but tonight I would rather not say things which in the light of fuller information may look odd or foolish.

Mr. Nicholas Lyell (Mid-Bedfordshire): Although I congratulate those prison officers who have rallied round, is it not the case that the average earnings of a prison officer are £15,000 a year, of which some 30 per cent. is overtime? Is the country not entitled to ask that such officers should be prepared to negotiate without preconditions?

Mr. Hurd: I confirm that figure.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that we are in the middle of debate on an important Bill, and that the statement concerns insurrections in three prisons, not the general position.

Mr. Alfred Morris (Manchester, Wythenshawe): When was the last occasion that the prison officers of this country were in such bitter conflict with the Government of the day?

Mr. Hurd: There has been a history of discussion, disturbance and conflict. The House will remember the dispute five or six years ago. However, that is not relevant to the immediate problem before us, which is how to resolve the present position.

Mr. Michael Stern (Bristol, North-West): Does my right hon. Friend agree that the fact that the governor of Bristol prison has had to call in the police will inevitably lead to a disastrous decline in morale in that prison, whatever the outcome of the dispute? I hope that my right hon. Friend will encourage the governor of the prison to look not only to the POA but to individual members of staff, who may well hold different views, inresolving the dispute. Does he agree that the most immediate action necessary to ensure that Bristol prison once again works as a prison is to re-establish the morale that has clearly broken down?

Mr. Hurd: We need first to re-establish control in the prisons. After that, the question of morale becomes very important.

Mr. Eric S. Heffer (Liverpool, Walton): I know prison officers well, because there are many of them in my constituency, which has one of the biggest prisons in the country. Does not the Home Secretary agree that they play an important role in maintaining law and order, and are dedicated to doing their job in the interest of the community as a whole? Should not the Home Secretary and the Government listen to what they say? They are on the spot, and have full responsibility for looking after the prisoners. Over the years, particularly in the past few years, they have warned that the situation was becoming critical. Is it not time that the Government decided to begin serious discussions with them instead of adopting the rather arrogant attitude that some Ministers have taken on the radio? Will the Government conduct their discussions properly so that a settlement can be reached and the problem can be solved as quickly as possible?

Mr. Hurd: I have twice had serious discussions with the POA. I agree about the importance of the work that prison officers do.

Mr. Jerry Hayes (Harlow): I am sure that my right hon. Friend will agree that the vast majority of prison officers are honourable and decent men and women who are deeply shocked by what has happened this evening. I suspect that they will be utterly horrified to learn of the Opposition's cynical manipulation of events for party political reasons.

Mr. Hurd: The right hon. Member for Manchester, Gorton (Mr. Kaufman) should not have leapt into his usual act without being in full possession of the facts.

Mr. Harry Ewing (Falkirk, East): Whether the Home Secretary likes it or not, he is the Minister responsible. When something for which he is responsible goes wrong, we are entitled to question and criticise him, if that criticism is justified. Given all that the Prime Minister, the Home Secretary and their colleagues have said over the years about law and order, did he ever think that he would be standing at the Dispatch Box at 10 pm on a Wednesday night to tell the people of this country that the prisons are on fire and the prisoners are running riot? What sort of law and order society are the Government trying to cultivate?

Mr. Hurd: Of course I accept that I am the Minister responsible. If I did not accept that, I would not be standing here or volunteering a statement. If this debate is to do any of us any credit, its level must rise above that of rhetorical questions.

Sir Eldon Griffiths (Bury St. Edmunds): Does my right hon. Friend agree that those who are faced with the difficult task of restoring order in the prisons will not thank any hon. Member for making their task more difficult by stoking up the emotions? *[Interruption.]*

Mr. Speaker: Order.

Sir Eldon Griffiths: In so far as the police become involved, will my right hon. Friend ensure that they have all the necessary resources of mutual aid if that becomes necessary? Would not the right hon. Member for Manchester, Gorton (Mr. Kaufman) have done better to appeal to that small minority of prison officers who are taking industrial action to go back and do their work quickly?

Mr. Hurd: I agree with my hon. Friend. I am in touch with the Sussex police about mutual aid.

Mr. Robert Kilroy-Silk (Knowsley, North): While in no way wishing to endorse the policies, some of the working practices or actions of the POA, is it not true that if the Home Secretary and some of his immediate predecessors had heeded the sensible and serious proposals put forward for some years by hon. Members on both sides of the House and by members of the public for a substantial reducion in the prison population without endangering the public, we would not be in such a dangerous position? Inmates, staff and the public are all in danger. In that sense at least, are not the Home Secretary and the Government fully culpable for the crisis that now exists?

Mr. Hurd: The hon. Gentleman knows a great deal about the subject and has consistently advanced the view that, in some way which is not clearly specified, we should prevent the courts from sending to prison people whom they think should be sent there. *[Interruption.]* That is a fair summary of the hon. Gentleman's clearly held and consistently expressed view. I understand the reasoning behind it, as he has expressed his view clearly, but I do not think that that is a possible course.

Mr. Mark Carlisle (Warrington, South): To the extent that the present problems are created by overcrowding in our prisons, does my right hon. Friend agree that the answer is not to change our penal policy but to accept that much of the responsibility falls on the Opposition because of their cut in the prison building programme?

Mr. Hurd: The fact is that there was no prison building programme when the Conservative party came to power. My predecessor before last instituted a programme which has been carried on steadily ever since.

Mr. Chris Smith (Islington, South and Finsbury): Does not the gravity of the situation demonstrate all too clearly how dangerous and foolish it was for the Government to break off negotiations this weekend in the face of an offer from the Prison Officers Association to suspend its action?

Mr. Hurd: That offer was not honoured. The industrial action continued. I gave an account of those proceedings to the House yesterday. I believe that the stance I took at that time was reasonable.

Several Hon. Members *rose*——

Mr. Speaker: Order. The Home Secretary said that he would make a further statement tomorrow. I shall endeavour tomorrow to call those hon. Members who rose this evening but were not called.

Public Order Bill

Question again proposed, That the amendment be made.

10.22 pm

Mr. Giles Shaw: In responding to the debate initiated by the hon. Member for Tyne Bridge, I was making the point that, in the Metropolitan police district, static assemblies and meetings contributed substantially to the severe public disorders between 1974 and 1980. I deduce from that that the House would be extremely foolish to accept the advice of the Opposition that clause 14 should be deleted from the Bill.

I remind the House that, in extending to assemblies the proposals contained in the 1936 Act, the Government did not act in a fit of pique or a sudden thirst for additional powers. We acted on the advice of the Select Committee on Home Affairs. We acted with care and had discussions. We acted in a way that was consistent with the Government's purposes without ensuring that an advance notice requirement in respect of assemblies should be undertaken, but that a power to ban should not.

The police already maintain a presence at most demonstrations or pickets. They do so to fulfil their paramount duty in maintaining the Queen's peace. Clause 14 will not require the deployment of more officers or the wasteful use of police resources which might be more profitably employed in fighting crime. It will give the police effective powers to prevent crime by preventing disorder.

The rights to assemble, to picket and to demonstrate are not absolute rights. They should never be an excuse for intimidation or disorder. Every citizen has a right to live his life in peace and the right to protection under the law.

I said in Committee and to the hon. Member for Tyne Bridge, who referred to it in his opening address, that I would advise police officers, in the circular on the Bills provisions, that they should bear in mind the traditional rights of protest and the traditional freedom of assembly which have been so widely observed for many years when they interpret their obligations under the provisions of clause 14. I should like to place that undertaking which I gave in Committee on the record.

In part answer to the hon. and learned Member for Montgomery, I must say that there will be, although not in the statute, a clear expression of the rights to protest which people have traditionally enjoyed conveyed to officers as part of the context in which they execute their duties.

Clause 14 confers no power to ban assemblies. That is a most important point for the House to recognise. The Clause contains powers to enable major mischiefs to be avoided — to avoid serious public disorder, serious damage to property, serious disruption to the life of the community and intimidation of individuals. Do the Opposition seriously believe that the civil liberties of pickets and the right to demonstrate include the right to cause such evils? Surely not. Do they believe that the police should have powers to prevent these evils? Surely they do. Or is the Opposition's new-found, late interest in the problems of crime and of law and order, which is of such concern to the people we serve, a vote-catching operation, carefully timed for individual elections?

The Government believe that the merits of the clause and the bankruptcy of the Opposition's argument are in

[Mr. Giles Shaw]

complete contrast. The Government believe in a balance between the right to assemble and the right of the individual to go about his business in peace, and so do the British people. They will take note of the Opposition's claim that to question the rights of a picket to intimidate or cause disorder is authoritarianism, and they will support our attempts to provide additional protection for the individual citizen from the bully boys and the thugs on the picket lines or elsewhere. I commend the clause. It should remain in the Bill as a cardinal principle of public order.

Mr. Clelland: I remind the Minister that we have seen more lawlessness and disorder under this Government than under any other Government in living memory. The clause does not seek to improve law and order. It will not prevent one riot or many of the problems to which the Minister drew attention. It will restrict the individual liberty and freedoms of people who want to protest against the type of policies pursued by the Government. We shall vote against the clause.

Question put, That the amendment be made:—

The House divided: Ayes 170, Noes 225.

Division No. 165] **[10.30 pm**

AYES

Adams, Allen *(Paisley N)*
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Bray, Dr Jeremy
Brown, N. *(N'c'tle-u-Tyne E)*
Brown, Ron *(E'burgh, Leith)*
Buchan, Norman
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clay, Robert
Clelland, David Gordon
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S)*
Coleman, Donald
Conlan, Bernard
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dixon, Donald
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Fisher, Mark
Flannery, Martin
Forrester, John
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
Freud, Clement
Garrett, W. E.
George, Bruce
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, W. W. *(Fife Central)*
Hancock, Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howells, Geraint
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Janner, Hon Greville
John, Brynmor
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lambie, David
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
MacKenzie, Rt Hon Gregor
Maclennan, Robert
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Park, George
Parry, Robert
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Raynsford, Nick
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Rogers, Allan
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wallace, James
Wareing, Robert
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Woodall, Alec
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. James Hamilton and
Mr. Allen McKay.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Bellingham, Henry
Best, Keith
Biggs-Davison, Sir John
Body, Sir Richard
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Brandon-Bravo, Martin
Bright, Graham
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Simon
Cope, John
Couchman, James
Critchley, Julian
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Durant, Tony
Evennett, David
Fenner, Mrs Peggy
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, Peter *(Angus East)*
Fry, Peter
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gow, Ian
Greenway, Harry
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David
Henderson, Barry
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth

Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(Norfolk, N)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert
Jenkin, Rt Hon Patrick
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(Herts W)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Nicholas
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, Andrew *(Berkshire)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Morris, M. *(N'hampton S)*
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Onslow, Cranley
Oppenheim, Phillip
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abgdn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pollock, Alexander
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Silvester, Fred
Sims, Roger
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Spencer, Derek
Spicer, Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Terlezki, Stefan
Thompson, Donald *(Calder V)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Ward, John
Wardle, C. *(Bexhill)*
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Peter Lloyd.

Question accordingly negatived.

Amendments made: No. 43, in page 10, line 25 leave out 'any conditions which prescribe' and insert 'such conditions as to'.

No. 46, in page 11, line 3 after 'constable', insert 'in uniform'.—*[Mr. Giles Shaw.]*

Clause 16

INTERPRETATION

Mr. Giles Shaw: I beg to move amendment No. 47 in page 11, leave out line 26 and insert 'In this Part'.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to consider also the following: Amendment No. 49, in page 11, line 32, leave out 'a public' and insert 'any'.

Government amendments Nos. 50 and 52.

Mr. Shaw: I should like to deal briefly with the Government amendments before considering amendment No. 49. Government amendments Nos. 50 and 52 bring the definition of "Public place" in clause 16 into line with the wording of section 1(1)*(a)* of the Police and Criminal Evidence Act 1984. The other amendment makes minor drafting changes.

Mr. Lyell: I am grateful for the opportunity to speak to amendment No. 49 in my name and the names of my hon. Friends.

The purpose of the amendment is to extend the provisions of the Bill from public places as defined in the Bill to any place which is open to the air. The sound reasons for doing that become immediately apparent. We agreed when we discussed the previous clause, and the House decided, that it would be a valuable power for the police to be able to get a demonstration likely to cause serious public disorder, serious damage to property, serious disruption to the life of the community or intimidation to people, to move to a more suitable location, or to stand back from the gates of the work place where the demonstration may have arisen, or to stop blocking the highway or snarling up the centre of the community in which it was taking place. Unfortunately, as the clause and the Bill are drafted, that applies only to what is a public place within the definition of the Bill. In a great many communities, public places and private land are almost inextricably inter-mixed. Therefore, the good effects of the clause could be made unworkable.

I should like to explain that in relation to the problems that arise in rural communities. These problems can be categorised as those involving the so-called "Peace Convoy"; and the problems caused by the large numbers of albeit sincere people who descend on communities like Greenham common and Molesworth. There are also problems involving animal protesters, some of whom are sincere and who arrive in large numbers but who are all too often accompanied by militant animal rights protesters who might invade a factory farm. There are also problems with the large demonstrations of the type witnessed at Orgrave or Wapping, involving industrial disputes.

It is important that the police should have effective powers, and not powers the ambit of which depends on whether the public assembly takes place on a highway or in a public place, which is defined in the Bill as land to which the public have access either on payment or by express or implied permission. The powers of the police must not be frustrated by the public being allowed to move on to what becomes the Tom Tiddler's ground of private land.

I can illustrate the point by citing Molesworth or some factory farm. For example, a large number of people may have appeared to demonstrate in a narrow country lane near to Molesworth. These people may have snarled up the entrance to the village or completely swamped the local community, who all too often regard themselves as second-class citizens in their own homes. The police may want the demonstrators to move to the village green or to an open space which is more suitable for the demonstration, but some of the demonstrators may decide, because they know the law—and that is a good thing—to cross a fence into a farmer's field. As soon as they do that, the excellent power provided by clause 14 immediately disappears, as the assembly ceases to be in a public place in the context of the Bill.

Let us consider the case of a large number of demonstrators arriving at a factory farm—say a broiler house farm—demonstrating against the treatment of the chickens that we eat in such large numbers. The demonstrators may get on to the farmyard, and some of them who are of violent intent will use the presence of the others to provide cover enabling them to commit criminal damage, or to terrorise the people on the farm. One of the examples given by Ministers of the good sense of the clause is that the police will be able to tell the demonstrators to stand back by the farm gate if the demonstration is blocking the road. However, as soon as the people get on to the farmyard, or the farmer's land around the buildings, the powers under the clause disappear, and the ability of the police to make good use of these preventive powers has gone.

The powers under the clause can be considered in the wider context of the serious problems of the peace convoys and of major, and perhaps hippy-type, demonstrations which I know are a matter of great interest to many of my hon. Friends, who may catch your eye in this short debate, Mr. Deputy Speaker. I see my hon. Friends the Members for Salisbury (Mr. Key), for Wells (Mr. Heathcoat-Amory), whose constituency includes Glastonbury, and for The Wrekin (Mr. Hawksley), who is with me on this clause, and my hon. and learned Friend the Member for Burton (Mr. Lawrence).

The peace convoy, which has little or nothing to do with peace, tends to descend on a whole community—in the case of Salisbury, in several hundreds — and completely disrupt the life of the area. Immediately round Stonehenge, to which the public have access as of right or invitation, these powers will apply, but as soon as large groups spill over on to farm land or private land, the powers of the police to say, "Move on", or, "Stand back" disappear.

This is illogical in the context of the Bill, because the other useful powers of this valuable Bill—whether the major powers on riot, unlawful assembly and affray under clauses 1, 2 and 3, or the other powers under clauses 4 and 5, on what used to be called conduct likely to cause a breach of the peace, and is now conduct likely to cause violence and disorderly conduct—apply both to public and private land regardless, and rightly so. There is no logical distinction that should prevent these prophylactic powers from also so applying. The object of the powers under clause 14 is to be able to say to the demonstrators in number, "Stand back" and to prevent a clash from happening in the first place. Although it would not solve the peace convoy or the Molesworth problems, that is a valuable power in the hands of the police.

I thank the Association of Chief Police Officers for its helpful discussions, but I disagree with its objections to

this extension. The police are anxious that they should not become the bailiffs of every private landlord, a point with which I wholly agree, but there is no real danger that they will. The powers in clause 14 are wholly discretionary, at the instance of the senior police officer present, and can only be exercised, quite rightly, in the circumstances of serious disruption of the community, serious public disorder or serious damage to property. I can say with confidence that there would be no question of the operational decision of a senior police officer as to whether or not to use such powers being capable of being challenged by mandamus in the High Court. There is no question of the courts forcing a police officer to use his powers in a particular instance, and I can say that with some confidence as a matter of the law.

Nor do I believe that there is any danger of chief constables being browbeaten into using these powers. I have the highest respect for the chief constables with whom I have had the privilege of working as a Member of Parliament, and I have not found them to be men who were likely to be browbeaten by any landowner or farmer if they believed that the course of action which they were invited to take was unwise. They are, on the contrary, strong and robust men, as we would expect them to be, and they are well capable of protecting themselves against undue pressure.

I test this valuable power against what happened at Orgreave. Let us suppose that there is a large crowd of demonstrators, most of whom wish to be peaceful, but some of whom might be militant and might be jostling and pushing, and the police can see that there is likely to be major turmoil outside the gates of a workplace, preventing those who, in the normal life of the community, wish to pass and repass to go to work, from doing so. If, as I believe happened at Orgreave, and certainly happens at other work premises, the road that leads to the gate passes through private land as opposed to a public place, the prophylactic powers of the police to say, "Stand back", would not apply, and they would have to fall back on common law powers or into that difficult area where sometimes the police are forced to stretch their powers, albeit with the right motives, to achieve the right solution.

It is wrong to put the police into that position. The extension of the powers to public and private land without distinction, simply on the basis that they are properly to be used for public order purposes, would be the wiser way to proceed, and I commend that route to my right hon. and hon. Friends. I recognise that it may not be easy to deal with the amendment tonight, but I ask them to discuss the matter further before the Bill concludes its passage in another place.

Mr. Chris Smith: I oppose the hon. and learned Gentleman's amendment and urge the Minister not to accept it too readily. Although I appreciate the hon. and learned Gentleman's motives, the effect of his amendment would be to create a criminal offence of trespass in the open air for persons entering private land for purposes completely other than those which he mentioned when introducing the amendment. My anxiety relates to groups of people out for a country walk, who could be caught under the clause if the amendment were accepted. I know that that is not the hon. and learned Gentleman's intention, but it would undoubtedly be a potential effect of the clause if the amendment was accepted. I am worried that legitimate purposes of open-air recreation might be endangered if the clause was amended.

The anxiety of many hon. Members, especially Conservative Members, about what happened with the so-called peace convoy last year—the hon. Member for Salisbury (Mr. Key) is in the chamber—is beginning to resurface as we approach consideration of what might happen this year. With or without the Bill and the amendment, unless sensible and practical discussions continue about what is likely to occur when the convoy attempts to hold a festival at Stonehenge, I fear that there is likely to be trouble. That is something that we would all wish to avoid.

The hon. and learned Gentleman's amendment would run the risk of turning the police into the patrolling bailiffs of privately owned land. That is not something that Opposition Members wish to see.

Mr. Robert Key (Salisbury): This amendment, so eloquently moved by my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell), which I support, addresses itself to the false distinction between public and private land for the purposes of public order. In general, the civil law is powerless to deal with incursions on to private land before they have happened, where there is no event or festival to ban and where no one knows the identity or whereabouts of the potential trespassers. This is deeply unsatisfactory. The landowner, whether public or private, simply has to wait for trespass to occur before being able to act. The number of trespassers can grow by many hundreds in the course of a day, so, however speedy the lawyers or the courts, the problem by then has become severe, something that we all wish to avoid.

Although the provisions of the Police and Criminal Evidence Act 1984 which came into force on 1 January this year will make any mass invasion of, for instance, my constituency by the peace convoy and others quite different from last year, this Bill, unless it is amended, will do little to remedy the defects in the law which make flaming June such a misery for so many in south Wiltshire. It will, however, I suspect, help with the problem of illegal hare coursing.

For example, the National Trust and English Heritage and most local farmers will seek injunctions in the High Court, banning the so-called Stonehenge free festival. An injunction is a fine remedy, but one must be able to identify the trespasser in advance, be able to serve him with proceedings and have enough evidence that he intends to trespass. Furthermore, summary possession procedure — that is, order 113 — is slow and cumbersome, and will always suffer from the disadvantage that plaintiffs are usually too late to prevent damage and to stop large numbers arriving, as at the white horse in the neighbouring constituency of my hon. Friend the Member for Westbury (Mr. Walters).

Also the procedure takes at least a week. It is very expensive. It allows defendants to take advantage of their wrongful possession by dreaming up technical points of law. And, of course, judges are ever vigilant on behalf of unrepresented defendants, many of whom are intelligent and well educated but whose case has no legal merit whatever. The judge is assiduous to make sure that the landowner has dotted the i's and crossed the t's, to the extent that the lawful owners of the land are frustrated.

[Mr. Robert Key]

This means that in too many cases unmeritorious and unwelcome squatters can stay beyond any reasonable time, and trade on it. In short, the law is not simply an ass, it is ridden on by such people, who plan their activities accordingly.

This amendment also addresses itself to a consequence of the false distinction between public and private land, the problem of criminal trespass, referred to by the hon. Member for Islington, South and Finsbury (Mr. Smith). The whole matter was lengthily debated by the Law Commission and the Law Reform Committee before the passing of the Criminal Law Act 1977. Section 7 of the Act brings residential premises into the ambit of the criminal offence but omits non-residential premises. If trespass were a criminal offence, the concept of deterrence would be introduced.

It could be fairly argued that Stonehenge, the white horse, Savernake and all squatting activities of a similar kind in recent years demonstrate how unfortunate it was that in 1977 Parliament, against the Law Commission's recommendations, decided to exclude non-residential premises from section 7.

The amendment has deterrence value. The whole country is anxious to avoid scenes such as those witnessed at Cholderton near Stonehenge last year when about 500 hippies, determined to break a High Court injunction, chose to confront the police and precipitated the much-reported fight that led to mass arrests. We all wish to avoid a repetition of such scenes. By amending the clause to include an assembly in any place, whether publicly owned or privately owned, we shall remove a contentious distinction that perpetuates the notion that public order should be different on opposite sides of the same fence.

11 pm

The Bill is about preventing violent clashes and violent behaviour and about coping with disorders, but there is also an important moral dimension to it, which I draw to the attention of the House in support of the amendment. Without the amendment, those wishing to hold an assembly in a private place will continue to exert some kind of moral blackmail over those who wish to enjoy their own land in peace. This will focus, in my constituency, on Stonehenge. However, the Bishop of Salisbury, Bishop John Baker, a former chaplain to Mr. Speaker and best known, perhaps, for his moral judgments on nuclear issues, said, with reference to the so-called Stonehenge free festival and the mass trespass by those assembled there:

"The experience of years proved that the event was a major social and human evil. The great majority of people living in nearby communities hated the event, and wish it to cease. The Church cannot and must not support such an event in any way . . . it does not. We do support the local communities in their desire to go about their lives in peace. We do support landowners, both private and corporate, in their legal right to refuse the use of their land, and in their moral right not to be pressured into conceding it. We do support the police in their duty to uphold the law of the country. The way to prevent violence and confrontation this summer is for those who are thinking of defying that law to stay away . . . They have no encouragement of any kind from our Church to do otherwise."

I support the amendment, which would contribute to the peace of our community.

Mr. Richard Alexander (Newark): I shall be brief, because my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) and my hon. Friend the Member for Salisbury (Mr. Key) have already gone over the course. The hon. Member for Islington, South and Finsbury (Mr. Smith) said that one of the grounds upon which he would object to the amendment was that it could catch those people who went out for a country walk. Before any offence would be committed under clause 14, the police officer must reasonably believe that what is happening may result in serious public disorder, or serious damage to property, et cetera. I do not believe for one moment that by blurring the distinction between public and private property, as the amendment tries to do, we should catch those people who go out for a country walk.

Mr. Chris Smith: The hon. Gentleman conveniently omitted from his list of reasonable grounds that a police officer might have the crucial phrase

"serious disruption to the life of the community."

That is the contentious point, as we saw in our debate on the clause relating to assemblies, and it might well form a point of contention between a group of people with legitimate open air interests and a landowner.

Mr. Alexander: I did not refer to those words, because I was absolutely certain that no couple who went out for a private walk could possibly come within the hon. Gentleman's description.

I hope that my hon. Friend the Minister of State will accept the amendment. If it is not accepted, there will be a loophole in the law and we shall do a disservice to those innocent people whose lives over so many years have been disrupted by protesters and disrupters who care nothing for other people's property. Those innocent people expect this Bill to protect them. As it stands, all it does is to provide a loophole for sophisticated protesters who know what they are doing, and it leads the police to pass by on the other side. I urge seriously a change of heart on this amendment.

Sir Hector Monro (Dumfries): I also would like to bring home to Home Office Ministers just how strongly we feel about this issue in the countryside. The improved definition offered by amendment No. 49 would be beneficial and strengthen the arm of the law in maintaining the peace and quiet that we expect. We believe in harmony in the countryside, not confrontation.

I am a member of the Nature Conservancy Council, so it is obvious that I am keen on conservation and the use of the countryside for formal and informal recreation. It is time that we tried to limit the disruption which sometimes occurs. The militant demonstrator and other protestor is quite out of place in the countryside, and the sooner that there is more discipline so that everyone can enjoy the countryside, the better. This small but important amendment would be a major step in the right direction.

The amendment would be especially helpful to some farms that have been attacked by those who want to release animals. Sometimes, they are foolish enough to release mink, which cause infinitely more damage and cruelty to other animals than they suffer in farms. Such people's objectives are ill thought out. The National Farmers Union and the Country Landowners Association are anxious that we should strengthen the law in the interests of their members.

Farmers, whether they be owner-occupiers or tenants, and landlords would feel that they were getting support from a Conservative Government if the Home Office felt able to accept the amendment. I give it my warm support.

Mr. Warren Hawksley (The Wrekin): I support amendment No. 49. My hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) covered most of the ground, but my hon. Friend the Member for Salisbury (Mr. Key) mentioned Stonehenge. The peace convoy decided to separate and go north, and it has caused great problems in other parts of the country. I feel sorry for my constituents in Shropshire who have suffered the problems caused by people who have moved into the area, and continue to move from site to site to keep ahead of the landowner, whether it be the National Coal Board or the district council. They seem determined to keep one step ahead of the law.

I hope that the amendment will be accepted. I believe that our constituents expect us to deal with a problem that is causing them great anxiety. They are entitled to peace and quiet at home. They should not be subjected to such noise and disturbance. They are confused, to say the least —they cannot understand why the police, to whom they turn, are powerless.

Is it possible to speed up the procedure of getting orders? One of my parish councils has suggested that registrars might be allowed to deal with such requests. That council, the district council and the development corporation find that it takes a long time to get the necessary orders. Meanwhile, the people concerned have moved to other land. I hope that, if my hon. Friend the Minister cannot accept the amendment, he will at least be able to offer the possibility of registrars issuing orders, so that the problems can be dealt with. If he cannot do that, I shall feel inclined to support the amendment.

Mr. David Heathcoat-Amory (Wells): I rise to support the amendment. My constituency includes Glastonbury, which is famous for its Arthurian legends and, like Stonehenge, attracts an annual influx of hippies, itinerants, travellers, whatever one may like to call them. Some of those groups pose a serious threat to public order. I know that I am not alone in this, because similar problems are encountered by my other hon. Friends in Somerset and Avon, especially my hon. Friend the Member for Somerton and Frome (Mr. Boscawen), who is in his place tonight. He is urgently dealing with a number of constituency cases now.

Those problems are becoming more difficult because of the attitude of the alliance, which is not represented in the Chamber at present. Somerset is temporarily controlled by a Lib-Lab pact, and there is no doubt that the alliance opposition to the Bill is sending entirely the wrong signals to potential troublemakers who are now making their summer plans about whether to visit Somerset and create local disorder.

I am not saying that the majority of visitors are necessarily violent and unwelcome. The majority are peaceful. They may create an annoyance, but it is part of the English tradition to deal with them in a spirit of give and take, live and let live. However, there is a minority of people, who should be dealt with by this clause, who take drugs and drive vehicles which are untaxed and unlicensed. They are not all from the same group; they are certainly not all members of the peace convoy. They go by a number of different names. In my constituency we have had the mutants and the chaotics and a number of other anarchist groups who think that they are outside the law and outside society, except when it comes to drawing social security. That creates local resentment. Those people are prepared to take social security, clothes, food and medicine from society when they need them, but they put very little back into society.

It is when large numbers of that significant minority camp and gather in Somerset that they can be a real threat to the local community. I have witnessed some of the incidents. Hedges can be pulled up for firewood or used as public lavatories, which creates a health hazard, roads and lanes can be blocked, buildings can be vandalised and residents and shopkeepers can be threatened. There is a general feeling among my constituents that the existing powers in the law are inadequate to cope with the growing problem.

We have the law of trespass. However, as my hon. Friend the Member for The Wrekin (Mr. Hawksley) pointed out, that can be extremely slow and cumbersome. Many members of these groups know how to circumvent the law and move down the road to different land if faced with a possession order where they are camped. Many of them have access to very good legal advice. Perhaps some of them are lawyers who put on their beads and headbands when they go on holiday, who knows. I know that I have spoken to many of them who are far from being poor and in need of these camps. It is a summer activity and we should have much less sympathy for them than is sometimes shown by the Opposition.

All I want to do is give the police additional reserve powers that could be used if necessary. My hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) is right to say that this is not a bailiffs' charter. The police are reluctant to move or evict people unless there is a serious disruption and that may be the basis of their opposition to this amendment.

However, there is a growing problem. The Bill provides an opportunity, perhaps the last opportunity for some years, to respond to this problem. Certainly large numbers of people in the Wells division are looking for a positive response from my hon. Friend the Minister.

Mr. Cash: I wish to endorse most of my hon. Friends' comments. Together we have managed consistently to fight the battle against the peace convoy over a period of months, since the peace convoy came to our respective constituencies. I would like to thank the Home Secretary and the Minister for the courtesy and time they have given to us on a number of occasions and the good advice they have been able to offer. I would also like to mention the Association of Chief Police Officers which has also given its time and has provided advice while we have been discussing this matter. The Country Landowners Association and the National Farmers Union have been equally helpful.

The peace convoy arrived in Staffordshire and caused £85,000 of damage. That was an intolerable incursion. The anxiety and fear that were caused to my constituents, and the damage, dereliction and chaos that those people left behind, were intolerable. I cannot believe that the Labour party can resist this proposal, which would deal effectively with the problem. I would go further and say that, to its credit, Staffordshire county council, which is Labour controlled, did what it could to impress upon

[Mr. Cash]

Labour Members the fact that it wanted their help. The council is not receiving it, so Labour Members should be condemned by their own people.

The lawful enjoyment of rights by all is the essence of proper public order policy. The peace convoy and similar people operate in an environment and in a way that is totally contrary to the reasonable behaviour of ordinary civilised people.

We have to deal with the problem. It is a serious matter. The problem is escalating, and I thoroughly support the Government's efforts to deal with it in the Bill. Clause 14, in conjuction with clause 5 and other provisions, go a long way in dealing with that serious problem.

11.15 pm

Sir Eldon Griffiths: The police have raised some objections to what is proposed. They do not want to criminalise trespass. They do not want to be turned into the surrogate gamekeepers of private landowners. They feel that clause 14 is quite a lot to swallow and that adding this amendment to it would make it even more difficu[illegible] But in this case, I believe that the police are wrong. It is best that I say so plainly.

There is a tendency to think that the public disorder problems are an urban phenomenon. Of course, most of them take place in the big cities, but the fact is that we are in the presence of increasing public disorder problems in the rural areas. My hon. Friends have all mentioned examples in their constituenies. The Committee discussed the matters in detail. In my constituency this summer, when it is proposed to hold the annual Mildenhall air show, there is not the slightest doubt that large numbers of people, peaceniks or others, will gather on private land. They will cause immense problems. There will be great concern among my constituents, and among the supporters of my party, if we say that we have put on the statute book a new Public Order Bill, yet it becomes clear that we have done nothing effective to deal with the problem. If that happens, I have fear that there will be considerable disenchantment with what we have done.

When he replies, my hon. Friend the Minister will fairly say that just as clause 5 as redrafted and agreed to by the House earlier can apply in a number of circumstances, for example in dealing with noise, so too, it can apply in this case. I agree that there is some evidence that it might, but it will be marginal. It will not tackle the problem. It will not prevent large hordes of troublemakers proceeding to occupy private land. It will not help the police get them off without pitched battles. None of us wants that to happen.

Therefore, I urge my hon. Friend, who has been so resaonable and sweet a Minister throughout the Committee and Report, to listen to the views of the House. With the exception of the hon. Member for Islington, South and Finsbury (Mr. Smith), whose arguments I understand, we are in possession of a virtually unanimous request to the Government.

Mr. Key: Does my hon. Friend agree that when we discuss issues of police manpower and police budgets in counties, and when many of the counties about which we are speaking are controlled by a Liberal-SDP faction, it is intolerable that not one alliance Member has been present to debate this particularly important matter?

Sir Eldon Griffiths: Alliance Members are undoubtedly absent proclaiming their commitment to rural policy in west Derbyshire. We also encountered that phenomenon in Committee.

Mr. Alex Carlile: The hon. Member for Salisbury (Mr. Key) was most unfair to give that description to the hon. Member for Bury St. Edmunds (Sir E. Griffiths). I apologise to the House for my temporary absence, but I can assure the hon. Member for Bury St. Edmunds, as he should know from reading our Committee proceedings, that my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan) shares our great interest in the affairs of rural areas. Does the hon. Gentleman accept that the problems to which the hon. and learned Member for Mid-Bedfordshire (Mr. Lyell) eloquently adverted are not only encountered in Shropshire, which the hon. Member for The Wrekin (Mr. Hawksley) mentioned, but across the Shropshire-Welsh border, and that I share the concern expressed?

Sir Eldon Griffiths: Sometimes we extend the courtesies of the House too far.

My hon. Friend the Minister has heard what has been said. He knows, as I know, the technical problems and the reservations of the police. It remains his job as a Minister to overcome them. I hope that he will take account of what has been said, and one way or another give hon. Members, who have spoken with experience, knowledge and foreboding of the consequences, if we fail to act, the comfort of words that will at least open the door to some action being taken in the other place on what is a genuinely serious problem.

Mr. Giles Shaw: The amendment moved by my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) and supported by my hon. Friends the Members for Newark (Mr. Alexander), for Salisbury (Mr. Key), for Dumfries (Sir H. Monro), for The Wrekin (Mr. Hawksley), for Stafford (Mr. Cash) and for Bury St. Edmunds (Sir E. Griffiths) has provided a debate of some significance. I am not a bit surprised at that because in Committee, as the hon. Member for Islington, South and Finsbury (Mr. Smith) knows, my hon. and learned Friend the Member for Mid-Bedfordshire gave us a substantial piece of his substantial mind on the issues relating to the law on trespass and the inadequacies of this clause.

All hon. Members, whether in government, on the Back Benches or, I suspect, in Opposition, share the feeling that the problems caused by groups, such as the peace convoy, have brought great distress and misfortune to our rural communities. There is no question but that we wish to find ways and mans of reducing that distress and misfortune.

Dr. Alan Glyn (Windsor): Will my hon. Friend include the actions of Hells Angels, who have been of considerable inconvenience in Windsor, as he knows, and of whom Mrs. McSorley is the victim?

Mr. Shaw: My hon. Friend is right. Other groups, of which Hells Angels are one, cause substantial distress.

In Committee, my right hon. Friend the Home Secretary said that such groups were the equivalent of mediaeval brigands. Wherever they have gone, they have shown a blatant disregard for the rights and the peace of the local inhabitants. We may also add to our condemnation of such activity those groups of so-called

animal rights protesters who, by trespassing on farm land and engaging in violent and threatening behaviour towards farmers and their families, are of genuine public concern.

In considering in Committee what best we might do, we undertook to have further discussions with the police and other interested parties. I know that my hon. and learned Friend the Member for Mid-Bedfordshire and other hon. Friends have had similar discussions, which have been referred to this evening. My hon. and learned Friend will be aware that, although chief constables are not unanimous, the views of the Association of Chief Police Officers are such that it is clear that it is not persuaded of the need for an extension of the new powers under clause 14 in the way that my hon. and learned Friend proposes. The police remain of the view that their existing powers to deal with criminal damage and breach of the peace, together with the offences in clauses 1 to 5, should be sufficient to cope with any real mischief that is likely to arise.

I think that my hon. and learned Friend the Member for Mid-Bedfordshire underestimates the powers that will be available to the police. I remind him that the powers in the Police and Criminal Evidence Act 1984 were not available during the disturbances which occurred with the peace convoy a year ago. Those powers came into force on 1 January.

Under the existing law, under the new offences and wider powers that are proposed in the Bill, and under the PACE powers, the police have power to enter private land and make arrests if there is a breach of the peace. Under the Police and Criminal Evidence Act, they have powers to arrest anyone who has committed an offence if service of a summons is impracticable because of difficulties in establishing name and address. The Act gives the police powers to enter land to prevent serious damage to property. Under the Bill, all the public order offences which the House has been considering tonight will apply to both public and private land. We have deliberately extended the scope of clauses 4 and 5 to private land to catch the sort of behaviour in which peace convoys and other such groups indulge. Once the Bill is in force, anyone on private land who threatens violence or who behaves in a disorderly manner, or who is likely to cause alarm, harassment or distress, will commit an offence under sections 4 or 5, as they will become.

It follows that with this wide range of powers—the police have told us that this will follow—the police should be able to deal with the real mischief, which lies in criminal damage, threatening behaviour and intimidation by those who happen to be trespassers. The only offence that they will not have the power to deal with is simple trespass. The police are most emphatic that they do not want to become involved in the enforcement of private rights. I recognise the overall conclusion of my hon. Friend the Member for Bury St. Edmunds that the police are wrong in the general stance that they have taken, but my hon. Friend recognised that involving the police in a greater extension of services to private landlords might well cause them substantial difficulty.

I think that we all recognise that the complaint of simple trespass remains a matter for the civil law. Equally, I think that we all recognise that the root of the problem facing landowners whose land is invaded by the peace convoy is the slow enforcement process of the civil law. I say to my hon. Friend the Member for The Wrekin, who raised the matter specifically, that discussions that we have had with colleagues recently have convinced us that we should seek to make representations to my right hon. and noble Friend the Lord Chancellor to ensure that he is fully aware of the strength of feeling on this issue. I remind my hon. Friends that in discussions previously the Country Landowners Association agreed to provide further information of instances where it has found the enforcement of the civil process both slow and inadequate to deal with the offences with which it has been concerned. I hope that it will respond and provide all possible evidence to enable us to discuss with the Lord Chancellor's Department what might be done to speed up and improve the process.

I reassure my hon. and learned Friend the Member for Mid-Bedfordshire and my hon. Friends generally that we do not have a closed mind about the adequacy of the law to deal with groups like the peace convoy. All we are saying is that we should not rush into further legislation until the new police powers to which I have referred have been tried and tested. The police believe that the totality of powers available to them will be sufficient. We are not in the business of heaping extra powers on the police, for their own sake. We have been concerned throughout the discussion on the Bill to identify the powers that will be of practical value to the police.

11.30 pm

I must take note of the strength of feeling which hon. Members have expressed. I shall discuss the debate's conclusions and the unanimous view expressed by Conservative Members that further action is required in this direction. I shall consider the requests put to me by my hon. Friends, which were summed up by my hon. Friend the Member for Bury St. Edmunds, for further action during the passage of the Bill.

However, I stress that a major change to the law on trespass is not something which we are presently minded to contemplate. We are prepared to consider the views expressed by hon. Members about their constituents' fears and their doubts that the laws we have already enacted and those we are in the process of enacting may not be sufficient. That is a state of mind which my hon. Friends have made very clear. I trust that it is not a state of the law which we can allow to remain for much longer.

Amendment agreed to.

Amendments made: No. 50, in page 11, line 34, leave out 'includes' and insert 'means'.

No. 52, in page 11, leave out lines 37 to 39 and insert—

> *(b)* any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.'.—*[Mr. Giles Shaw.]*

Clause 17

PUBLISHING OR DISTRIBUTING

Amendment made: No. 53, in page 12, line 5, leave out from 'if' to end of line 7 and insert

'—

> *(a)* he intends by the publication or distribution of the matter to stir up racial hatred, or
> *(b)* having regard to all the circumstances racial hatred is likely to be stirred up as a result of the publication or distribution.'.—*[Mr. Giles Shaw.]*

Mr. Lawrence: I beg to move amendment No. 55, in page 12, line 7, at end insert—

'(1A) The authority responsible for maintaining any public highway or passageway shall remove any such written matter

[Mr. Lawrence]

from the public highway or passageway or the curtilages adjacent thereto within fourteen days of receiving notice of the existence of such matter'.

Clause 17(1) makes it an offence for a person to make a threatening sign, writing or visual representation. I take it—perhaps the Minister will confirm this—that the use of devices such as spray paint and graffiti is threatening, abusive and insulting if the user intends hatred against a racial group. There is no point in making that an offence if the writing remains on the wall. If the person responsible is charged, convicted, fined or sent to prison, but what he wrote on the wall is still there and will be there until the cows come home, we will not have achieved a great deal.

My amendment would place on the local authority responsible for the highway, the passageway, the curtilage, the fence or the wall abutting the highway, the duty to remove the offensive material within 14 days. The suggestion is so eminently sensible that my only surprise is that it is not already in the Bill. I ask my hon. Friends to support me. I hope that my hon. Friend the Minister will note the strength of that support and acceded to my sensible amendment.

Mr. Giles Shaw: I recognise, and welcome, the suggestion of my hon. and learned Friend the Member for Burton (Mr. Lawrence) that local authorities should remove graffiti. I think that even he would argue that it would hardly be right to enter a new phase of conferring further statutory duties on local authorities, however admirable his amendment might be. Local authorities already have many statutory duties, and it is not part of our policy to create new ones, unless it is absolutely necessary. I do not see that the imposition of such a duty is a necessity. I hope that all local authorities, as a sensible part of good housing management policy, could be persuaded to take the kind of action that my hon. and learned Friend seeks. If such a duty were imposed, there must be some doubt whether it would be enforceable. I am not minded to ask the House to accept my hon. and learned Friend's amendment, but I understand why he proposed it.

Mr. Soley: The hon. and learned Member for Burton (Mr. Lawrence) is right. It does not do the Government any credit to say that they are not prepared to impose these extra duties on local authorities. They spend so much time taking away duties and powers from local authorities that it is no wonder that racialist graffiti is left in decaying urban areas. The Government ramble on about law and order policies, but they cannot keep areas, especially inner-city areas, clean and decent places in which people can live and walk. The Government have no right to talk about law and order, even if one ignores the mess that they have made of it generally.

There is a strong case for imposing on local authorities a duty to clear up racialist graffiti, precisely because we know that it is given such a low priority by so many local authorities. The Government have said that part III is an important part of the Bill, and I agree. I have already commented on the Minister's abilities — he has been very good in this respect. The Government give part III a high priority but say that is does not matter if the offending words and phrases remain. Such words and phrases are sufficient reason to bring a person before a court and, in certain circumstances, to send him to prison. The Government say that we need not do anything about it. That is virtually a contradiction.

Why do we take such action against the individuals who write that graffiti if we are not prepared to ensure that it is cleared up when the culprit cannot be found? Are we just to leave the graffiti there to be offensive? The Government have a double standard on law and order. They want all the good things. They go on about law and order being necessary, but take all the action that makes a breakdown in law and order highly likely. This is yet another example in which the Government make no effort to maintain standards in decaying and rundown areas where racialist graffiti is a major problem and in other areas where it offends the many people against whom it is directed. The hon. and learned Member for Burton was right to draw our attention to it.

Mr. Lawrence: Although I reject the intemperate accusations of the hon. Member for Hammersmith (Mr. Soley) against the Government's law and order policy, I am grateful to him for his support for my amendment. I am not pleased with my hon. Friend the Minister. He said how sympathetic he was, but talked of how impossible it was to dc anything about the problem.

If the Home Office is not minded to put some pressure on a department somewhere to do something about the problem, nothing will be done. I should like to be able to say that the writing is on the wall if the writing is not taken off the wall by the Government. Some action is necessary. My hon. Friend's answer was not, with the greatest respect, convincing or satisfactory.

Of course I appreciate the difficulties involved in pressing the amendment, but I should like my hon. Friend to reconsider. I hope that the other place will see fit to put more pressure on the Government than I have managed to do, with the welcome assistance of the hon. Member for Hammersmith. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 16

INTERPRETATION

Mr. Deputy Speaker: Order. I apologise to the House for missing out amendment No. 48. We shall take it now.

Mr. Clelland: I beg to move amendment No. 48, in page 11, line 31, leave out '3' and insert '20'.

In Committee my hon. Friend the Member for Hammersmith (Mr. Soley) argued, strongly and with his usual eloquence, that three was far too small a figure to define an assembly for the purposes of the Bill. The Minister said that he agreed that the base should be shifted upwards. He said:

"I shall consider the hon. Gentleman's arguments with care and I shall consult further on the matter. I accept that, if a number can be found that is sensible in terms both of policing and of definition for the kind of offences that we are discussing, that number should be in the clause. I have accepted the principle and indicated at least that my starter is for 10."—[*Official Report, Standing Committee C*, 13 March 1986; c. 789.]

As no Government amendment to increase the number has been tabled and as the Minister has said that he accepts the principle that the number should be increased, I am left with the assumption that he looks favourably on the

amendment tabled by my right hon. and hon. Friends. Therefore, I shall waste no more time but shall await the Minister's favourable response.

Mr. Giles Shaw: The hon. Member for Tyne Bridge (Mr. Clelland) has chosen his moment and his amendment well and has presented a good case for excluding small assemblies of fewer than 20 persons from the scope of the clause 14 provision. The case is of such quality that its author must be a great man. We discussed this matter at some length in Committee and I accepted then that there was a case in principle for excluding small assemblies. We consulted the police and they are content with a cut-off point of 20 and I am happy to say that the Government are prepared to accept the amendment and I advise the House so to do.

Amendment agreed to.

Clause 17

PUBLISHING OR DISTRIBUTING

Amendment made: No. 56, in page 12, line 19, leave out

'It is a defence for the accused' and insert 'In proceedings for an offence under this section it is a defence for an accused who did not intend to stir up racial hatred'.—*[Mr. Giles Shaw.]*

Clause 18

POSSESSION OF RACIALLY INFLAMMATORY MATTER

Amendments made: No. 57, in page 12, leave out lines 26 to 35 and insert

'if—

(a) he intends racial hatred to be stirred up by the publication or distribution of the matter, or

(b) having regard to all the circumstances racial hatred is likely to be stirred up as a result of the publication or distribution of the matter;

and for this purpose regard shall be had to such publication or distribution as he has, or it may reasonably be inferred that he has, in view.'.

No. 59, in page 13, line 4, leave out

'It is a defence for the accused' and insert 'In proceedings for an offence under this section it is a defence for an accused who did not intend to stir up racial hatred'.—*[Mr. Giles Shaw.]*

Clause 19

WORDS OR GESTURES

Amendments made: No. 60, in page 13, line 8, leave out from 'uses' to 'words' in line 9.

No. 61, in page 13, line 10, leave out from 'if' to end of line 12 and insert '—

(a) he intends by the use of the words or gestures to stir up racial hatred, or

(b) having regard to all the circumstances racial hatred is likely, as a result of the use of the words or gestures, to be stirred up.'.

No. 62, in page 13, line 11, leave out 'Great Britain' and insert 'England and Wales'.

No. 63, in page 13, line 12, at end insert—

'(1A) An offence under this section may be committed in a private or public place, except that no offence is committed by the use of words or gestures by a person inside a dwelling which are not heard or seen except by other persons in that or another dwelling.'.

No. 64, in page 13, in line 13, after 'person', insert 'who does not intend to stir up racial hatred'.

No. 65, in page 13, line 15 at end insert—

'(2A) It is a defence for the accused to prove that he was inside a dwelling and had no reason to believe that his words or gestures would be heard or seen by a person outside that or any other dwelling.'.

No. 66, in clause 20, page 13, line 18, leave out from beginning to 'may' in line 20 and insert

'(1) No prosecution for an offence under this Part'.

No. 67, in page 13, line 22, at end insert—

'(2A) For the purposes of the rules in England and Wales against charging more than one offence in the same count or information, each of sections 17, 18 and 19 creates one offence.'.

No. 68, in page 13, line 23, leave out 'such an offence' and insert

'an offence under this Part'.

No. 69, in clause 21, page 13, line 30, leave out from 'of' to 'any' in line 31.—*[Mr. Giles Shaw.]*

Clause 24

INTERPRETATION

Amendments made: No. 74, in page 15, leave out line 1 and insert 'In this Part—'.

No. 75, in page 15, line 5, at end insert—

'"dwelling" means any structure or part of a structure occupied as a person's home or as other living accommodation (whether the occupation is separate or shared with others) but does not include any part not so occupied, and for this purpose "structure" includes a tent, caravan, vehicle, vessel or other temporary or moveable structure;'.

No. 76, in page 15, leave out line 6 and insert—

'"premises" includes any place and, in particular, includes—

(a) any vehicle, vessel, aircraft or hovercraft,

(b) any offshore installation, as defined in section 1(3)*(b)* of the Mineral Workings (Offshore Installations) Act 1971, and

(c) any tent or moveable structure;'.

No. 77, in page 15, leave out lines 7 to 15.

No. 78, in page 15, line 18, at end insert—

'"racial hatred" means hatred against a racial group in Great Britain.'.—*[Mr. Giles Shaw.]*

Clause 26

OFFENCES CONNECTED WITH FOOTBALL

Amendment made: No. 80, in page 16, line 16 *[Clause 26]*, after '5', insert 'or Part III'.—*[Mr. Giles Shaw.]*

Clause 27

EFFECT OF ORDER

Mr. Giles Shaw: In the absence of my hon. Friend the Member for Harlow (Mr. Hayes), I beg to move amendment No. 81, in page 17, line 6, leave out from 'may' to end of line 8 and insert 'arrest him without warrant'.

May I suggest that with this amendment it will be convenient to take amendment No. 82, in page 17, line 9, leave out subsection (5).

We are minded to accept the amendments. They have the effect of substituting a power of arrest for the power of expulsion presently in the Bill, which is exercisable when a constable reasonably suspects that a person is in breach of an exclusion order. Representatives of the Association of Chief Police Officers pressed for a power of arrest when I saw them a month or so ago. I am willing to accept the amendments and commend them to the House. In most circumstances, the power of expulsion together with the power of arrest under the Police and

[Mr. Giles Shaw]

Criminal Evidence Act would suffice. Under section 25 of that Act the police can arrest a person who is in breach of an exclusion order if, for example, service of a summons is impracticable or inappropriate, because the police have grounds to believe he may cause injury to others or damage to property after being expelled from the football ground, or because the name and address of the suspected offender is not known and cannot readily be ascertained.

These powers would suffice in most cases, but I accept that there may be cases in which an offender is apprehended at a match and the police have no grounds for believing he will cause injury or damage, but believe that he will attempt to re-enter the ground. That is the point I undertook to cover and which it is correct to present to the House in the form of an amendment. I hope the House will agree to accept it.

Mr. Hayes: May I wholeheartedly and unreservedly apologise to the House for not being present when these important amendments were put to the House. I congratulate my hon. Friend the Minister on his swiftness of foot and for the co-operation of Opposition Members. My hon. Friend has made it clear that the Government have taken a sensible approach to the Bill. Clearly, the Government understand, in the way that we in Committee, in a sensible and amicable way, understood, that the most important point is that football must be a decent family game, and one in which we want to prevent the thuggery and the violence that takes place. We must give the police the proper powers to enforce the exclusion orders. I am most grateful to the Minister for adopting this sensible and reasonable approach.

11.45 pm

Sir Eldon Griffiths: I thank my hon. Friend, because this will avoid obstreperous football fans who have been expelled making a fool of policemen who are trying to do their job properly. This is a good example of the Government listening to the views of the police service, and I am grateful to my hon. Friend for accepting the amendment.

Mr. Kaufman: Brisk and bizarre proceedings have been known in the House of Commons before, but this beats a lot that I have seen in 16 years. For an hon. Member to fail to move an amendment, and for a Minister to accept it in the absence of that hon. Gentleman, is a new level in the responsiveness and accountability of Her Majesty's Administration to the House of Commons. I very much trust that it will set a precedent for the future, based on telepathy.

The Opposition will not oppose the amendment. After reasonably assiduous attendance in Committee, the hon. Member for Harlow (Mr. Hayes) has now managed to get a bit on to the statute book. Without in any way detracting from his moment of glory, I must tell him that I believe that the use of this power will be extremely rare, for the very reasons that we gave when we discussed the exclusion order procedure in Committee. In our view—and also in the view of the Police Federation—the exclusion order procedure will be difficult to assert. I do not believe that adding a power of arrest to something that is very difficult to enforce will make it any easier.

The Opposition have made it clear throughout that, despite our doubts about the efficacy of this procedure —which doubts are shared by the police themselves— we hope that it works. We believe that stringent action to deal with hooliganism at football matches will, provided it works, can only be to good of the public order and the game itself. Now that those who are subject to exclusion orders—thanks to the responsiveness of the Government —include racists, we hope that they will be caught by this as well.

Amendment agreed to.

Amendment made: No. 82, in page 17, line 9, leave out subsection (5).—*[Mr. Giles Shaw.]*

Schedule 1

Sporting Events

Mr. Giles Shaw: I beg to move amendment No. 87, in page 22, line 29, at end insert—

'Private facilities for viewing events

5AA.—(1) In relation to a room in a designated sports ground—

(a) from which designated sporting events may be directly viewed, and

(b) to which the general public are not admitted,

sections 2(1)*(a)* and 3(1)*(a)* of this Act have effect with the substitution for the reference to the period of a designated sporting event of a reference to the restricted period defined below.

(2) Subject to any order under subsection (3) below, the restricted period of a designated sporting event for the purposes of this section is the period beginning 15 minutes before the start of the event or (if earlier) 15 minutes before the time at which it is advertised to start and ending 15 minutes after the end of the event, but—

(a) where an event advertised to start at a particular time on a particular day is postponed to a later day, the restricted period includes the period in the day on which it is advertised to take place beginning 15 minutes before and ending 15 minutes after that time, and

(b) where an event advertised to start at a particular time on a particular day does not take place, the period is the period referred to in paragraph *(a)* above.

(3) The Secretary of State may by order provide, in relation to all designated sporting events or in relation to such descriptions of event as are specified in the order—

(a) that the restricted period shall be such period, shorter than that mentioned in subsection (2) above, as may be specified in the order, or

(b) that there shall be no restricted period.

(4) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

Mr. Deputy Speaker: With this we may take Government amendment No. 88.

Mr. Shaw: We now come to a significant amendment, which has been pressed upon me by both sides of the House. It relates to the exemption included in the Sporting Events (Control of Alcohol etc.) Act, which was passed last summer and applies to all parts of grounds which have bars, with the exception of the sponsored boxes which were built facing the pitch. I am glad to say that in general —I hope that the House will concur—the police believe that the Act, as well as other things that have taken place since last season, is helping them to combat hooliganism.

During the proceedings on the Bill considerable concern was expressed about the effect of the Act on the revenue that clubs derived from the leasing of executive boxes. I therefore undertook to monitor the situation, and the Football League has supplied us with information that shows that clubs are projecting considerable losses. In

Committee I said that the Government would be working on an amendment to relax the controls without abandoning them altogether, and the result is before the House this evening.

The amendments establish a new regime for the sale and possession of alcohol in executive boxes and restaurants. The sale and possession of alcohol in such rooms will continue to be prohibited for a period lasting from 15 minutes before a match until 15 minutes after a match. Outside that dry period, box occupants will be able to possess alcohol, and it can be sold to them as long as a normal justice's licence has been obtained.

The amendments also make provision for the dry period to be reduced, or indeed removed altogether, by order. I should make it clear that we have an open mind on whether, and if so when, that power should be exercised, and we certainly do not intend that it should be exercised before the 1987-88 season, at the very earliest.

Under the arrangements, the role of the magistrate will be limited to the usual licensing role. We concluded that it would not be appropriate or sensible to attempt to devise a new form of procedure for boxes similar to the exemption order arrangements under the 1985 Act. Many boxes are paid for by companies, which take clients to matches and provide them with drinks at no charge. We could not easily extend the present exemption order scheme, which applies only to sale, to those cases. It would be equally difficult to graft on to the 1985 Act a new exemption order scheme which applied to possession as well as to sale. Accordingly, the amendments are formulated on a different basis, with a central dry period, but with a substantial reduction in the period of control.

I know that the right hon. Member for Manchester, Gorton (Mr. Kaufman) was especially concerned about the equity of the whole operation of the 1985 Act, and about the equity to be included in any amendments that we brought forward. I believe that we have incorporated as much equity as is reasonably possible in the circumstances, without undermining the controls generally. Clearly, during the period when clubs are not enabled to serve or to sell alcohol in boxes they will be in the same position as people on the terraces and in the stands, who will not be able to possess alcohol in any place from which the pitch may be viewed direct. They can go to behind the stands areas to buy a drink if an exemption order for sale has been granted by a local magistrate.

We have initially set the dry period to cover the period of the match and 15 minutes on either side and I would judge that that 15 minutes on either side is the time when the vast majority of spectators enter or leave matches and is accordingly the period when the need for equity is at its greatest.

In addition, the relaxation is framed in terms of rooms from which the pitch may be directly viewed and to which the general public are not admitted. The relaxation would therefore apply to any room (for example a supporters' club clubhouse) to which the general public are not admitted. There is nothing to prevent a club from developing such a facility and thereby taking advantage of the relaxation that we have in mind. In many ways we would welcome developments of membership card schemes in this way to provide facilities which are not for general public use but which are for club members only.

These proposals represent a significant degree of relaxation for the clubs, while keeping intact the general thrust of the 1985 Act. Under the present controls, alcohol may neither be sold nor purchased in boxes for a period lasting from two hours before a match until one hour afterwards, a total period of four hours 40 minutes. Under these proposals this "dry period" will be reduced to two hours 10 minutes. Sponsors will be able to entertain clients for a meal with a drink before the match, and if developments in the game are encouraging there is provision for further relaxation in subsequent seasons.

I conclude by saying that in dealing with the issues of football hooliganism and the management of clubs we have provided arrangements for an exclusion order scheme and for an arrest power to go with that. We have provided proposals for containment of the sale of alcohol, yet with a relaxation, significantly, for the provision of alcohol in sponsored boxes.

I wish that clubs would give more commitment to installing membership schemes in order to control those whom they wish to attend their games, and in that way do more to fulfil their side of the bargain, because I believe that if the House accepts these amendments we shall be delivering our side of it.

Sir Eldon Griffiths: I am sorry that the Government felt compelled to make these further concessions to those who want to earn the money for football from booze. It is a pity that our national game is so unimaginative in its approach to fund raising that it has to persuade the House that football will not be able to survive unless drinking in directors' boxes is allowed. That is a shameful admission.

I have had some responsibility for sport. I have had the opportunity to see how other countries handle the financing of it, and most of the great European football clubs arrange their business rather better. They have multisport facilities. They have arrangements whereby they get income from many activities that attract more customers, including families. Regrettably, in Britain we appear to be accepting the view that unless the directors' guests can do more drinking in the boxes, football will collapse. I do not believe that.

It would have been far better to make football face up to its responsibilities, widen its market and use its facilities better. It is a national disgrace that we have come to the situation that, although Parliament has had to take action to prevent drink generating violence, we are now under pressure from the clubs who say that we must change what we did. I do not think that the initial Act—the Sporting Events (Control of Alcohol, Etc.) Act—was any good, and I do not think that this Bill is any good. We have arrived at this pass. There is nothing to be done, but somebody should have the guts to stand up and say that football does itself no credit if it finances its future on booze.

Mr. Tom Pendry (Stalybridge and Hyde): I declare my interest in that I am chairman of the all-party football committee, and the House may know that, along with my colleagues, I have argued for this change. It is no secret that on the Second Reading of the Sporting Events (Control of Alcohol, Etc.) Act, I said that I felt that both the Government and my Front Bench had overreacted to the terrible tragedies at Brussels, Birmingham and Luton. The proposed amendment is a recognition by both the Government and the Opposition that my colleagues and I had a rather more valid line of argument than they thought.

This is not time for self-congratulation. The feeling is probably best summed up by Luke, chapter 15:

[Mr. Tom Pendry]

"joy shall be in heaven over one sinner that repenteth, more than over ninety and nine just persons, which need no repentence." In this case we have two, in the shapes of the Minister and my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman). I congratulate them because, following the promise that we obtained from the Minister on the Second Reading of the Bill—that he would monitor the effects of the Bill on football clubs—both the Minister and my right hon. Friend took that promise seriously. They both visited football clubs, looked closely at the problems, and monitored the Football League, and the reactions of the all-party football committee. As a result, we have today's amendment.

I disagree with the hon. Member for Bury St. Edmunds (Sir E. Griffiths), because he misunderstood the Act on Second Reading last year, and he still misunderstands it. He spoke about the guests in directors' boxes, but that has always gone on because the boxes do not overlook the pitch. We are not talking about them, although the hon. Gentleman keeps getting this mixed up. I agree with him in part about continental clubs, but they have always had such a facility, for which we have argued, and which is returning through the amendment. His contribution was neither weighty nor relevant.

There is no doubt—it has been recognised by the Government and by Opposition spokesmen—that clubs such as Manchester United, Spurs, Leicester City and many others would have been hit drastically next season were it not for this proposal. There were signs of that this season. My right hon. Friend the Member for Gorton asked for equity. Unfortunately, the flow of money from executive box holders, which would enable clubs to do all the things that the Prime Minister and the Minister of State wanted, including improving safety standards, was drying up fast. But at the same time, the person who had his drink out of sight of the pitch could still enjoy that facility. The amendment would make the position more equitable for executive box holders, many of whom may not support the Labour party. But as an egalitarian, I believe that they should be given a fair chance if they are genuine football supporters.

12 midnight

I welcome the proposal, as does the Football League. Indeed, Jack Dunnett told me yesterday that he was grateful for small mercies. He hopes that the Minister will widen the concessions, if not next season, the season after. I hope that the Minister will give a guarantee that he will not stop the monitoring exercise. I hope that the Government will continue to examine the effects of the legislation, even as amended, to ensure that football can prosper and do all the things that we wish our national game to do. We must rid ourselves of the hooligan element that has attached itself to our national game. They are not genuine football supporters. I have not argued against membership cards. There is room for an experiment in that area. The committee which examined the matter argued that, given modern technology, football clubs should try to move towards the Government's position and at least conduct an experiment with the object of introducing a membership card system that would go some way to alleviating many of the problems.

I congratulate the Minister of State and my right hon. Friend the Member for Gorton on accepting the main thrust of our arguments. They will also wish to thank Paul Bobroff of Tottenham Hotspur, Marting Edwards of Manchester United, Jack Dunnett and many others who participated in the monitoring exercise and turned this proposal into a reality. The Minister would be well advised to continue the monitoring exercise, because it has been a true exercise in democracy. The football clubs must also accept that many hon. Members genuinely feel for the game and wish to assist them to get rid of the problems which neither they nor we want. I welcome this modest move in the direction for which we argued last year.

Mr. Michael Carttiss (Great Yarmouth): I agree with the hon. Member for Stalybridge and Hyde (Mr. Pendry) and disagree almost totally with the observations of my hon. Friend the Member for Bury St. Edmunds (Sir E. Griffiths). Although I had not intended to speak in the debate, in welcoming the Government amendment I declare my interest as a long-standing supporter of Norwich City football club. I recognise that my hon. Friend comes from a county whose football team is not so good on the field, although its supporters' standard of behaviour is equal to that in Norwich. I invite him to visit Norwich City football club next season to see the new stand, erected after the old one was burnt down because of an electrical fault. There he will see the membership card scheme applied to about 2,000 occupants of the stand. Norwich City has made the positive initiatives for which my hon. Friend the Minister of State called. I welcome what the Government have said tonight in respect of this. There is still room for further movement in the direction of relaxation.

I reject the notion that football is any more dependent on booze than the Barbican theatre, the Royal Opera House, the ballet or any other place where people drink at very high prices, which all helps the profits of those theatres and enables the pastimes to be enjoyed at perhaps a slightly lower cost. There is nothing wrong with drink. It is like everything else — it needs to be done in moderation. The move that the Government have made to relax the controls will be welcomed, will result in a positive approach and, of course, has nothing to do with the provision of hospitality by directors, as the hon. Member for Stalybridge and Hyde underlined. It has to do with companies ploughing back into sport their funds from their other activities, entertaining their customers, the people with whom they deal throughout the year, and at the same time helping to bring football grounds generally into the 21st century, which many of our Continental neighbours have already done.

I welcome the amendment. I hope that we shall see an even further relaxation in the season after next, in the light of the experience of the coming season, which I am sure will show football clubs to be responsible in dealing with what I acknowledge to be a complex matter when one talks about equity.

Mr. Hawksley: I welcome the amendment. It is a response to the long debate in Committee in which I put down an amendment which would have allowed local magistrates to decide what restrictions, if any, they wished to put on such boxes. I still cannot understand why the Minister cannot go the whole way in agreeing to that being enforced because, under this proposal, he is agreeing to a certain relaxation while keeping to himself the possibility of further relaxation later. I hope that he will use that power, because when we debated this we argued that no

hooliganism that we had ever heard of had started in or been caused by actions in the boxes. I hope that the Minister will respond to local needs. That is why I argued in Committee that it should be the magistrates, who knew the area, who should decide. I hope that when the Minister replies he will agree to listen to representations made by hon. Members representing areas, when they ask him to relax the order, as this amendment allows him to do.

Providing the Minister gives the House an assurance that he is prepared to consider such representations, I am very pleased to support the amendment, which goes a long way to meeting the needs expressed to us by the Football League, which envisaged the loss of a large amount of income. We are right to try to help it on this occasion.

Mr. Tony Lloyd (Stretford): Many years ago there was a film in which Charlie Drake took the part of the triangle player in an orchestra, every other member of which he also played. The whole film consisted of his being almost ready to strike the note on the triangle and, in the end, failing to do so at the appropriate time. I wondered whether it would fall to my lot to do that, having sat patiently not just in Committee but also through the whole of today's debate; but at last we arrive at my role in this process.

I am now a revisionist on the matter of alcohol at football grounds. The Minister has heard me express the view in the past that I did not agree with controls on the introduction of alcohol, because I did not think that they would prove effective. Having taken soundings among those who run football grounds and the police, who have had 12 months' experience of controlling alcohol, I must confess that I have been converted to the view that control has a beneficial effect. There is no doubt that what the police are telling us, not just in my area but up and down the country, is that the crowds have been easier to control. There was a sense of revulsion following the disgraceful and tragic events of 12 months ago. Control over the sale of alcohol at football grounds means that spectators have been more amenable and that the police have been able to persuade them to behave in a manner that is in the interests of all those who are present at football matches.

The experiment has helped to reduce hooliganism at football grounds. The clubs have put forward very powerful, although self-interested, arguments about the way in which the controls bite. It is a tribute to my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) and the all-party football committee that pressure has been brought to bear upon the Minister and his colleagues to consider a relaxation of the rules.

During the debate in Committee it was accepted by most of those concerned that the Minister faced a most difficult job in trying to recognise the real needs of football clubs which, despite the comments of the hon. Member for Bury St. Edmunds (Sir E. Griffiths), have suffered financial penalties. I sympathise with his argument that football clubs should not have to depend upon alcohol as a source of club funds. Nevertheless, it is a legitimate part of the social scene in this country.

Sir Eldon Griffiths: Why not allow them to sell cocaine?

Mr. Lloyd: I do not believe that the hon. Gentleman seriously advocates the provision of cocaine by football clubs.

Inability to sell alcohol in the executive boxes has cost the clubs dearly, not because of the loss of sales but because of the potential loss of users of those boxes. The Minister has gone some way towards meeting the needs of the clubs and has also recognised the need for equity within football grounds. In Committee the Opposition said that it is necessary to recognise that football, as a game, is operated in the interests not just of those who sit in the executive boxes but of all those who go to football matches.

The amendments go a considerable way towards alleviating the difficulties faced by clubs. However, football clubs and their supporters are still on probation. It is possible that there will be further relaxations if their good record continues during the next and following seasons. Therefore the Opposition give a guarded welcome to the amendments. They try to strike a balance between the conflicting needs of football supporters, whether they sit inside or outside the executive boxes, the more general needs of the public in and around football grounds, and the needs of the football clubs.

Amendment agreed to.

Amendment made: No. 88, in page 23, line 33 at end insert—

'4A. In sections 2 and 3, after subsection (1) insert—

"(1A) Subsection (1)*(a)* above has effect subject to section 5AA(1) of this Act.".'.—*[Mr. Giles Shaw.]*

Schedule 2

OTHER AMENDMENTS

Amendments made: No. 90, in page 29, line 7 leave out from 'up' to end of line 11 and insert

'racial hatred, or

(b) having regard to all the circumstances racial hatred is likely to be stirred up as a result of the inclusion of the programme in the cable programme service.'.

No. 91, in page 29, leave out lines 19 to 22 and insert—

'(3) For subsections (3) to (5) substitute—

"(3) None of those persons commits an offence if he did not intend to stir up racial hatred and did not know, and had no reason to suspect, that the offending words were threatening, abusive or insulting.—*[Mr. Maude.)*

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Giles Shaw.]*

12.14 am

Mr. Kaufman: We have now arrived at the final stage of the Bill, after long consideration. We have had a Second Reading and a Standing Committee stage which lasted 34 sittings and about 80 hours, and we have had another long day today.

I should like to thank my hon. Friends who have participated in the work of the Standing Committee and who made a significant contribution to our debates. I should also like to thank my hon. Friends who did not take part in those debates but who participated on Second Reading and on Report. It would not be proper for me to allow this final stage to be completed without thanking the Minister of State for the way in which he has responded to our arguments.

There was a time early on when, for reasons of propriety, we regretted the absence of the Home Secretary. I do not criticise his absence from this debate, as I know the reasons for it. It has to be said that he did not take the role in earlier stages of such a major Bill that we would have expected. We did not miss the Home Secretary,

[Mr. Kaufman]

however, because the Minister responded, although not always favourably, to our amendments after proper consideration.

There is no doubt that the Bill is different in substantial respects from the one which the Opposition opposed on Second Reading. That is not to say for a moment that the Bill is to our liking in several parts. We still dislike some of part I, and especially some of part II, considerably. I give notice to the Minister and his officials that an incoming Labour Government after the general election will repeal most of the cotentious aspects of part II and consider part I.

I should like to itemise those parts of the Bill which we still strongly dislike. Despite an improvement that was made today, we still believe that the offence of disorderly conduct in part I is too vague and could turn louts and larkers unnecessarily into criminals. We do not believe that it is satisfactory that the use of words alone, even words on a badge, can generate an offence under what will be section 4, with the possibility of six months in prison.

Despite the considerable changes that we have achieved in part II, the police are being given new and unprecedented powers over marches and open-air meetings. They will be a burden to the police when dealing with the real law and order problems of today. The powers are based on vague and sweeping criteria, especially the criterion of serious disruption to the life of the community, to which we have taken exception throughout.

There is no recognition in the Bill of the right to demonstrate peacefully. There is no adequate remedy for citizens against mistaken or perverse use of the powers that part II confers on the police. There is still a threat to criminalise demonstrators for failure to comply with the directions of the police.

In part III, we regret that the Attorney-General's consent for prosecution in race hatred matters is still necessary. We believe that it will weaken the force of the new protections against racial hatred which have been written into the Bill.

As I said during the debate, we still regard part IV as irrelevant in many ways. We still believe that the exclusion orders, although we hope that they will work, are impractical. The Government have failed to demonstrate how the exclusion orders can work or to satisfy the doubts of the police. We still believe that it would have been a good idea to seek to take action over hooligans who go to matches overseas; therefore, we still have the most serious objections to every single part of the Bill.

I repeat what I have said throughout, on Second Reading and in Committee, that the Bill brings a new risk of conflict between the police and the community, puts new burdens on the police and is irrelevant to the crime wave we are suffering—3,600,000 serious offences last year and only about 1,000 public order offences. To have spent three months of parliamentary time on a Bill which touches only the edges of the real and frightening law and order problem in this country seems to be a misuse of the time of the House of Commons.

However, it has to be said that, after these debates, we have achieved considerable and important changes in the Bill. On the public order offences in part I, we have ensured that the use of words alone will not constitute a major offence or riot, violent disorder or affray. The offence of threatening or provoking violence has been made tigher and related more closely to the presence of an intended victim or target. The Government have agreed to reconsider removing the life sentence as a penalty for the technical offence of riot and I hope, after the events of next month, they will move towards that in an amendment in the House of Lords.

The part of the Bill dealing with racial hatred has always been welcomed by the Opposition. That part of the Bill is now stronger that it was before and in many respects it will provide some of the strongest statutory provisions ever against the promotion of racial hatred. The amendment we proposed and which the Government accepted, whereby for the first time the police are to be given a power of immediate arrest for offences involving racial hatred, will have a real affect on these matters.

We are pleased that the Government have accepted, within the exclusion order procedure, that the courts will be given power to ban people who commit offences involving racial hatred from attending football matches. I have discussed with the football authorities and with a number of football clubs the ugly presence and menace of racial louts at football matches. It is agreed on all sides that they make a sinister and ugly contribution to hooliganism at football matches. It is satisfactory that, as a result of amendments we tabled and which the Government have accepted, for the first time the law will address itself specifically to the problem of racist troublemakers who attach themselves to sporting events and spoil and make horrible those occasions.

We are pleased that the Government have accepted our proposition that the stirring up of racial hatred should be a criminal offence, not only in public places but in private places, other than domestic dwellings. We are pleased that we have secured a commitment from the Government to consider urgently the need for new legislation to deal with racist videos; we are also pleased to have secured a commitment from them to hold discussions with us on the case for new legislation to deal with offences of racial harassment. Indeed, only this evening, I received from the Home Secretary a letter inviting Her Majesty's Opposition to take part in discussions with him on the possibility of us agreeing in further legislation to consider an offence of racial harassment.

There was a great deal of misgiving, after the Bill appeared—and indeed, to be fair, before it appeared—about what would happen under clause 5 as it was originally drafted. We criticised it strongly on Second Reading. The Home Secretary at that time invited us to debate in Committee amendments to the Bill that would seek to negate the possibility of the new offence of disorderly conduct being turned into a resuscitated sus law. The Government acknowledged right away, when we began debating the matters in Committee, that they did not want a resuscitated sus law, and they moved considerably along the road that we asked them to travel along, when they accepted the necessity of a victim for that offence. We believe that the acceptance of a victim assists in transforming the offence from an almost certain resuscitation of the sus law into more of the sort of offence that many of our constituents wish to see when they are harrassed on their estates and in the areas in which they live.

Although, as I have made clear, we still do not regard the new formulation as entirely satisfactory, and although we believe that there are dangers in it, we also believe that,

following the case that we made in Committee, the new clause will be less unsatisfactory and may even be positively of value because a real victim will have to be present, the victim must be one likely to have suffered alarm, distress or harassment from the offenders' words or conduct, and a person will not be guilty if he had no reason to believe that he was being watched or heard by a likely victim.

When we saw the new clause, we were still worried that it would be usable as a new sus law, and would therefore not only mean harassing youth and possibly particularly black youth, but would bring the police into conflict with the community. We believe that the changes that have been made mean that the new offence is much less likely to be brought into use at pickets or demonstrations. The Government responded to the new amendment that we moved this evening, saying that the Minister will issue guidance to the police on the way in which the offence is enforced, and will write to me and publish that letter so that we can monitor the proper use of the offence and ensure that it is not misused to harass boisterous youth or others whose behaviour should not be turned into criminal offences.

Of course, the heart of our opposition to the Bill has been that we were extremely concerned, and remain concerned, at the controls that it contains on marches and demonstrations. Here again, we may say that we have achieved major changes, possibly the most important changes in the Bill. The amendment moved by my hon. Friend the Member for Tyne Bridge (Mr. Clelland), which the Minister accepted, is perhaps the single most important amendment that has been incorporated in the Bill. It increases the definition of an assembly from three to 20. The idea of an assembly of three not only meant that the police could disperse any group of people numbering more than two on the grounds that they could be a disruptive or disorderly assembly, but that peaceful small-scale picketing, which was not even potentially unlawful under the Employment Act 1980 and which was within the TUC codes of picketing, could have been turned into a criminal offence.

We were extremely worried about the infringement of the rights to assemble and to picket caused by this narrow definition, and we are gratified that the increase to 20 removes a great many misgivings. Nevertheless, we remain wholly opposed to the provision itself, and a Labour Government will repeal the whole provision relating to the control of and conditions on assemblies.

Despite that opposition we believe that the change from three to 20 will be of value, and that the Government's agreement to issue a circular reminding the police in considering the use of their powers over assemblies and processions of peoples' rights to assemble and to demonstrate peacefully is an important innovation. It is the Government's public acknowledgement of the right to assemble and picket. The circular will be published, and will be an important document, although we still wish that it was a statutory provision. Nevertheless, we welcome it as likely to have an important influence on the working of the provision.

We are also pleased that, as a result of our proposals, the six days' notice to the police of any planned procession will not now be required, if it is not reasonably practicable to give advance notice. We are pleased that a procession is more tightly defined, although we are not wholly satisfied with the definition. We are pleased that notice of a procession will be accepted by post, and need not require a personal application, as was originally provided in the Bill.

We are glad that the Government have acknowledged and accepted amendments to the effect that, regarding assemblies and marches, arrests may by made only be a constable in uniform. The activity of police who did not appear to be police during the miners' strike and some of the events that have taken place at Wapping in recent weeks have caused grave disquiet. This new provision will be an improvement, and will ensure that only acknowledged police are active.

We are glad that directions regarding conditions on planned assemblies or processions must be given in writing, rather than verbally, by a chief constable or a metropolitan commissioner. We are pleased that the application by the police for banning a procession must now be based on reasonable belief of disorder, rather than merely belief. That change will make it easier to apply for a judicial review of a ban.

Some of those are small mercies and some are large changes. They do not make the Bill palatable to us in many of its provisions. They do not reduce our utter determination to rid the statute book of all its parts which are objectionable to civil liberties.

We are able to say, however, that during the months which we have spent considering the Bill, the parliamentary Labour party has been active and vigilant on behalf of the civil liberties of our people. In the House, we are massively out-numbered in voting terms by the Government, but we have been able to make changes which all who care about civil liberties will welcome as progress, although they will not be fully satisfied until we have a Labour Government who reassert in statutory form the right to freedom of expression, assembly and procession of our people.

12.35 am

Sir Eldon Griffiths: The right hon. Member for Manchester, Gorton (Mr. Kaufman) spoke at length, and I think that on no fewer than 25 occasions he said that he was pleased, which is commendable. I, too, believe that the Bill is a civil liberties measure, for the most important civil liberty of all is the liberty of our people to live in peace; not to be intimidated, not to have their lives disrupted, not to be made the victims of violent men who go rampaging round the country, not to be made the victims of rat packs on our great housing estates, and not to be intimidated, as the right hon. Gentleman fairly said, by racist gangs. The Bill is indeed a civil liberties measure, in the sense that it provides proper protection for individuals against collective violence.

I join the right hon. Member in saying that I think that the clause providing exclusion from football clubs is something of an irrelevance. I am with him in welcoming what the Government have been able to do in the interests of racial equality. I hope that it will never be said of the Conservative Government, or the Conservative party, that we have done anything other than massively assist the cause of racial equality. It is much to the credit of the Government that that has been done.

The main drive of the Bill—this follows from the White Paper and the studies of the Select Committee on Home Affairs—has been to move to the rescue of those who live on our great housing estates and who have been grossly abused. I believe that the Bill will give material

[Sir Eldon Griffiths]

assistance to the police in helping the poor, the elderly, the lonely, those who are set upon and those who are assaulted and vandalised. It is to the Government's credit that by the Bill they have gone to the assistance of those people.

The House has worked hard on the Bill, and the members of the Committee achieved considerable harmony. At the end of the day, I believe that they will wish to congratulate my hon. Friend the Minister of State, Home Department. I have had the doubtful pleasure of serving on about 20 Committees which have considered Bills of various sorts, including many which have been directed to the police and public order. I know of no Minister who has brought to a Committee the degree of patience, good humour, sweet temper and constructiveness that has been demonstrated by my hon. Friend. Whenever he undertook to assist the Committee, he did so. He has not delivered in every respect in a manner that has been wholly satisfactory to me, but he has won the great admiration of those who were members of the Committee, both Government and Opposition Members.

When the House has released the Bill and it has passed through another place, it will fall to the police service to implement it. I hope that no hon. Member who has played his part in getting the Bill through the House will wash his hands, walk away from the problem, and return to the ordinary parliamentary dialectic of bashing the police whenever possible. We lay heavy burdens upon the police. We have asked them to undertake an immensely complicated task and we have not helped them by adding to their paperwork. Nevertheless, I am sure that the police service, as it always does, will do its utmost to make the Bill work. I hope that it will have the practical support of hon. Members on both sides of the House in seeking to do so.

12.40 am

Mr. Dennis Skinner (Bolsover): We should remember why the Bill is before us and why we have considered it in preceding months. It was born out of industrial chaos caused by the Government. The Government caused chaos by putting millions of people out of work.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I remind the hon. Member that on Third Reading the House considers what is in the Bill. The House does not have as wide a debate as is conventional on Second Reading.

Mr. Skinner: I shall explain why it is important to oppose the Bill.

The Government chose deliberately to cause chaos. As a result, they had to introduce a Bill to try to remedy that chaos. I agree with my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) on some of the changes that have been made, minor though they were. It is important to remember that the Bill would not have been drafted had it not been for certain incidents, such as the miners' strike and other industrial disputes, which arose because of Government policy. The Bill would not have been introduced had there not been massive cuts in public expenditure. There has been a series of attacks on local government expenditure. Inner city areas have been allowed to run down. There has been a failure to build houses and bungalows for the people who need them.

The Government caused chaos in both industrial and economic terms. As a result, they came along with another piece of the jigsaw—in the form of this legislation—to try to control law and order. For those reasons, it is important that the Labour party is seen to be opposing the measure to the bitter end. I am pleased that my right hon. Friend the Member for Gorton said that parts of the legislation will be repealed by a future Labour Government, because the legislation attacks civil liberties.

In 1979 the Government claimed that they would set the people free. They talked about law and order and said that they would impose a short, sharp shock on those who were supposed to be upsetting society at that time. After seven years, the Government have not set the people free. After all the chaos caused by the Tory Government, we find that today, of all days, on Third Reading, the Government have set the prisoners free. We shall vote against the Bill.

Mr. Giles Shaw: I thank the right hon. Member for Manchester, Gorton (Mr. Kaufman) for his extremely courteous remarks at the outset of his speech. I recognise, as he does, that during the many sittings of the Committee we endeavoured to achieve major changes in the Bill for the betterment of public order. I thank all my colleagues who served on the Committee and helped to make the Bill possible.

I refer also to the substantial effort by my staff in the Home Office in helping members of the Committee and helping to maintain an orderly flow of information on this major undertaking. I refer to the chairmanship of the hon. Member for Hartlepool (Mr. Leadbitter). His benign chairmanship ensured that we did not descend into the acrimony that a topic of this order could easily attract. A number of changes have been made to the legislation. The right hon. Member for Gorton catalogued the for the House.

This is a major Bill about public order. Its genesis was not the miners' strike, despite the efforts of the hon. Member for Bolsover (Mr. Skinner) to make it appear so. Its genesis was a major review of the law on public order based on the 1936 Act undertaken by the Law Commission. It will now stand as a major modernisation and codification of public order law, together with the additional powers it conveys on certain aspects on which the Committee spent much time.

The Bill's major contribution is in the context of public order law. I dismiss the views of those who seek to belittle the importance of the measure or seek to deny the importance of its roots and antecedents.

We have worked together in a genuinely constructive spirit in providing a parliamentary process. I suspect that the way in which the Bill has emerged is a credit to that process. Of course there have been profound differences of opinion, and those differences remain, but we respect the views of those whose ideas differ from the Government's. Equally, we are determined to look after the community we serve. It deserves and demands an effective and measured response from the Government to the growth of violence and disorder in society. That is what the Bill sets out to do.

We have applied a consistent test to our proposals to give the police only such powers as are necessary and effective in helping them to avert disorder and to protect the rights of the citizen. On Second Reading, my right hon. Friend the Home Secretary stressed that it was all too easy to talk of worries in isolation and in absolute terms.

The Government staunchly defend and protect the rights of free speech, assembly and demonstration. They are all of fundamental importance in a democratic society. As a member of a Government who have their roots deep in the traditions of our nation and the defence of individual liberty, I take ill lectures from any quarter about the importance of sustaining and nurturing the British people's historic freedoms.

Where we differ from the Opposition in presentaton and perhaps in substance is that we insist on keeping firmly in view the fact that these rights must always be balanced against the rights of others to live their lives peacefully, free from intimidation and violence and free from deliberate disruption by those who want to force their views upon them.

We recognise, therefore, only an equality of rights. We reject the notion that, because a person forms part of an organised group—whether a picket, demonstration or protest march—it confers special privileges upon him. It would be wrong for the law to give such a person greater protection than the individual who does not want to picket, demonstrate or do any such thing.

It is not the Bill that weakens the responsible and peaceful exercise of democratic freedoms — on the contrary, it strengthens them. Rather it is those who misuse and twist such rights and their apologists who hide tyranny behind a mask acclaiming liberty who are the enemies of our traditional freedoms.

In short, we like to stress that rights carry responsibilities and that the right to demonstrate cannot be used as an excuse to deprive the rest of us of the right to live our lives in peace. A prerequisite for the exercise of rights is the existence of order. Public order is the most fundamental common good and, in helping to prevent disorder and thereby to provide greater protection for the citizen, the Bill is a timely and important piece of legislation. I commend it to the House.

Question put, That the Bill be read now read the Third time:—

The House divided: Ayes 116, Noes 14.

Division No. 166] **[12.50 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Atkinson, David *(B'm'th E)*
Best, Keith
Boscawen, Hon Robert
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Buck, Sir Antony
Budgen, Nick
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Coombs, Simon
Cope, John
Couchman, James
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Durant, Tony
Fenner, Mrs Peggy
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Fraser, Peter *(Angus East)*
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodhart, Sir Philip
Gow, Ian
Gregory, Conal
Griffiths, Sir Eldon
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hawksley, Warren
Hayes, J.
Heathcoat-Amory, David
Hickmet, Richard
Hogg, Hon Douglas *(Gr'th'm)*
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Hubbard-Miles, Peter
Jackson, Robert
Jones, Gwilym *(Cardiff N)*
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Greg *(Derby N)*
Knowles, Michael
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Nicholas
Maclean, David John
Major, John
Marlow, Antony
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mitchell, David *(Hants NW)*
Morris, M. *(N'hampton S)*
Moynihan, Hon C.
Newton, Tony
Nicholls, Patrick
Norris, Steven
Pattie, Geoffrey
Pawsey, James
Powley, John
Raffan, Keith
Rathbone, Tim
Rhys Williams, Sir Brandon
Roberts, Wyn *(Conwy)*
Robinson, P. *(Belfast E)*
Roe, Mrs Marion
Rumbold, Mrs Angela
Sainsbury, Hon Timothy
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Spencer, Derek
Spicer, Jim *(Dorset W)*
Squire, Robin
Stanley, Rt Hon John
Stern, Michael
Thompson, Donald *(Calder V)*
Thurnham, Peter
Twinn, Dr Ian
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waller, Gary
Wardle, C. *(Bexhill)*
Watts, John
Wells, Bowen *(Hertford)*
Whitney, Raymond
Wood, Timothy

Tellers for the Ayes
Mr. Michael Neubert and
Mr. Gerald Malone

NOES

Barron, Kevin
Bermingham, Gerald
Clay, Robert
Evans, John *(St. Helens N)*
Fraser, J. *(Norwood)*
Lewis, Terence *(Worsley)*
Lloyd, Tony *(Stretford)*
Madden, Max
Michie, William
Parry, Robert
Pendry, Tom
Pike, Peter
Sedgemore, Brian
Skinner, Dennis

Tellers for the Noes:
Mr. Jeremy Corbyn and
Mr. Dave Nellist.

Question accordingly agreed to.
Bill read the Third time, and passed.

WELSH GRAND COMMITTEE

Ordered,

That, during the proceedings on the matter of the Welsh Development Agency, the Welsh Grand Committee have leave to sit twice on the first day on which it shall meet; and that, notwithstanding the provisions of Standing Order No. 67 (Meetings of Standing Committees), the second sitting shall not commence before Four o'clock.—*[Mr. Lennox-Boyd.]*

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION

Ordered,

That Mr. David Clelland be added to the Select Committee on the Parliamentary Commissioner for Administration. — *[Mr. Lennox-Boyd.]*

CONSOLIDATION &c., BILLS

Ordered,

That Mr. Tony Blair be discharged from the Joint Committee on Consolidation, &c., Bills and Mr. Nick Raynsford be added to the Committee.—*[Mr. Lennox-Boyd.]*

Rotherham Health Authority (Chairman)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lennox-Boyd.]*

12.58 am

Mr. Kevin Barron (Rother Valley): I shall not detain the House for too long in discussing the position of the Rotherham health authority. The authority is in perhaps a unique position in Britain in that it does not at present have a chairman.

Hon. Members will know that the Government introduced new faces into the National Health Service looking for what could be described as the "myth of the market". The Government are trying to create a market, but it is a myth to think that that will be beneficial to the National Health Service.

The structure of management in the National Health Service has been altered, and hon. Members will recall that that was started by the Griffiths report. At the same time, the Government decided to replace some chairmen of district health authorities. In Rotherham, they decided not to re-appoint Mr. Vernon Thornes who for a long time had been chairman of Rotherham health authority. The decision not to re-appoint Mr. Thornes caused anger and shock in the area. It angered me when I heard about it.

Vernon Thornes wrote to me and to two other hon. Members in June 1985 a confidential letter in which he said he had heard about some intrigue over the appointment of chairmen of district health authorities. He said why he believed that Rotherham was a target, and that that might mean that the chairman would be replaced. I discussed the matter with a Minister, but he did not agree with my analysis of the non-appointment, or sacking, of Vernon Thornes.

One of the prime motivations behind the non-appointment of Mr. Thornes is the stand taken by Rotherham health authority against privatisation. The authority has issued tenders and has gone along with Ministers, but it has said on all tenders that the people tendering must fulfil obligations on the protection of earnings of people who work for them. Those obligations are on the hourly rate, the sick payment rates and holiday benefits.

The Minister knows that his Department has not looked favourably on any health authority that has taken such a stand. For a long time, the Department through the regional office has advised the health authority to withdraw the clause about working conditions on contracts going out to tender. The Department has told the authority to play the game and to stop telling people that they must pay certain wage rates and offer certain protections to people who work for them.

Rotherham health authority took advice on the matter and found that the requests from the Government, made through the regional office, were not legally binding. The authority's advisers said there was nothing illegal in what the authority was doing. Perhaps the Government thought it was immoral to have such clauses in the tender forms. Wage rates are sometimes less than £2 per hour, and there is nothing immoral in the authority trying to protect people.

Mr. Thornes appears to have been victimised because of the stand taken by Rotherham health authority on privatisation. If that is the case, it is unfair because, like any good chairman, he was merely carrying out the wishes of the representatives on the health authority. He has an outstanding record in Rotherham in the National Health Service. One of the ironies of the case is that in a letter that he received from the chairman of Trent health authority on 18 March this year, shortly after that chairman had told Vernon Thornes that he would not be re-appointed, he was assured of:

"our sincere gratitude for all you have done for the Health Service for the last twenty-two years. Your contribution to the development and organisation of Health Services in Rotherham has been exceptional. I can say quite unreservedly that largely due to your decisive leadership, great skill and extensive personal involvement you have been able to carefully and effectively steer the District through two major reorganisations. I know also that your personal initiative and sustained efforts have played a significant part in the development of the District General Hospital."

That is a glowing tribute and one that most of those who have come in contact with Mr. Thornes would say was well deserved. It seems to many people that what has happened to him recently under the directorship of the Secretary of State has been a shabby farewell. The vast majority of the people in the Rotherham area feel that Vernon Thornes should not have been treated in this way.

The Minister received a letter dated 13 March 1986, from the Rotherham health authority, signed by Mr. Terry Sharman, who is the vice-chairman of the health authority, and the mayor of the Rotherham borough council. In the letter, which was drawn up after the meeting of the Rotherham health authority, on that day, the council said, for three reasons, that it wanted Vernon Thornes reappointed for the next two years, until someone could be trained into the position of chairman of the health authority. The reasons were:

" Vernon Thornes has been an outstanding Chairman and has acquired considerable experience of the health care needs of the Rotherham people over the last thirteen years.

2. He has the total confidence of the professions within the health service in Rotherham and of the Rotherham community.

3. The Authority has, at the moment, a number of projects that have not yet been brought to fruition that need Mr. Thornes' personal guidance in seeing their successful completion; furthermore, we feel, most strongly, that Mr. Thornes is given an opportunity to see these projects through."

It is right that that should happen. Mr. Thornes has indeed seen the health authority through two major reorganisations, and the latest is not yet complete.

The council said that it would like to bring a delegation to see the Minister if it would do any good, to bring further pressure to reinstate Vernon Thornes. I understand that the Secretary of State is about to appoint a local business man to the chair of the area health authority, and if my information is correct, the business man has no dealings with the NHS, and certainly none with the Rotherham health authority. In those circumstances, it would be better all round that Mr. Thornes should be appointed for a further two years, so that, on his retirement, somebody with experience of the NHS in Rotherham can take over.

I have had conversations with the Minister and the chairman of the Trent regional health authority, both of whom gave different reasons why Vernon Thornes was not reappointed. I still believe that I have been given no good reason why he should be replaced in this way. Even at this late stage, I ask the Minister to reconsider his position, and reappoint Vernon Thornes. As everyone in the Rotherham area has always said, he has done first-class work for a long time. He has served the NHS 22 years in south

Yorkshire, and his reappointment would be the best thing for the Rotherham district health authority, and for all concerned in the area. Of course, in two years' time he will be replaced because Vernon has already said that he wishes to retire after 24 years caring for people in the NHS in our area.

1.9 am

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): I am grateful to the hon. Member for Rother Valley (Mr. Barron) for giving the House the opportunity to consider this matter — because it caused much anxiety in the Rotherham health authority area — and for the opportunity to put the facts on the record. May I make some general points before dealing with the specific issues relating to Mr. Thornes.

When talking about the Government's approach to the National Health Service, the hon. Gentleman used the words, "the myth of the market". We are trying to ensure that the huge public resources which are devoted to the Health Service — resources which have been increased by 24 per cent. in real terms since the Government came to office in 1979—are used most effectively. Therefore, we must find every way to ensure that the resources are used to best effect. That is not the myth of the market; it is sheer common sense, and anyone who knows what is happening in the Health Service will accept that that must be the way forward.

The hon. Gentleman mentioned the altered structure of management. He is right to do so, because our new approach of focusing responsibility exactly where it should be centred is producing good results in the cost improvement programmes and, therefore, the release of additional resources which can be used for health care and the continuing improvement of the Health Service. I hope that the hon. Gentleman accepts what is happening.

The appointment of health authority chairmen is an extremely important and difficult exercise, as any issue of this sensitivity must be. District health authorities are an important undertaking. Typically, a district health authority will have a budget of about £50 million and a work force of about 5,000. The provision of the necessary leadership and direction to an undertaking of that size is a considerable task. In making the appointments, my right hon. Friend the Secretary of State must seek candidates of the highest calibre. Not least in the considerations that must weigh with him is the fact that the district health authority is, in many respects, the local face of the NHS, and its members will be drawn from the locality that it serves. This provides the means for local views on the quality and organisation of services to be made known.

The chairman must be sensitive and responsive to those important matters, as well as having the experience and ability to enable him or her to direct the affairs of an organisation that touches the lives of most people within its boundaries and that is often the largest employer in the district.

As the hon. Gentleman knows, the exercise to find the chairmen for most of the 191 district health authorities was launched by an announcement in the House on 18 April last year by my predecessor, the hon. Member for Oxford, West and Abingdon (Mr. Patten), who is now the Minister for Housing, Urban Affairs and Construction. The results were made known on 17 March this year when my right hon. Friend the Minister for Health announced the names of about 170 chairmen appointed to those important posts.

In launching the exercise in selection, my predecessor invited hon. Members to express any views on existing chairmen and to submit nominations to us by 3 June 1985.

When we undertook that consultation exercise, we took advice from a number of sectors but, within the National Health Service, the advice of regional chairmen was particularly relevant and valuable. We sought to take account of the advice and views of those hon. Members who responded, and consulted further with them, where necessary, throughout the year-long exercise. There were inevitably some areas where very finely balanced decisions had to be made, and either my right hon. Friend the Minister of Health or in some cases, the regional chairmen on our behalf, approached individual hon. Members to clarify or discuss their views. It is true to say that every effort was made to involve hon. Members in this decision-making process. At the same time, however, it must be made quite clear that these appointments are made at the sole discretion of my right hon. Friend the Secretary of State and that there was no question of clearing these appointments with hon. Members or, for that matter, with anyone else.

Having said that, I want to stress that in the case not only of Mr. Thornes but of very many others the question of non-reappointment was in no sense a condemnation or an expression of loss of confidence in a particular individual. One of the factors was inevitably the question of age. The average age of the new chairmen appointed in this round is something of the order of 54 years, which compares favourably with the average of 62 of the retiring chairmen.

I would like to reiterate what has been said by my right hon. Friend the Minister for Health and also by the chairman of the Trent regional health authority, that Mr. Thornes has given exceptional service to the National Health Service. We pay a great tribute to his dedicated service in the Rother Valley district for no less than 22 years. Rather than this being seen as an attack on Mr. Thornes or an attempt to embarrass him, I hope that the hon. Gentleman and everyone else will accept that this was a job well and truly done, and that it was perfectly reasonable, after 22 years, that some new blood here, as in many other districts, should be sought.

It is always a question in such cases of keeping a balance between the need for stability and continuity and the need to introduce new blood, and to have fresh insights and ideas and contiruity in the longer term. For those reasons, something like one third of the appointments that we have made were new ones. That was also the case in Rother Valley.

As it happens, the decision left Rother Valley without a chairman, due to an unfortunate but unforeseen series of events. A letter of invitation was sent out on 19 February to a new chairman who had, I understand, already indicated his willingness to serve, and a letter accepting the appointment was sent by the prospective chairman on 24 February, only to be followed two weeks later by a further letter, regretfully declining the appointment, due to the already heavy demands on his time. As I am sure the House will appreciate, this further letter coming, as it did, out of the blue meant that we had to reconsider an appointment that we had had every reason to believe had

[Mr. Ray Whitney]

been settled. There may have been other reasons of which we were not aware, but this was accepted by the new appointee.

I am glad, however, to be able to tell the House that, as I think the hon. Gentleman is aware, a new appointment has now been made. Mr. A. G. Baker, a local man, has accepted my right hon. Friend's invitation to serve as the new chairman of Rotherham health authority. We have every confidence in him and wish him well in this new and challenging post.

I repeat that there was no question of intrigue—one of the words used by the hon. Gentleman—or of any lack of confidence in Mr. Thornes, and there was certainly no question of what the hon. Gentleman referred to as privatisation but which more correctly should be called competitive tendering. The competitive tendering approach is precisely to ensure that Health Service resources are used in the most economic and effective way. We are looking for laundry, catering and cleaning service arrangements that will provide services of the right standard at the most economical cost. Most of the competitive tendering exercises result in the success of the in-house tender. There was no problem about competitive tendering.

The position adopted by the district health authority on the fair wages clause was contrary to the advice given by the regional health authority and the Department. By stipulating such matters, the district health authority may find that it results in an effect that is detrimental to the competitive tendering process in general. More specifically, it may deny the district health authority the opportunity to maximise savings in order to provide the maximum resources for health care. My understanding is that the former chairman, Mr. Thornes, advised members of the authority against retaining the fair wages clause. Ministers still hope that the district health authority will remove the clause.

I emphasise that Mr. Thornes has given very fine service for 22 years to the Health Service. There should be no interpretation of intrigue, or political manoeuvring, or lack of confidence. The decision was taken against the background that I have described. The Government should always be sensitive and responsive to the legitimate interests of hon. Members——

Mr. Barron: The Minister asks me to believe that, but in reality it is very difficult to make, in relation to Mr. Thornes, the argument about age, since a person of 65 has been reappointed for a two-year period in the neighbouring Sheffield district health authority. I can only assume that the district health authority wants to introduce new blood. The Minister said that a Mr. Baker has been appointed as chairman of the Rotherham health authority. I hope that Mr. Baker will be as successful as Mr. Thornes. The appointment has been made, and we shall all work together with the new chairman of the Rotherham health authority to try to improve the services provided by the National Health Service in the Rotherham area.

The Minister referred to the fair wages clause that is included in the tenders submitted by the Rotherham health authority. What will happen if the new chairman is instructed, as Mr. Vernon Thornes was instructed, by the health authority to continue to include it in the tenders? I presume that he will be so instructed and that there will, therefore, be no change.

Mr. Whitney: It would be wrong to go into too much detail about competitive tendering and the fair wages clause now, but the fair wages clause is contrary to the policy of the regional health authority and the Department. We spend £1 billion nationally on catering, cleaning and laundry services, and the objective must be to provide proper levels of service at the proper cost. That is generally accepted. Perhaps only three out of 191 health authorities are having difficulties. The interests of the patients must have priority.

As for the age of a chairman, it would be wrong for me to go into individual cases, but I hope that the hon. Gentleman accepts the general approach of introducing new and younger blood. I am pleased that the hon. Gentleman welcomed the new chairman and I hope that Mr. Baker's stay is profitable and helpful and that it will further promote the development of health care in the hon. Gentleman's constituency.

Question put and agreed to.

Adjourned accordingly at twenty six minutes past One o'clock.

House of Commons

Thursday 1 May 1986

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TEIGNMOUTH QUAY COMPANY BILL *(By Order)*

SOUTH YORKSHIRE LIGHT RAIL TRANSIT BILL *(By Order)*

BEXLEY LONDON BOROUGH COUNCIL BILL *(By Order)*

SHOREHAM PORT AUTHORITY BILL *(By Order)*
Orders for Second Reading read.
To be read a Second time upon Thursday 8 May.

MILFORD HAVEN PORT AUTHORITY BILL *(By Order)*
Order read for resuming adjourned debate on Question [18 February], That the Bill be now read a Second time.
Debate to be resumed on Thursday 8 May.

BRITISH RAILWAYS (STANSTED) BILL *(By Order)*
Order read for resuming adjourned debate on Question [24 February], That the Bill be now read a Second time.
Debate to be resumed on Thursday 8 May.

HARWICH PARKESTON QUAY BILL *(By Order)*
Order read for resuming adjourned debate on Question [28 February], That the Bill be now read a Second time.
Debate to be resumed on Thursday 8 May.

Oral Answers to Questions

NORTHERN IRELAND

Unemployment

1. **Mr. Ron Brown** asked the Secretary of State for Northern Ireland if he will make a statement about unemployment in Northern Ireland.

The Minister of State, Northern Ireland Office (Dr. Rhodes Boyson): At 6 March 1986, the latest date for which figures are available, there were 124,403 unemployed claimants in Northern Ireland. The unemployment rate was 21·4 per cent. I announced, in March, a £20 million package of enterprise and unemployment measures, which is expected to create up to 3,500 extra jobs in its first year of operation.

Mr. Brown: Was not John De Lorean responsible for making many people unemployed in Northern Ireland? Will the Minister take steps to ensure that that individual is extradited to this country and placed on trial? Will he contact the American President and put that view to him, remembering, after the sordid Libyan affair, that one good turn deserves another?

Dr. Boyson: That was an interesting question, and one that I had not expected. Last July, when there was a debate on the De Lorean affair, we said that the Government would do all that they could to bring De Lorean to trial if he ever touched down in the country. I take note of what the hon. Gentlman says, and undoubtedly other Ministers and Members will have heard it as well.

Mr. Robert Atkins: Would not unemployment be assisted far more greatly in Northern Ireland if the example set by companies such as Shorts, and Harland and Wolff, which do so much to provide jobs for people in the Province and exports to the world, were emulated by others in the Province?

Dr. Boyson: I entirely recently agree with my hon. Friend. Last year Shorts brought out the Tucano plane, recently there were sales of aircraft to British Midland Airways Ltd., and the contract for the auxiliary oiler replenishment vessel went to Harland and Wolff last week. We trust that other firms in Northern Ireland, with the same enterprise and backing of the work force, will gain such contracts here, in Northern Ireland, and throughout the world.

Mr. J. Enoch Powell: Let us see whether the Minister expects this question. In considering the factors that are likely to have a favourable effect on employment in the Province, will the Government not overlook the importance of transport action between the Province and the mainland, particularly the urgency of ensuring that use is made of the roll-on/roll-off facilities for transport in the port of Warrenpoint?

Dr. Boyson: I know that the right hon. Gentleman is rightly concerned about Warrenpoint and its facilities. I also know that, in so far as we are on the periphery of the European market, we require all the transportation if we are to sell goods, particularly heavy goods, in the question of that market. I take totally what the right hon. Gentleman has said.

Mr. Skinner: The hon. Gentleman will never make Secretary of State for Education and Science with grammar like that.

Dr. Boyson: I am glad that I have at least one supporter.

I have another point to make. At 2 pm today, unfortunately for Northern Ireland, Rothmans announced that it is pulling out of everything but cigar manufacturing there, which means 800 more unemployed. I know that that will be deplored throughout the House.

Mr. Michael Brown: On that point, does my hon. Friend agree that that makes so important the representations that we made to the Treasury about the level of tobacco taxation, because we foresaw what eventually could occur as a result of the increase in tobacco duty?

Dr. Boyson: My hon. Friend's point was mentioned in the press releases issued by Rothmans and by the Department. There has been a fall in the demand for tobacco because of the social and health consequences of smoking. There has also been an increase of imports into the United Kingdom market.

Mr. Mallon: Can the Minister give any assessment of the damage that has been done to employment prospects for the people of the north of Ireland by the recent form of Fascism centering on a new approach—a Bible in one hand and a petrol bomb in the other?

Dr. Boyson: There is no doubt that the hon. Gentleman's point is highly relevant to employment, and even more so to unemployment in Northern Ireland. Anyone considering investing there or expanding his factories would be worried about the political climate. The best thing that could be done for industrial advancement in Northern Ireland would be to achieve a political settlement, especially in relation to the hon. Gentleman's point, so that people can come to the Province knowing that there will be continuity of production.

Mr. Archer: Given the further likely effects on unemployment of the Rothmans' decision, remembering that the Anglo-Irish accord has been operating for nearly six months, and that one of the topics promised for consideration by the conference was the economic and social development of areas that have suffered most severely, what measures have resulted from the accord? If the answer is none, when may the unemployed expect to see such measures?

Dr. Boyson: After the accord, America promised extra help and investment to provide jobs on both sides of the border, especially in difficult areas. Conversations have continued since the accord, but the Americans have not yet reached a final decision. If America agreed to help industrial advance on both sides of the border, it would be of great help.

Enterprise Ulster

2. **Mr. Cash** asked the Secretary of State for Northern Ireland if, following the recent review, he will make a statement on the longer-term future of Enterprise Ulster.

Dr. Boyson: The life of Enterprise Ulster is being extended for a period of five years, subject to its achievement of agreed reductions in average job costs. Its performance will be considered in periodic reviews which are undertaken of the programme of labour market intervention measures for Northern Ireland.

Mr. Cash: Will the improvements in cost-effectiveness expected of Enterprise Ulster have any effect on its ability to undertake major projects in the future?

Dr. Boyson: I am glad to reassure my hon. Friend on that matter. Enterprise Ulster is highly regarded by all communities in Northern Ireland. It is one of the best links that we have to bring people together in Northern Ireland. There is no doubt that a major building programme such as that in the Belfast view—*[Interruption.]* The view is very nice in Belfast, but I meant to say "zoo". Enclosures and other buildings have been constructed at the zoo. Similarly, the Ulster American folk park has been built. Other building work will be carried out in the future by Enterprise Ulster.

Mr. Hume: In the light of the Minister's remarks about the outstanding record of Enterprise Ulster—a record commented upon favourably by many independent organisations, including the European Commission—does he not believe that, with so much unemployment in Northern Ireland, there is a strong case for expanding the role of Enterprise Ulster?

Dr. Boyson: I entirely agree with the hon. Gentleman. I shall contact Enterprise Ulster to see whether the scheme can be expanded. The previous agreement was for a three-year period. In this case the period will be extended to five years, which shows the Government's confidence in the organisation.

Paramilitary Organisations

3. **Ms. Clare Short** asked the Secretary of State for Northern Ireland what is his assessment of the scale of Loyalist paramilitary organisations and the danger they represent.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Nicholas Scott): The Government and the security forces keep under careful review all organisations which are paramilitary in character or associated with the use of violence. The security forces will continue to deal even-handedly under the law with threats to security or public order from all such organisations.

Ms. Short: I am sorry that the Minister has not answered my question, but has merely said that the Government will keep everything under review. Is he aware that Northern Ireland is massively armed—overwhelmingly so in the Loyalist community—with gun licences approved by the British Government? Will the Government undertake to review the many gun licences that are issued and call in some of them?

Mr. Scott: Firearms, shotguns, and, indeed, air rifles are under much stricter control in Northern Ireland than in Great Britain. If the hon. Lady has any particular suggestions for further restrictions in the law I shall obviously look at them, but at the moment we seek to exercise tight control in Northern Ireland.

Mr. Hayes: Will my hon. Friend pay a particular tribute to Sir John Hermon for a courageous and sensible speech last week, when he made it clear that he and his

officers will deal ruthlessly with that tiny minority of officers in the Province who behave in a party political manner?

Mr. Scott: I echo my hon. Friend's remarks, but the grounds for praising Sir John Hermon go much wider than that. He is a splendid leader of the Royal Ulster Constabulary and has been largely responsible for the progress that it has made in recent years.

Mr. Duffy: Does the Minister agree that if Unionist parliamentary representatives do not stand up to their back-room gunmen, the shameful statement of the hon. Member for Belfast, East (Mr. Robinson) outside Belfast city hall on Easter Monday, that democracy has been done to death, will indeed be fulfilled, not, as he went on to say, by Margaret Thatcher in Downing street, but in Northern Ireland by Unionist parliamentary representatives?

Mr. Scott: I regret all such actions and statements that seem to encourage unconstitutional or unlawful action. However, with the prospect of talks between my right hon. Friend the Prime Minister and the Secretary of State with Unionist leaders, I hope that constitutional action will now be pursued.

Mr. Heathcoat-Amory: Does my hon. Friend agree that to deal effectively with the paramilitary organisations it is essential to have an effective extradition treaty with America? Does he also agree that for America to reject the new extradition treaty would be to deal a body blow to Anglo-American relations and call into question whether that country is seriously interested in suppressing terrorism?

Mr. Scott: The Government are bending every effort to secure the passage of the supplementary treaty on extradition with the United States. I do not believe that either the House or British public opinion would understand a failure to deliver that treaty through the Senate.

Assembly Elections

4. **Mr. Bell** asked the Secretary of State for Northern Ireland when he proposes to announce the date of the Northern Ireland Assembly elections.

The Secretary of State for Northern Ireland (Mr. Tom King): We want to discuss the future of the Assembly with the Northern Ireland political parties. In reaching a decision on new elections we shall clearly have to consider whether the Assembly will serve a useful purpose.

Mr. Bell: I note the Secretary of State's remarks, but why are salaries continually being drawn by those elected to the Northern Ireland Assembly and those elected to take their seats in that Assembly when no work is being done, not even the scrutinising of legislation by way of Orders in Council for this House? Is that in the interests of the people of Northern Ireland and in the interests of democracy in Northern Ireland?

Mr. King: The frequent complaint that is delivered by some of the absentee Members of this House is that the voice of Northern Ireland—or the Unionist voice—has not been listened to, and that is at the very time that they are failing to discharge their proper functions and to use one of the vehicles that could be most effective in enabling them to put forward their views. I note what the hon. Gentleman said. There is obviously great force in what he has said, and we are looking at the matter carefully.

Mr. Michael McNair-Wilson: Does my right hon. Friend agree that there is little purpose in holding further elections if the SDLP fight those elections but refuse to attend the Assembly? As they have already achieved the Anglo-Irish treaty, does it not behove them now to assist in the internal government of Northern Ireland? If they refuse to come to the Assembly and to give a promise that they will come to the Assembly, will my right hon. Friend dismiss from his mind any thoughts of calling any further elections?

Mr. King: My hon. Friend will have listened carefully to my original answer. As the Assembly will reach the end of its natural life in mid-October, there is no point in perpetuating that, or even continuing as long as that, if it is failing to fulfil any useful function. Therefore, I agree with my hon. Friend's other comment about the position of the SDLP. I wish that the Unionists would put the SDLP to the test, pick up the remarks of the hon. Member for Foyle (Mr. Hume), challenge him with that, and then see whether it is possible to obtain a new Assembly on a proper basis.

Mr. Flannery: It is not a political reality that the monority community has no faith in the Assembly? Does the right hon. Gentleman agree that the disucssions that will take place there will be with people who, for endless years, and in the future if they can, will carry on discussions which will keep them permanently in command and leave nothing for the minority community?

Mr. King: That is the gospel of despair that will lead the Province nowhere. The Government are determined to build on common ground between men of good will. If the hon. Gentleman believes that that is impossible, the future is bleak for the Province. I believe that effort must be made. The Government are determined to see whether it can be achieved, but obviously it needs considerable co-operation for it to be possible.

Mr. John Mark Taylor: Does my right hon. Friend accept that some of us were disappointed and disturbed by his first answer? If we are at all serious about devolving powers to Northern Ireland, as the Assembly represents a good spectrum of elected opinion in Northern Ireland, should he not continue his efforts to make it work and make the parties participate in it?

Mr. King: I know that my hon. Friend will be aware of some of the behaviour that is currently taking place within the Assembly and the fact that it is failing to discharge its proper functions. I would certainly agree wholeheartedly if we could achieve a basis on which the proper objectives of the Assembly could be achieved.

Mr. Mallon: Will the Secretary of State confirm that among those who have found it impossible to continue to attend the Assembly are his predecessor, now the Secretary of State for the Home Department, and the alliance party, and that non-attendance is not confined simply to the SDLP?

Mr. King: I am not clear about the hon. Gentleman's first point. My right hon. Friend did attend the Assembly, and Ministers were always ready to attend. The hon. Gentleman will appreciate—his hon. Friend the Member

for Foyle (Mr. Hume) made this point clear as well—that my understanding is that his party is prepared to become involved and would wish to take part in the new Assembly.

Tourism

6. **Mr. Leigh** asked the Secretary of State for Northern Ireland what has been the response from the tourist industry to the announcement of the revised accommodation grant scheme in February.

Dr. Boyson: There has been an excellent response from the industry. As at 25 April 1986 there were 176 applications for grant-aid, which include proposals for the upgrading and improvement of 435 hotel bedrooms, and the construction of six new hotels, 21 new guest houses and 21 self-catering developments.

Mr. Leigh: How many jobs will be created by the scheme?

Dr. Boyson: While that building is taking place, I would estimate that about 200 people will find extra employment in the construction industry. When the hotels are completed there will be about 100 more people employed and there will be a spin-off for all the shops in the areas around.

Political Parties (Talks)

7. **Mr. Alton** asked the Secretary of State for Northern Ireland what action Her Majesty's Government propose to take in the light of correspondence between the Prime Minister and Northern Ireland political parties to hold round table talks with them.

Mr. Tom King: We hope that it will be possible shortly to start exploratory discussions with the two Unionists leaders to see whether a framework for dialogue can be established as suggested by my right hon. Friend the Prime Minister in her letter of 16 April.

Mr. Alton: I welcome the Secretary of State's answer. Does he not think that, given the willingness of the SDLP and the alliance party of Northern Ireland to enter into discussions without pre-conditions, the time has come to fix a date for those talks to begin?

Mr. King: In view of the position in which the two major Unionist parties find themselves, the first objective is to see whether it is possible for such a framework to be established. Obviously, thereafter, it becomes a question of the involvement of other parties in possible further discussions.

Lignite

8. **Mr. Jackson** asked the Secretary of State for Northern Ireland when work under the lignite prospecting licences announced in 1985 is likely to begin.

Dr. Boyson: Legal formalities for the issue of the three licences should be completed shortly, and I understand that the companies hope to start work this month.

Mr. Jackson: I thank my hon. Friend for that answer. Will he expand on the benefits of lignite development for Northern Ireland?

Dr. Boyson: I hope that there will be benefits from what we are doing. The immediate advantage is that it will cheapen electricity production. That is why we are considering building a lignite-fired generating station at Crumlin. It should make electricity costs for industry and for homes in Northern Ireland equal to the lowest in this country and in Europe.

Mr. Foulkes: Will the Minister tell the House what effect the development of lignite will have on the supply of Ayrshire coal to power stations in Northern Ireland? In particular, will he confirm that it is planned that the Kilroot power station will continue to burn Ayrshire coal? Will he also tell us why the decision has been made in the short term to burn oil at the Belfast West power station—a very unwise decision—when the supply of Ayrshire coal can be maintained and guaranteed in the long term? Will the Northern Ireland Office hold discussions with the Coal Board about the use of Ayrshire coal in Northern Ireland and the devastating effect it would have on Ayrshire if the supply of coal to Northern Ireland were not continued?

Dr. Boyson: I appreciate the hon. Gentleman's concern about coal sales from Ayrshire to Northern Ireland. The conversion of Kilroot from oil to coal burning is going ahead. The contract has been given to the NEI. We shall have to weigh the question of conversion at other power stations. Much depends upon the price at which coal can be bought. Electricity prices in Northern Ireland have continually been among the highest in the United Kingdom. As the price of oil is falling, and if coal is to be bought for Northern Ireland, we shall have to consider the price at which it can be bought from the Coal Board.

Mr. Hume: Is the Minister aware of the public concern that has been expressed by many residents in the Lough Neagh area about the possibility of damage being done to the environment by lignite mining? As the environmental quality of that area is the highest in Europe, does he not think that a public inquiry is necessary before a licence to mine lignite in the Lough Neagh area is granted?

Dr. Boyson: This is one of those times when I can answer yes. I agree entirely with the hon. Member for Foyle (Mr. Hume). We have granted a prospecting only licence for two years. There is no guarantee that a mining licence will follow. I have met objectors from East Tyrone in my office in Northern Ireland and I have read all the material that they have published. We have given a straightforward commitment—which has the agreement of my hon. Friend the Minister with responsibility for the environment in Northern Ireland — that if a mining application is made by any company, a public inquiry will be held.

Mr. Archer: Does the hon. Gentleman appreciate that the danger envisaged by the hon. Member for Foyle (Mr. Hume) applies to the prospecting itself? As Lough Neagh is listed in the Ramsar Convention on Wetlands as a site of international importance, have the Government given notice of their proposal to grant licences for prospecting, and have they made any assessment of its effect upon wildlife?

Dr. Boyson: Before we were prepared to give the three licences for prospecting, we took advice from wherever it was available and we listened to all the objections. I have been assured that prospecting can go ahead without any damage to the East Tyrone area or to the level of Lock

Neagh. If prospecting had been a threat to the level of Lock Neagh, or to its boundaries, we should have had to think very deeply before granting the licences.

Security

9. **Mr. Yeo** asked the Secretary of State for Northern Ireland if he will make a statement about the security position.

15. **Mr. Proctor** asked the Secretary of State for Northern Ireland if he will make a statement on the current security situation.

Mr. King: Since I last answered questions in the House on 27 March, two civilians and two members of the security forces have died in incidents arising from the security situation in the Province. The efforts of the security forces are continuing to yield results. Since the beginning of the year, a total of 264 people have been charged with serious offences and 95 weapons, 10,500 rounds of ammunition and 2,460 lb of explosives have been recovered. The House will wish to note that seven of these weapons and 1,240 lb of explosives have been recovered in the last six days.

Mr. Yeo: I am glad that my right hon. Friend is able to report such progress. Will he take this opportunity to make clear to the House, and above all to those extremists in Northern Ireland who are resorting to violence in their efforts to undermine the Anglo-Irish agreement, that the Government have no intention of being deflected from their purposes in signing that agreement, even if there were to be a regrettable, temporary deterioration in security?

Mr. King: One of the criticisms by some Unionists about the Anglo-Irish agreement that I find least acceptable is the implication that in some way the security forces will lessen their determination to fight terrorism. The figures that I have given to the House and the evidence of the last few days should make clear to everybody our determination to root out terrorism from wherever it comes. Yes, we have had successes in the last few days, but those very successes and the amount of bombs involved show clearly the scale of the threat that we still face.

Mr. Proctor: In order to reduce tension and improve security in Northern Ireland, will my right hon. Friend put intense pressure on the Government of the Republic of Eire to include in their forthcoming referendum on divorce a question about the repeal of articles 1 and 2 of the Republic's constitution? Will my right hon. Friend accept that it is no answer to say that we should not interfere in the internal affairs of the Republic?

Mr. King: I must admit that there is so much talk about articles 2 and 3 that I cannot remember what article 1 is about. I think my hon. Friend means articles 2 and 3. *[Interruption.]* I shall certainly study his request about article 1. I shall need to refresh my memory on it. I am on record publicly as saying that articles 2 and 3 do not contribute to better relations between the Republic and Northern Ireland. I hope that it will be possible at some future date for changes to be made. I certainly understand why my hon. Friend raises the matter.

Mr. Campbell-Savours: How is the security situation in Northern Ireland helped by the availability of kidnap insurance? I have here a letter written by Sedgewick UK Ltd., a City of London insurance company, offering kidnap and extortion insurance to a prominent citizen in Northern Ireland. What does the Secretary of State intend to do about that sort of thing? Does he intend to turn a blind eye, or, if he is committed to the restoration of peace in Northern Ireland, does he accept that he has a duty to intervene and prevent the sale of these policies on the open market?

Mr. King: I would be grateful if the hon. Gentleman would send me a copy of that letter so that I may study it. He knows that it is not an offence in the form of insurance, but it is an offence in Northern Ireland to pay ransom money to any proscribed organisation. This matter goes much wider than the question the hon. Gentleman asks. The whole question of rackets, of extortion, of protection is something on which we should take the strongest possible action.

Mr. Bill Walker: Does my right hon. Friend accept that Protestant—originated violence in Ulster is relevant to Scotland, where there is a lot of sympathetic support, where caches of weapons have been discovered on numerous occasions and where many prosecutions have taken place? If he does accept that, what consultations is he having with the Secretary of State for Scotland to ensure that the violence does not come across to Scotland?

Mr. King: On these issues I keep in close touch with my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Home Secretary. The points made by my hon. Friend are correct, but perhaps he will forgive me if I do not go further into the matter at this stage. I assure him that his point is well taken.

Mr. Soames: In the light of the Anglo-Irish agreement, has my right hon. Friend noticed any improvement in cross-border security?

Mr. King: My hon. Friend will have noted recent events. I do not wish to go into detail about them, but I am satisfied that we are progressively developing closer co-operation on security and that this will undoubtedly be to the benefit of all those who wish to see a reduction in terrorism and its eventual elimination.

Anglo-Irish Agreement

10. **Mr. Latham** asked the Secretary of State for Northern Ireland whether he will make a statement on the operation to date of the Anglo-Irish agreement.

11. **Mr. Winnick** asked the Secretary of State for Northern Ireland if he will make a statement on meetings with the Government of the Irish Republic which have occurred arising from the Anglo-Irish agreement.

18. **Mr. Nicholas Baker** asked the Secretary of State for Northern Ireland if he will make a statement about progress in implementing the provisions of the Anglo-Irish agreement.

Mr. Tom King: Since the Anglo-Irish agreement came into force on 29 November, the Intergovernmental Conference has met four times and there has been one meeting of the legal sub-group. A joint statement was issued after each meeting, which gives an account of the issues discussed. I have placed these in the Library.

Mr. Latham: I thank my right hon. Friend for that reply. I wish that there was more than one Ulster Unionist here to listen to it. Is my right hon. Friend aware that since we live in 1986, not 1689, many of us hope that more could be done by the Churches to promote intercommunal reconciliation, which is implicit in the Anglo-Irish agreement?

Mr. King: I endorse to the full my hon. Friend's opening comments. It is a tragedy that Unionist Members of the House of Commons are not present to play their part, with the exception, to which I pay tribute, of the right hon. Member for South Down (Mr. Powell). I certainly do look to closer co-operation between the Churches. Undoubtedly many Church leaders play an outstanding role in that respect. I should like to encourage that process even further.

Mr. Winnick: Is it not important for the Secretary of State and the Prime Minister to make it absolutely clear that, no matter what sort of intimidation there is in the Province, and what action is taken by the bully boys and the rest, the Anglo-Irish agreement will stand? If that is made clear, perhaps the time will come when the Unionist Members of Parliament will return to their seats here.

Mr. King: The position has been made absolutely clear, by both my right hon. Friend the Prime Minister and myself on several occasions. We remain absolutely clear about that.

Mr. Nicholas Baker: Is my right hon Friend aware that many of us who are strong supporters of the Union are also believers in the Anglo-Irish agreement? Does he agree that one of the prospects, if the agreement were to fail, would be an internationalisation of the Northern Ireland problem, which, with the greater interest of perhaps the United States in an adverse way, and the United Nations, would spell disaster for Northern Ireland?

Mr. King: If the agreement were to fail because of intimidation and the sort of violence and obstruction that we have seen in certain quarters, that would be extremely damaging to the Union and would be catastrophic for the image and prospects of Northern Ireland overseas. We face many difficult problems. My hon. Friend the Minister of State referred to the difficult economic news coming out of Northern Ireland today. In that situation, we need maximum co-operation among all the people there. I believe that the Anglo-Irish agreement can contribute to that, if only Unionists are prepared to give it a chance.

Mr. Mallon: Now that there is consensus across the board in Northern Ireland that the use of plastic bullets and of the uncorroborated evidence of supergrasses should be discontinued, would it not, in the Secretary of State's opinion, be advisable for the Anglo-Irish conference to deal with those matters?

Mr. King: The hon. Gentleman's first point will arise shortly through another question on the Order paper, and my hon. Friend the Parliamentary Under-Secretary of State will reply. With regard to the second point, the use of accomplice evidence is under discussion at the moment. My right hon. and learned Friend the Attorney-General has commented on that practice. I understand the concern about it, but when we face terrorism there are real difficulties in making sure that we deal as effectively and fairly as we can with terrorist crimes.

Mr. Gow: Will my right hon. Friend confirm that no date has been fixed for the next meeting of the Intergovernmental Conference at ministerial level? Will he explain to the House why he cannot say that future meetings of that conference will be held in London rather than Belfast, and why he considers it desirable that the secretariat should be sited in Northern Ireland and not in London?

Mr. King: The answer to the first question is yes, Sir. In respect of the second question, it is not the practice to disclose the location of the conference, for reasons which my hon. Friend may understand. As to the third question, it is my belief that the secretariat is most usefully located in Belfast in order to discharge the work that it does.

Mr. Alton: Will the Secretary of State make it clear to those in Northern Ireland who want to try to break the Anglo-Irish agreement that it is the democratic wish of all the major parties in the House that, however many marches, and however much intimidation or violence there may be over the next few months, we will not tolerate any watering down of the Anglo-Irish agreement?

Mr. King: I have made absolutely clear my support for the Anglo-Irish agreement, but at the same time I have made it absolutely clear that this agreement is not designed to exclude the voice of Unionists from involvement in and contribution to the affairs of Northern Ireland, and that is what I wish to see.

Mr. Peter Bruinvels: Now that we have the Anglo-Irish agreement, what additional measure does my right hon. Friend propose to protect the members of the RUC, their families and their homes from the attacks that they have suffered? What can he do to stop a number of members of the RUC requesting transfers to return from Northern Ireland to the rest of the United Kingdom?

Mr. King: In respect of the latter point, I have to say that there is no evidence of this happening. I know that the RUC collectively is determined to combat and defeat attempts at intimidation. I know that the whole House will pay tribute to the courage of the RUC in the present difficult situation. I know also that the Chief Constable and the associations involved in representing members of the RUC are determined to stand together and take all necessary measures to defeat intimidation against them.

Plastic and Rubber Bullets

12. **Mr. Canavan** asked the Secretary of State for Northern Ireland how many people have been killed or injured by the use of plastic or rubber bullets in Northern Ireland.

Mr. Scott: Since the introduction of rubber baton rounds in 1970, and plastic baton rounds in 1973, 15 people are believed to have died as a result of their use by the security forces in Northern Ireland. Since 17 March 1981, when records were first collated, 326 have allegedly been injured, all by plastic baton rounds.

Mr. Canavan: Bearing in mind that most of the victims were children or young people, many of them innocent bystanders, who were killed, blinded, paralysed or suffered brain damage, and now especially since the tragic death of Keith White, the use of such lethal weapons has been rightly condemned by many people of the Unionist tradition as well as people of the Republican

tradition, will the Government support my Bill next Wednesday to abolish this barbaric practice for ever from the whole of the United Kingdom?

Mr. Scott: I shall certainly not support any legislation which takes away from the security forces in Northern Ireland a means of protection against the sustained and vicious rioting which they have had to endure over the period of these troubles. It may also be worth mentioning that the European Court of Human Rights has found that the use of baton rounds in Northern Ireland constitutes reasonable force.

Mr. Michael McNair-Wilson: Can my hon. Friend say what other form of defence would be available to the security forces if baton rounds were eliminated?

Mr. Scott: The short answer to my hon. Friend's question is that I know of no other means of protecting the security forces against rioting that would be as effective. Water cannon and CS gas have both proved to be ineffective. I know of no alternative to baton rounds at present.

Mr. Parry: My question No. 27 on the Order Paper is similar to that of my hon. Friend the Member for Falkirk, West (Mr. Canavan). I agree with the points that he made about the killing of innocent children and women, particularly the tragic death of Mrs Nora McCabe, and I fully support any demand in the House for the banning of these bullets.

Mr. Scott: I regret every death that takes place in Northern Ireland. It is worth reminding the House that well over 2,000 people have lost their lives in the course of the troubles over the last 16 to 17 years. I think that it is up to those who complain about the use of baton rounds and who wish to have them removed to come forward with an alternative that would be as good and as effective in protecting the security forces against rioting.

Long-term Unemployed Persons

13. **Mr. Neil Hamilton** asked the Secretary of State for Northern Ireland what new measures are being introduced in Northern Ireland for the long-term unemployed.

Dr. Boyson: On 26 March I announced a package of enterprise and employment measures for Northern Ireland, all of which, I hope, will be helpful to the long-term unemployed. These will include individual in-depth counselling interviews, short restart courses, a £20 weekly jobstart allowance and extra job places available in Enterprise Ulster and action for community employment schemes.

Mr. Hamilton: My hon. Friend will agree, I am sure, that everybody who has the economic wellbeing of the Province at heart will welcome this imaginative package of measures. Can my hon. Friend give us any indication of how many job vacancies are filled every month in Northern Ireland?

Dr. Boyson: I believe that about 9,000 people every month get jobs in Northern Ireland — coming from unemployment or from full-time education — and that something equivalent to the total number of long-term unemployed are placed in jobs every four months.

Political Parties (Talks)

14. **Sir John Biggs-Davison** asked the Secretary of State for Northern Ireland what discussions he has had with political leaders in the Province since the signature of the Anglo-Irish agreement.

Mr. Tom King: I have met all the leaders of the major constitutional political parties in Northern Ireland at least once since 15 November—on a number of occasions in company with the Prime Minister. At all those meetings I have made it clear that the Government would welcome discussion about political development in Northern Ireland.

Sir John Biggs-Davison: What are the Government doing to regain the consent of the governed? Since adequate pre-existing machinery for Anglo-Irish co-operation and consultation is present, would not a protracted period of silence from the Intergovernmental Conference be most welcome and helpful?

Mr. King: My hon. Friend will be aware that in answer to an earlier question I said that I hoped there would shortly be discussions to see whether a framework for talks was possible. That is the most positive way forward, to see whether we can at last start talks to help regain the confidence to which my hon. Friend referred.

PRIME MINISTER

Engagements

Q1. **Mr. Tony Banks** asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today. This evening I shall be leaving for Korea and for the economic summit in Tokyo.

Mr. Banks: On this glorious international day of Labour, will the Prime Minister find time to study the terms of the petition presented at No. 10 Downing street last Saturday by Labour council candidates from the London borough of Newham? The petition showed that this year £5·5 million of rate support grant has been taken from Newham, making a total loss of £74 million since 1980, plus £11 million for the cost of the abolition of the Greater London council. Newham is the second most deprived local authority area in England, so why do the Government refuse to give us partnership status? When the Prime Minister returns from Tokyo, will she accept an invitation from me to come to Newham and see the effect of Government policies on the real East Enders of London?

The Prime Minister: London as a whole will benefit enormously from the abolition of the GLC.

Q2. **Mr. Latham** asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Latham: At the Tokyo summit, will my right hon. Friend press for the fullest possible co-operation and for the pooling of all scientific knowledge between East and

West which will help to prevent any further disaster, such as that at the Russian nuclear reactor? Will she say that the only way to build confidence in the verification of nuclear weapons disarmament is if we deal effectively with civil catastrophes?

The Prime Minister: I agree wholeheartedly with my hon. Friend. These matters go way beyond the borders of any country, and must be dealt with on a global scale. I hope that all the details of that terrible accident at Chernobyl will be reported to the International Atomic Energy Agency so that we may all profit from it, and that inspectors will be able to go in to deduce precisely what happened. I also agree with my hon. Friend's deduction on the other point. Knowing something of what has happened in the Soviet Union and how difficult it is to get facts and assessments, it should make us wary in any arms control negotiations that we must be absolutely meticulous to get specific, practical and strict verification of any agreement.

Mr. Kinnock: Now that the prison officers have suspended their industrial action, thereby giving further evidence of their good will and sense of responsibility, why are the Governmet adding stubbornness to their original folly by refusing to engage in talks with them?

The Prime Minister: The right hon. Gentleman knows that after questions there will be a statement on this matter. I am pleased that the prison officers have called off their action. Many of us were appalled that they ever took it, and I think that it has been salutary for them. I should like to thank the governors who stood at their posts, the police officers who also stood at their posts, and the police, who backed up the whole service.

Mr. Kinnock: Is the Prime Minister aware that the governors have strong sympathy with the conditions and difficulties which the prison officers face daily, and that the rise in the number of prisoners vastly exceeds the rise in the number of officers — *[Interruption.]* Yes. The ratio is 5,000:2,500. I know the figures. Is the Prime Minister aware that, unless the Government show a more rational attitude, what we have seen thus far, as a consequence of industrial action, will in any event come about simply because of the pressures in the prisons?

The Prime Minister: May I point out to the right hon. Gentleman what the Government have done to increase the facilities of the prison service. We implemented the report of the May committee on the prison service, which was established by a Labour Home Secretary. We ended the Labour Government's neglect of prison buildings by instituting the largest prison building programme in history. Spending on prison buildings is up by 400 per cent. We have increased spending on the prison service by 85 per cent. in real terms. On the specific point that the right hon. Gentleman made, and made wrongly, we have increased the number of prison officers by 3,000—that is 18 per cent.—at a time when the number of prisoners has gone up by 12 per cent.

Mr. Kinnock: Following that litany, can the Prime Minister tell me why Mr. Sidney Powell, the secretary of the governors' organisation, should say that the 12 per cent. population increase mentioned by the Prime Minister meant an additional 5,000 prisoners, and that the 18 per cent. increase in staff was about 2,500 officers? Will the Prime Minister come clean at least on this?

The Prime Minister: The right hon. Gentleman confirms my assertion that the ratio of prison officers to prisoners has greatly improved.

Mr. Nicholas Baker: At the Tokyo summit, will my right hon. Friend impress upon Japan the importance of her undertaking and maintaining a greater share of responsibility towards the Third world than she does at present?

The Prime Minister: Yes, but we shall also be pressing upon Japan the fact that when she competes for contracts in the Third world she must also compete on a fair basis, and on a fair basis for credit as well.

Dr. Owen: Will the Prime Minister ask Sir Frank Layfield, who is currently writing his report on the Sizewell inquiry, to take full account of the disaster that has occurred in the Soviet Union? We have waited many years for this inquiry, and it would be very helpful for making final decisions if Sir Frank Layfield was able to take as much evidence as possible from the Soviet Union.

The Prime Minister: The right hon. Gentleman will be aware that the report of an inquiry is the report of the conclusions from the evidence given at the inquiry, and it cannot go further and include matters which have arisen since the inquiry. He will be the first to be aware that the reactor in the Soviet Union is totally different from any kind of reactor here. He will also be aware that the record of safety in design, operation, maintenance and inspection in this country is second to none. I hope the right hon. Gentleman will think it right to support the furtherance of such an excellent nuclear industry.

Mr. Viggers: Is my right hon. Friend aware that we are proud of the fact that she will be this country's representative at the Tokyo summit? Does she agree that the greatest single boost to world trade would be a reduction of trade barriers and a promotion of genuine free trade throughout the world? Does my right hon. Friend further agree that the reduction in oil prices provides a good background for such a new initiative, and will she propose such an initiative in Tokyo?

The Prime Minister: I agree with my hon. Friend that we need to reduce trade barriers. Between a third and a half of world trade is subject to some form of protection. For some time many of us have felt that it is time we had a new GATT round so that we can jointly get rid of or reduce some of the barriers. This is meeting with a good deal of hostility in some quarters, but we shall nevertheless continue to persevere with that line, both at the Tokyo summit and beyond.

Q3. **Mr. Pavitt** asked the Prime Minister if she will list her official engagements for Thursday.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Pavitt: Is the Prime Minister not concerned and distressed by the fact that, as a result of her policies, we now have a record number of over 100,000 homeless people? Last year, an extra twist in the spiral meant a further 13 per cent. In the Conservative-controlled London borough of Brent my ratepayers are now paying £5,400 a day, week in, week out, for bed and breakfast and temporary accommodation, and taxpayers are paying a further £5,400 through the DHSS. Will the Prime Minister follow the good example set by one of her previous

Ministers, the hon. Member for Eastbourne (Mr. Gow), and spend three hours with me looking at the tragic families living in sleazy conditions so she can see for herself what is happening to family life in my area?

The Prime Minister: May I point out to the hon. Gentleman that there are 100,000 empty council houses in England and Wales, and that more than 30,000 of them are in London? A considerable number of these have been empty for over a year. It might be a good idea if some of them were brought back into use. Then there would then be less need for bed-and-breakfast accommodation.

Q4. **Mr. David Atkinson** asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Atkinson: Has my right hon. Friend seen yesterday's ruling by the European Court of Justice against the price fixing of European air fares? Does that not at last pave the way for competition to reduce the level of fares to the level long enjoyed in the United States of America? Will the Government hold discussions with Lord King about the lead that British Airways should set?

The Prime Minister: We were very pleased with the decision of the European Court of Justice yesterday. It confirmed the view that we have held for a long time, which is that competition also applies to air fares. The people of this country owe a debt of gratitude to my right hon. Friend the Secretary of State for Transport for his strenuous efforts, which have already reduced air fares. It is further backing of our belief in competition instead of rigging the market.

Q5. **Mrs. Dunwoody** asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Mrs. Dunwoody: As the amendment on the Order Paper concerning carers, which stands in the Prime Minister's name today, is almost identical to that tabled by the Opposition, would she be kind enough to tell us why it omits only two points? I refer to cash to support the carers and any mention of invalid care allowance.

The Prime Minister: I would be glad to place this Government's record on caring beside that of the Labour Government at any time, and I shall be especially glad to do so when the time comes.

Sir Bernard Braine: Does my right hon. Friend agree that, despite the lack of information from the Soviet Union about the disaster that has seriously affected its nearest neighbours, the Poles at least are taking all sorts of measures to protect their children? Will my right hon. Friend ensure that if any request for help with medicaments and special foods comes from that country, we will not hesitate to give it urgently and without any conditions?

The Prime Minister: I am grateful to my right hon. Friend for raising that point. If any requests come we shall, of course, look at them with the greatest sympathy and do our level best to get help there as soon as possible. We have offered the Soviet Union help on all technical aspects connected with the accident, but so far it has not seen fit to take it up.

Q6. **Mr. Rogers** asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Rogers: On 14 April the Parliamentary Under-Secretary of State for Energy said that nuclear energy was the safest, cleanest and cheapest form of electricity generation. Which of those criteria does the Prime Minister believe to be the most important?

The Prime Minister: As the hon. Gentleman knows —he must be struggling very hard for a question—all those criteria are very important. I hope that he is proud of the record of our nuclear industry and of those who operate it.

Mr. Onslow: When my right hon. Friend is invited to draw comparisons between Western and Soviet technology, will she bear in mind that the fact that the Russians failed to create their own Concordski does not mean that Concorde is unsafe?

The Prime Minister: My hon. Friend's question demonstrates most neatly the difference of approach between the two countries. We place great stress on the need for safety in the latest technology.

Q7. **Mr. Winnick** asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Winnick: Can the Prime Minister give any explanation of why 1986 has been such a wretched year for her? I am afraid that there is far worse to come.

The Prime Minister: I am still smiling and looking forward to my seventh anniversary, which will be about a halfway house.

Mr. Greenway: Does my right hon. Friend agree that what is lacking with civil nuclear power installations is an internationally accepted safety standard? Will she seek to encourage such a standard and its application in Russia, Great Britain and everywhere else in the world?

The Prime Minister: The accident in the Soviet Union has stressed that safety must be an international matter. We shall pursue this vigorously through the appropriate agency.

Mr. Lofthouse asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Lofthouse: Is the Prime Minister satisfied that a nuclear accident similar to that which occurred in the Soviet Union could not occur in this country? If not, will she assure the House that the Government will discontinue their interest in pressurised water reactors?

The Prime Minister: No, I can give no such assurance. I know that the hon. Gentleman has a specific interest in coal, but there are other people who work in the electricity and the nuclear industry, and who work very effectively. The industry was started in this country. It was one of our own technologies, and I would have thought that the hon. Gentleman, too, could be proud of its safety record and the way we have handled our nuclear industry, in terms of safety and economy.

Business of the House

3.31 pm

Mr. Neil Kinnock (Islwyn): May I ask the Leader of the House to state the business for next week?

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): Yes, Sir. The business for next week will be as follows:

TUESDAY 6 MAY—Until Seven o'clock, there will be a debate on the situation in Her Majesty's prisons on a motion for the Adjournment of the House. Consideration in Committee of the Finance Bill.

WEDNESDAY 7 MAY—Consideration in Committee of the Finance Bill.

Remaining stages of the British Shipbuilders (Borrowing Powers) Bill.

THURSDAY 8 MAY—There will be a debate on crime prevention on a motion for the Adjournment of the House.

FRIDAY 9 MAY—Private Members' Bills

MONDAY 12 MAY — Until Seven o'clock, Private Members' motions.

Motion on the Hong Kong (British Nationality) Order.

Mr. Kinnock: I am grateful to the right hon. Gentleman. Will he ensure that the House is kept fully informed of any further details which the Government obtain about the consequences of the Chernobyl disaster? I am sure that he agrees that it would be appropriate to have a debate in the near future on the issues raised and highlighted by this most serious incident.

I thank the Leader of the House for responding constructively to our representations for an early debate on the Government's dispute with the prison officers. In the light of the emergency debate next Tuesday, will the right hon. Gentleman undertake to ensure that there will be discussion about the manner in which the orders for the Finance Bill are taken? When is the defence White Paper likely to published? Will the right hon. Gentleman provide time for the debate on foreign affairs which I have requested on several occasions?

I welcome next week's debate on crime prevention and express the hope that the Home Secretary will come forward in that debate with proposals for aiding elderly and poorer people with the cost of making their homes more secure and, similarly, for supporting local authorities which wish to make additional provision for crime prevention in their streets and housing estates.

I am sure that the right hon. Gentleman and all hon. Members would wish to pay tribute to Miss Roseanne O'Reilly, who retires today after working for almost 40 years in the Library. As the right hon. Gentleman is aware, for a long time she has been a most devoted servant of the House and has given Members of every party the most valued service in their requests for information.

Mr. Biffen: If I answer the questions in reverse order, I shall have the opportunity to open with my congratulations to Miss O'Reilly on her retirement and to echo what I am sure is the feeling throughout the House that she should have a most happy retirement, knowing that she will take with her the good wishes and appreciation of hon. Members.

As to next Thursday's debate on crime prevention, my right hon. Friend the Secretary of State for the Home Department is in his place and will have heard the comments on the matters that may be canvassed during that debate. I accept that we need to turn to foreign affairs for a debate. I hope that that matter will be considered through the usual channels in the reasonably near future.

I understand that my right hon. Friend the Secretary of State for Defence intends to publish the defence White Paper on 12 May.

Of course, I understand that the rearrangement, at late notice, of the business for the Committee stage of the Finance Bill puts a question mark over the order that had been chosen. It would be appropriate if that matter were considered through the usual channels.

I take note of what the right hon. Gentleman said about the importance of keeping the House informed of any consequences of the nuclear power station disaster in the Soviet Union. That is what we shall do.

Sir Fergus Montgomery (Altrincham and Sale): I draw my right hon. Friend's attention to the points put to him last week by the Leader of the Opposition about trying to attract American tourists to Britain and their anxieties about terrorist attacks. Is my right hon. Friend aware that, apparently, some people have been told by the State Department that they should not travel to Britain? Is not that a disgraceful line for that department to take? Exactly what have the Government done to impress upon the American Administration the safety of the Americans who come to this country? If that has not been done, why not?

On the debate on Monday week on the Hong Kong (British Nationality) Order, will my right hon. Friend say why we had such an unsatisfactory reply last week by my right hon. Friend the Home Secretary? Is my right hon. Friend the Leader of the House aware that many of us are unhappy about the way in which the Indian minority are being treated in Hong Kong and that some of us are not prepared to support the Government on that issue unless changes are made?

Mr. Biffen: I simply do not accept that the reply which my hon. Friend found unsatisfactory was necessarily unsatisfactory to many of my other hon. Friends. That matter can be argued in substance when the motion is considered on Monday 12 May.

I have no knowledge about the United States State Department advising Americans not to visit this country. Of course, I shall refer the matter to my right hon. and learned Friend the Foreign and Commonwealth Secretary, because I agree with my hon. Friend that it would be most offensive if such assertions were made. My hon. Friend will have his opportunity on Wednesday, when my right hon. and learned Friend the Foreign and Commonwealth Secretary will be taking questions, to make his points directly to my right hon. and learned Friend.

Mr. David Alton (Liverpool, Mossley Hill): Following the assurances that the right hon. Gentleman has already given, will he confirm that if there are any signs that the students who return from Minsk are adversely affected by radiation an immediate statement will be made to the House? Why were not the orders for the Nuclear Industry Radioactive Waste Executive site laid during April? Will the right hon. Gentleman give an undertaking that there will be a full debate on the future of the nuclear industry in Britain?

Mr. Biffen: On the question about students returning from the Soviet Union, clearly my statement was a general one. The specific instances will be considered in the context of what I have said.

On the question of NIREX, it might be helpful if the hon. Gentleman recollected that I was pressed on that point last week by my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown). I have written to my hon. Friend saying that it will be the Government's intention to have a general debate on the policy of nuclear waste disposal. After that, the special development order will be laid before the House. If the order is prayed against, there will be a separate debate on that.

Mr. Tony Marlow (Northampton, North): As my right hon. Friend is always totally frank with the House and has a great understanding of European issues, will he confirm that our abatement is sacrosanct against the European budget and was agreed at Fountainebleau and that there is no requirement for the House to agree to a supplementary budget to ensure that we get it?

Mr. Biffen: I agree that I have a degree of innocence, but I hope that it is not carried to the extent suggested by my hon. Friend. Of course, I shall look at my hon. Friend's second point. I should prefer to make a considered judgment.

Mr. Leo Abse (Torfaen): I draw the right hon. Gentleman's attention to the early-day motion which has already been signed by more than 90 hon. Members on both sides of the House and which relates to family courts.

[That this House welcomes the establishment of the Family Courts Campaign to promote the early implementation of family courts, following the support for family courts recently expressed by the Law Society, the Association of County Councils, the Association of Directors of Social Services and many other bodies; welcomes the recommendations of the report of the Matrimonial Causes Procedure Committee, particularly those relating to the establishment of conciliation in matrimonial proceedings; notes with concern that the report by the Law Commission on Family Law, Illegitimacy, has yet to be implemented; further notes that the joint study set up in July 1984 by the Lord Chancellor and the Secretary of State for the Home Department to re-examine the idea of a unified family court, and study the resources implications in terms of finance, manpower and accommodation is due to be published shortly; regrets that this study has been so long delayed; and urges the Lord Chancellor and the Secretary of State for the Home Department to come forward with proposals for legislation at the earliest opportunity, following the publication of their report and their subsequent consultation on the most appropriate model for implementation.]

As it is expected that next week the Lord Chancellor will publish a report on family courts, may we have an assurance that we shall have a debate on the report so that the House can decide what its options are and so that the issue of family courts is not consigned as has happened to other reports, to the graveyard of Whitehall social legislation?

Mr. Biffen: I notice the anxiety of the hon. Gentleman. He will recollect that this matter was raised during business questions last week. I do not think that I can go beyond the answer that I gave then, but I take note of the hon. Gentleman's further comments.

Mr. David Mudd (Falmouth and Camborne): Will my right hon. Friend consider at a very early date instigating a debate on regional development grants in the light of the suggestion in today's edition of the *Western Morning News* that at the very least the Department of Trade and Industry has sought deliberately to misinterpret European Community policy in this matter; alternatively, has sought to use its presumed interpretation to swing support from the very needy areas such as Devon and Cornwall to the west midlands; or has actually used the new policy to cut back on aid to areas that most need it? I ask my right hon. Friend to consider this as a matter of urgency since one Cornish tin mine may well close tomorrow and the other four within three months from today.

Mr. Biffen: I am sure that my hon. Friend will understand at once that I cannot accept the interpretation of either the judgment or motive of my right hon. Friend the Secretary of State for Trade and Industry contained in that important west country newspaper, but I understand the great significance of the issue, particularly in view of the current state of the tin industry, and I will draw it to the attention of my right hon. Friend.

Mr. Gerald Bermingham (St. Helens, South): The Leader of the House will recall that on previous occasions I have asked for a debate on the standardisation and implementation of building regulations, particularly with respect to the use of glass in buildings. As these new regulations have not yet been published, and as it seems that we shall see no sign of them in the near future, perhaps the Leader of the House will find time for a debate in the House in order to bring some pressure to bear on the Secretary of State for the Environment.

Mr. Biffen: The most sensible immediate course would be for me to draw to the attention of my right hon. Friend the point that the hon. Gentleman makes, and this I will do.

Mr. Jonathan Aitken (Thanet, South): Since the Channel Tunnel Bill seems to have won the banana skin of the week trophy for violating the Standing Orders of the House, can my right hon. Friend shed any light on the Government's plans for this marooned item of legislation? In particular, can he indicate whether it is really wise to ask the Secretary of State for Trade and Industry or his parliamentary counsel to parade in front of the Standing Orders Committee, asking for a dispensation for the unfortunate errors that have occurred? Would it not be much wiser simply to give the petitioners of Kent adequate time within the original limits that should have been advertised, and an opportunity to present their submissions to the Select Committee?

Mr. Biffen: My hon. Friend has had an entertaining week, but I do not think that there has been quite as much damage as he implies. The most helpful information that I can give is that we hope to arrange for the Second Reading of the Bill shortly.

Mr. Andrew Faulds (Warley, East): In view of the disastrous disposal of the George Brown collection from Newcastle university, will the right hon. Gentleman give us a chance to debate this matter, the disposal of objects from public and semi-public institutions, before more damage is done? Does he realise that in such a debate we could discuss the impending tragedy of the dispersal of the archive at Hersmonceux castle?

Mr. Biffen: What I can best do immediately is to refer these problems to my right hon. Friend the Minister for the Arts. Candidly, I see little prospect of a debate in Government time in the near future.

Mr. Michael Colvin (Romsey and Waterside): Has my right hon. Friend taken on board the request for an early debate on the dangers resulting from nuclear disasters? If not, Her Majesty's Government will have to bring forward an alternative plan for preventing fallout from descending on those areas of the country, such as nuclear-free zones, that lack the civil defence resources for dealing with such a contingency.

Mr. Biffen: Many of these considerations, which derive from the unhappy incident in the Soviet Union, could well be encompassed in the foreign affairs debate that we will be having in the reasonably near future.

Mr. Dennis Skinner (Bolsover): I urge the Leader of the House to let the House have an early debate on the use of nuclear power, following the Soviet disaster. Will he bear in mind that, when we have the debate, it will be better if we do not have it on the Adjournment so that we can table an amendment on the lines of the policy statement that was carried by the Labour party conference calling for the phasing out of nuclear power? With a little luck, we might be able to get the Liberals to vote with us. I am not sure about the hang gliding party down the Gangway because when the wind blows that way, they might blow the other way.

Mr. Biffen: The experience of common voting between the hon. Gentleman's party and the other two parties of the Left will be a developing practice over the next few months.

As to the debate on nuclear power, there are aspects about the Soviet tragedy that can be related to the international spectrum, and so debated when we have the foreign affairs debate.

As to the wider issue, the House will shortly have a chance to debate the Government's response to the findings about nuclear waste disposal from the Select Committee on the Environment.

Mr. John Stokes (Halesowen and Stourbridge): Has my right hon. Friend noted from his postbag that the few complaints that Conservative Members have been receiving lately on such things as the US action in Libya, nuclear power, or even such matters as student grants, all seem to come from the more affluent section of society and not from the mass of the people? Could not we discuss this interesting phenomenon?

Mr. Biffen: My hon. Friend is quite right to remind us of the limitations of postbag politics, and I shall judge the Shops Bill in that context.

Mr. Martin J. O'Neill (Clackmannan): Will the Leader of the House arrange an early debate on the contract that was signed between Vickers and the Ministry of Defence yesterday for the production of Trident submarines? It appears from what has been said that the Estimates will not be published until 12 May and that there is likely to be some delay thereafter. Can the right hon. Gentleman arrange for an early debate on a contract that is regarded as unique and by some of us as fettering a future Labour Government because of the terms of compensation, and on which we do not have even the prospect of scrutiny in the Library? Will he arrange at least that the contract is placed in the Library, and for an early debate on what is a constitutional outrage in the form of a contract?

Mr. Biffen: I shall look into the hon. Gentleman's request about the contract. As to the more general point, I shall take account of what he said, and I realise that for many Labour Members this is a matter of special significance to their future defence attitude. I cannot hold out much hope of a debate before the debate that we shall have on the defence White Paper.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will my right hon. Friend arrange a debate next week about the meeting of the Finance Ministers in the EEC last Tuesday so as to enable my right hon. Friend the Chancellor of the Exchequer to explain why he agreed first to a substantial supplementary budget, and secondly to having the figures massaged by moving much extra expenditure from 1986 into 1987?

Mr. Biffen: I cannot accept the situation in quite the way that my hon. Friend suggests. If I were now to disturb the business that I have arranged for the House next week, I should not be universally popular. My hon. Friend is an experienced parliamentarian, and will know that there are many opportunities outside Government time to make such points.

Mr. Ronald Boyes (Houghton and Washington): Does the Leader of the House recall that in a recent answer to my hon. Friend the Member for Cynon Valley (Mrs. Clwyd) he said that a Committee would be set up to review the opposed private Bill procedure? How far has he got on that? Will he give the House an assurance that no further progress will be made on the Channel tunnel until after the review is completed, which will allow for a more open and democratic decision-making process on that project?

Mr. Biffen: The establishment of that Committee is under consideration. I make it clear that its establishment will not result in our aborting legislation that is already in process.

Sir Kenneth Lewis (Stamford and Spalding): As we shall have a holiday on Monday and it is election day on Thursday, does my right hon. Friend feel inclined to act like the good headmaster that he is and allow us to have another two days off on Tuesday and Wednesday so that Opposition and Government Front-Bench Members can go out and discover what the people are thinking?

Mr. Biffen: My hon. Friend should not offer that temptation. Nor should he give that general impression, as this is his last Parliament. He should be lingering here and savouring everything that it embodies, instead of which he is acting as though he had already retired.

Mr. D. N. Campbell-Savours (Workington): Is the Leader of the House aware that, on Friday 11 April, a British citizen — an executive of the Bell Shipping Lines, which is a British company — was found at Dublin airport to have £300,000 in his suitcase? In so far as there is a connection between the transfer of that money and the operations of Control Risks Ltd., a London company which specialises in kidnap insurance matters, should there not be a full inquiry into the matter, and can that inquiry report to Parliament?

Mr. Biffen: I shall certainly look into the matter and refer it to whichever of my right hon. Friends is most relevant to deal with it.

Mr. Michael Latham (Rutland and Melton): Is my right hon. Friend satisfied with the way in which the House discusses the grave events that occur day after day in Northern Ireland since, with one shining exception, the Ulster Unionists will not come to the Chamber? Since the Assembly is not working, is it not incumbent on the House to discuss the matters properly?

Mr. Biffen: The House continues to discuss the Province properly. It continues, traditionally, with Northern Ireland Question Time and it continues to deal with Northern Ireland orders as necessary. Whether hon. Members from the Province participate in our debates is essentially a judgment that they make having regard to their electorate.

Mr. Laurie Pavitt (Brent, South): Does the right hon. Gentleman recall that, for two years, by means of petitions, early-day motions and questions, and by badgering him at business question time, I have tried to keep open the railway station serving Wembley stadium? May I thank and congratulate him, since last week he assured me that he would speak with great force to the Secretary of State for Transport, and yesterday British Rail decided that it would give in and not close the station at Marylebone.

Mr. Biffen: I do not deserve one shred of the hon. Gentleman's praise, but I happily accept it.

Mr. Patrick Nicholls (Teignbridge): Will my right hon. Friend reconsider the request from hon. Members on both sides of the House for an early debate on the implications of the Chernobyl disaster? Will he give us an opportunity to consider the grotesque double standards of the anti-nuclear protesters who, when they wanted to demonstrate, chose as the first port of call not the Soviet embassy but the Department of Energy? Will he give the hon. Member for Bolsover (Mr. Skinner) the opportunity to explain why he was with the protesters?

Mr. Biffen: As I have said, such a debate would be very educative, not least because it would enable us to have some insight into the motives of those who protest against civilian nuclear power. However, the House will have the opportunity in the near future to discuss nuclear power in respect of the Soviet disaster as well as our domestic nuclear programme. I hesitate to make any commitment beyond that.

Mr. Robert Parry (Liverpool, Riverside): Will the Leader of the House ask the Prime Minister when she returns from her visit to the far east if she will make a statement to the House on democracy and human rights in South Korea and about the peaceful unification of the peninsula, which is official Government policy?

Mr. Biffen: It is the custom of my right hon. Friend the Prime Minister to make statements to the House following meetings such as the one in prospect. I shall draw to her attention the suggestion that she might cover those topics, among many others.

Mr. Ivan Lawrence (Burton): May I invite my right hon. Friend to reconsider his advice that questions on the Russian disaster can be subsumed in a possible debate on foreign affairs? If that happened, there would be insufficient time for the House to consider our relationship with the United States, our relationship with Europe, the problems in the middle east and southern Africa, our relationship with the Association of the South East Asian Nations and human rights on an international basis, and the debate on foreign affairs would become a mockery. I ask my right hon. Friend to consider seriously having a separate debate soon on the disaster in the Soviet Union.

Mr. Biffen: My hon. and learned Friend makes a perfectly fair point, but, of course, it is a point that is frequently made about foreign affairs debates which, by virtue of their diversity, have to encompass a number of highly important topics. As I say, it is a matter for consideration through the usual channels and I do not want to raise expectations which I cannot fulfil.

Mr. James Callaghan (Cardiff, South and Penarth): The Leader of the House invites those of us who are retiring to linger and savour the atmosphere. Is he aware that the smell reaching most of us is that of the Government's decay?

Mr. Biffen: Well, it all depends where one sits.

Mr. John Watt (Slough): Will my right hon. Friend find time for a short debate on our policy towards bank holidays? In view of the Labour party's recent attempt to hide the red flag under the cloak of its new grey image, would it not be timely for the House to have the chance to consider scrapping the May bank holiday, which is an alien celebration of Marxist Socialism, and putting bank holidays on our national saints' days which can be days of patriotism?

Mr. Biffen: I just have a feeling that that is the kind of topic which, suggested tentatively and lightheartedly ahead of an election, causes more irritation than enough. I shall bear in mind what my hon. Friend is urging upon me, but I am not aware of any great public desire to see further change.

Mr. Greville Janner (Leicester, West): Has the attention of the Leader of the House been drawn to the allegations in *The Guardian* this week concerning the deaths of two British prisoners of war—a Mr. Fishwick, who died in a concentration camp, and a Sergeant John Dryden, who was handed over to the Germans and disappeared—and, in particular, the allegation that Dr. Kurt Waldheim was involved in those deaths? As it has proved impossible to obtain any information from the Government on that matter, will he be good enough to inquire from his colleagues whom one should ask about it; and, if no answer is forthcoming, may we have a statement or a debate on the matter?

Mr. Biffen: I see no particular profit in having a debate or statement on that topic or getting involved in the controversies that now rage between the World Jewish Congress and the supporters of Dr. Waldheim, but I shall consider the point that the hon. and learned Gentleman has made.

Mr. Peter Bruinvels (Leicester, East): Is my right hon. Friend aware of the staggering growth in driving licence abuse and that in 1984-85, 141,701 people were convicted of driving licence fraud? As more than 30 million driving licences are now in existence, none with photographs, will my right hon. Friend find time for the House to debate the urgent need to stop people who have

[Mr. Peter Bruinvels]

been banned, are under age, or who do not even have the right to drive, from driving?—*[Interruption.]* This is a serious matter.

Mr. Biffen: Road accidents are undoubtedly a subject of the utmost seriousness, but I should have thought that at the moment the level of general controversy is at such a pitch that I would not willingly wish to add to it with the proposition of putting photographs on driving licences because that would lead to considerable public debate and acrimony. However, my hon. Friend has made a serious point, and I shall take it up with my right hon. Friend the Secretary of State for Transport.

Mr. William Cash (Stafford): In view of the importance to our commercial success of matters relating to copyright and intellectual property, will my right hon. Friend consider arranging a debate on the White Paper on that matter?

Mr. Biffen: That is one of the many factors that I have to take into account when considering a forward programme. It is a most important topic. I only regret that I cannot offer a debate in the near future.

Prison Officers (Dispute)

3.59 pm

The Secretary of State for the Home Department (Mr. Douglas Hurd): As I undertook in the House last night, I will, with permission, make a further statement on the situation in the prisons.

I reported to the House last night on events at Lewes and Northeye prisons. Disruption continued there during the night, but the situation has now been brought under control, though at both establishments, and particularly at Northeye near Bexhill, there has been extensive damage to buildings. Police intervention was necessary at Bristol to regain control of one wing of the prison, and at Erlestoke youth custody centre, near Devizes, some 40 trainees made a mass breakout and some 16 are still at large. The other serious incident was at Wymott, near Chorley, where there was a major disturbance but where staff gradually were able to regain control. A number of lesser incidents took place at 12 other prison establishments.

The situation in all establishments has now been brought back under control. I want to take this opportunity, as my right hon. Friend the Leader of the House did a few moments ago, to pay tribute to hard-pressed prison governors, those prison staff who remained at their posts, and the members of the police and fire services who have helped to restore the situation.

There will need to be an inquiry into these events. Its form and scope will have to be compatible with any police investigation into alleged offences, and I will keep the House informed.

I have taken immediate steps to try to ensure that, now that order has been restored, it can continue to be preserved. Prison governors are in touch with their local chief officers of police about the situation in their establishments. After consultation with me the acting president of the Association of Chief Police Officers has opened the national information centre at New Scotland Yard to collate and disseminate information relating to the police involvement in the prisons dispute. My right hon. Friend the Secretary of State for Defence has ordered preparations in case military camps are needed to house prisoners as a result of the destruction of prison accommodation. Arrangements have been made to ensure a co-ordinated response by all Government Departments to the present difficult situation.

Although some of the violent action by prisoners may have been imitative, there is little doubt that the occasion for it was the overtime ban instituted by the national executive committee of the Prison Officers Association as part of its dispute about manning levels with the Prison Department. This both increased the prospect of trouble in the prisons and reduced the resources available to deal with it. I believe that not only the public but many members of the prison service, including many members of the Prison Officers Association, will have been appalled by the events of the last 24 hours.

I therefore welcome the decision of the national executive committee of the POA to suspend its industrial action to allow talks at the Home Office to take place. The POA asks in its statement for a reciprocal gesture, asking us to allow staff to work normally and to lift threats of suspension. There should be no difficulty about that. Staff temporarily relieved from duty, that is to say suspended, can lift their own suspension by agreeing to work

normally. We cannot start substantive negotiations until the threat of industrial action has been removed. But I have invited the NEC to discussions at the Department with a view to the simultaneous calling off of the industrial action and the institution of discussions about the agenda for the future which I set out in my letter of 22 April to the POA general secretary, Mr. Evans.

The House will recall that this agenda involved: a rapid settlement of this year's pay claim, including the outstanding question of a reduction in the working week for prison officers; the immediate payment of tax compensation on housing allowance for 1985-86; and bringing forward as fast as possible—this is the crucial point—work on new shift systems and pay arrangements for detailed discussion with the POA, with a view to the new arrangements being in place by April 1987.

I very much hope that the national executive committee will respond positively and constructively to this package and that the talks I have set in hand will find a way through present difficulties. I shall do everything I can to ensure that the control which has been regained in our prisons is maintained and that a constructive way forward is found to settle this destructive dispute.

Mr. Gerald Kaufman (Manchester, Gorton): The whole country has been appalled at the savagery of last night's events, their widespread nature and the anarchy which has prevailed. We deplore and condemn the violence and would like more information as soon as it is available about the report of two deaths at Northeye.

What we need and what the nation demands is an early resolution to this dispute. It is here that, especially after last night's events, which could and should have been foreseen by him, the Home Secretary has an inescapable responsibility. The Prison Officers Association has taken a constructive and statesmanlike step by suspending industrial action. Therefore, it is now for the Home Secretary to respond by facilitating discussions that could end the dispute. The right hon. Gentleman may not be aware that the national executive of the Prison Officers Association is not free unilaterally to abandon industrial action. A ballot was held under its own constitution, as well as under the Government's employment legislation, and a ballot is required for abandoning industrial action.

Following the last dispute in the prisons in 1980-81, when industrial action was taken, the court ruled that for industrial action to be abandoned the consent of the membership of the Prison Officers Association must be obtained in a similar way to which it was obtained when the action started. That was a ruling in the High Court by Lord Justice Browne-Wilkinson. Therefore, only the membership of the POA can remove that mandate for industrial action. For the membership to be able to do that, it needs to have a package from the Home Secretary placed before it for consideration.

I strongly urge the Home Secretary to instruct his officials immediately to get in touch with the NEC of the Prison Officers Association so that they can discuss the basis for a possible agenda for talks. Such a step might help to ease the way for the process that will end the dispute. I hope that the Home Secretary will take such constructive action urgently because a renewal of last night's arson and anarchy is too grim for anyone to contemplate.

Mr. Hurd: I welcome the change in the tone of the right hon. Gentleman's remarks since last night. He asked me a specific and serious question about reports of deaths at Northeye. He is perfectly correct: there were such reports. They came from a prisoner coming out. Since the authorities regained control at Northeye, they have made two thorough searches of the premises and have not been able to find anything to substantiate those reports. Obviously if there is any change it will have to be made known at once.

As I understand it, the right hon. Gentleman is completely accurate in the account he has just given of the requirements, not of the law of the land or the statute, but of the rules of the Prison Officers Association. That is a matter which can perfectly well be discussed in the procedural talks I have suggested.

I hope that the House and the right hon. Gentleman will understand why, in my view, it is not possible to start substantive negotiations until the threat of industrial action has been removed. On Monday I found myself in procedural discussions with the POA and there was talk of suspending action then. However, particularly dangerous action had got under way at Gloucester at that time and I have since learned that it was instigated by the POA. Therefore, at that time there was a strong feeling, which I shared, that one cannot have substantial negotiations under those conditions. That is why I have made the suggestion, which I hope that the right hon. Gentleman will recognise as having merit, of going for a simultaneous understanding for the removal of industrial action—taking account of his comments about the rules—and agreement on methods to start discussions of the agenda which I set out to Mr. Evans in my letter of 22 April.

Mr. Leon Brittan (Richmond, Yorks): Will my right hon. Friend agree that, in view of the vastly increased resources spent on the prison service by the Government, it is entirely reasonable to ensure that those resources are properly managed and not wasted on excessive overtime or unreasonable and unjustifiable working practices? Therefore, does my right hon. Friend agree that the POA is perfectly entitled to expect to take part in discussions on how that objective should be achieved and that the procedure my right hon. Friend has suggested is a proper way to do that?

Does my right hon. Friend also agree that, after what happened last night, the POA will forfeit the support of those most sympathetic to it unless the threat of industrial action is not just suspended but clearly withdrawn?

Mr. Hurd: I am most grateful to my right hon. and learned Friend. He has set out the position very succinctly, and I agree with all the points that he has made.

Mr. Roy Jenkins (Glasgow, Hillhead): Clearly, all right hon. and hon. Members wish the prospects for the talks well. Will the right hon. Gentleman accept that he was clearly right to stand firm on the position that it must be the prison governors, subject to the rules of the Home Office, endorsed by this House, and not the Prison Officers Association, who are responsible for running the prisons? However, will he also bear in mind that when he complains about the previous tone of comments from the Opposition and elsewhere there is one person, above all, who is responsible for the politicisation of the law and order issue, and that is the Chancellor of the Duchy of Lancaster, the chairman of the Conservative party? If the right hon. Gentleman cannot restrain his raucous colleague, he must expect the interchange to be both ways.

Mr. Hurd: I do not read my right hon. Friend's remarks in that way at all. My right hon. Friend is drawing attention to the results, in his view, of some of the social legislation that was introduced by the right hon. Member for Glasgow, Hillhead (Mr. Jenkins). I quite understand that the right hon. Gentleman may be sensitive about that, but I do not think that it has anything to do with this issue.

Sir Edward Gardner (Fylde): Will my right hon. Friend agree that this quite disastrous dispute has been brought about at a time when record sums of money have been spent by the Government on the prison service, that since 1979 the budget for the prison service has risen by 85 per cent., and that this enormous increase in money spent has been accompanied by an increase of 18 per cent. in the number of prison officers?

Mr. Hurd: Yes, indeed, and that at a time when the prison population has risen by 12 per cent. The right hon. Member for Manchester, Gorton (Mr. Kaufman) was badly needed by the Leader of the Opposition a few minutes ago when the Leader of the Opposition produced, unwittingly, figures that showed that the ratio of staff to prison population had substantially improved during the lifetime of this Government.

Mr. Gerald Bermingham (St. Helens, South): Will the Home Secretary also agree that, if he were to cast his eyes back to the reply that he gave to me on Monday of this week with regard to the prison population, he would find that the number of persons on short-term sentences who have been paroled has risen by about 400 per cent.? Prison numbers as a whole have risen disastrously over the last few years, which in effect means that those being detained in prison are the longer serving prisoners for whom there is no hope of parole in many cases, as his predecessor indicated, in the long term. Therefore, will the Home Secretary agree that this has increased the pressures on the officers who have to guard these prisoners and look after their welfare? As a result of the absence of welfare services and recreational and other facilities, the POA has a perfectly credible case in seeking an increase in the number of prison officers in order to provide adequate and proper care for long-term prisoners that has been deliberately damaged by the policies of this Government.

Mr. Hurd: The balance of the prison population changes as we implement what seems to me to be the very sensible policy of keeping in prison longer those who have received particularly severe sentences for particularly heinous crimes. However, as the hon. Gentleman will know and as the figures show, the aim of our spending programme, as regards the increase in both prison places and prison officers, is not just to keep pace with the prison population but to tackle the problem of overcrowding.

Mr. Mark Carlisle (Warrington, South): In view of the fact that what happened last night in the prisons must have caused great concern not only to people in this country but to members of the Prison Officers Association, is it not best that we should all welcome the fact that the POA has decided unilaterally to suspend its action and wish well the talks to which my right hon. Friend has referred?

Mr. Hurd: I am grateful to my right hon. and learned Friend. I have tried to put forward a procedural suggestion, which is, I hope, in line with what he has said.

Ms. Clare Short (Birmingham, Ladywood): I think that the Home Secretary is failing to take full responsibility for a situation that has been building up for a very long time. I invite him to visit Winson Green prison in my constituency and to take with him the Prime Minister, who clearly does not understand the situation either. No education classes have been held and no workshops have been open in Winson Green because of the strain and the pressure on the Prison Officers Association.

We cannot look simply at the rise in the prison population; we have to look also at the rise in the remand population. That requires far more work because of visits to court every day. The Prison Officers Association has appealed for months for the Home Secretary's support to reorganise the prisons so that the prison officers are able to work reasonably and so that conditions for prison officers and prisoners can be improved. These appeals have been rejected. That is the cause of the build up of this great tension. It will not be resolved without talks that should be entered into unconditionally.

Mr. Hurd: The hon. Lady is right when she says that the story goes back a long time. Indeed, it goes back to the time when no money was being spent either on staff or on prisoners. The situation was deteriorating, without any remedy being sought.

The hon. Lady is also right to draw attention to the problem of the remand population. She will know of the efforts that we are making to reduce the remand population —for example, by experimenting with time limits on trial delays. I am very conscious of that problem. We are anxious to discuss these matters, and proposals to deal with them, with the POA, but on the basis which the right hon. Member for Glasgow, Hillhead (Mr. Jenkins) agreed —that we should consult, but that, if agreement cannot be reached, then management decides.

Mr. Charles Morrison (Devizes): My right hon. Friend will be aware that the situation at Erlestoke, in my constituency, would have been much worse if it had not been for the action and dedication of the prison governor, some members of the staff and police from Hampshire, I believe, as well as from Wiltshire. As prison officers are employed by the prison service, does my right hon. Friend agree that it is high time that they lived up to their sense of duty and responsibility and negotiated responsibly, particularly as their salary level, according to the national earnings survey, is now second only to that of newspaper printers?

Finally, in order to reassure members of the public who live in the vicinity of prisons, will my right hon. Friend review the provisions for security in prisons, in case of an emergency, so that the chances of future escapes are less likely? Does my right hon. Friend agree that one of the troubles with some prisons — and this is true of Erlestoke—is that it appears to have been built for nice people but that some people inside it are very nasty?

Mr. Hurd: I agree with all of my hon. Friend's points. I certainly agree that the inquiry which, as I have said, will be necessary will have to encompass, in one form or another, his point about security in places like Erlestoke.

Mr. Terry Davis (Birmingham, Hodge Hill): As the Home Secretary has told us that it has been necessary for the police to be involved at several prisons during the past 24 hours, will he also tell us whether any of these police officers have been issued with guns?

Mr. Hurd: No, not to my knowledge.

Sir John Farr (Harborough): Does my right hon. Friend agree that one of the most important statistics must be the relationship between prisoners and staff? How does that relationship today compare with the relationship in 1979? While my right hon. Friend is dealing with that question, will he also please confirm that the death at Gartree was in no way connected with the dispute?

Mr. Hurd: Yes, I can confirm, according to the information that I have received, that the death which regrettably occurred at Gartree last night had nothing to do with the prison dispute. I missed the crucial point of my hon. Friend's first question.

Sir John Farr: I asked my right hon. Friend about the relationship between staff and prisoners in 1979 and how it compared with the position today.

Mr. Hurd: The mathematical relationship has improved. I do not have the figures in the exact form that my hon. Friend wants, but it flows from the figure that has already been mentioned in the House: that during our time in office the number of prison officers has increased by 18 per cent. and the prison population by 12 per cent.

Mr. Alex Carlile (Montgomery): Is the Home Secretary able to tell us whether governor grades, prison officers or prisoners were injured during the events of last night and this morning? Does he agree that the creditable decision by the Prison Officers Association to return to work is a sufficient gesture for talks to be resumed without any futher preconditions, and, if not, why not? Does he agree that it might be wise to approach the agenda for talks with a view to arranging a no-strike agreement between the Prison Officers Association and the Government? Will he take steps to review the prison building programme so that the building is carried out where it is most needed, because that is not happening at present?

Mr. Hurd: There were a number of minor injuries, but so far I know of no major injuries. It is something approaching a miracle that people were not badly hurt or worse during what happened last night.

I tried to explain why I used rather careful phrasing in outlining the nature of the talks that can now take place, and why it is not sensible to expose ourselves again to the sort of exchange we had on Monday about the relationship between talks and industrial action. I think it was on Tuesday that I answered a question by my hon. Friend the Member for Orpington (Mr. Stanbrook) about the possibility of a no-strike agreement. It would have to be by agreement, but many hon. Members on both sides of the House would be attracted by that idea.

Mr. John Wheeler (Westminster, North): Does my right hon. Friend accept that many people regard his handling of this dispute as positive and welcome the initiative for further dialogue with the POA? First, when he meets the representatives of the POA, will he remind them that the POA is a uniformed service of the Crown and its industrial behaviour imposes upon other services of the Crown, notably the police and perhaps the armed services, an obligation to pick up the POA's failings? Secondly, will he also remind them of the extent of investment in the prison service and especially about the prison building programme? After years of neglect by the Labour Government, that is an advantage not only to the prisoners but to the prison officers.

Mr. Hurd: I agree entirely with my hon. Friend's first point. He is a former prison governor and the point comes with particular force from him. I also agree with his second point. Five new prisons were opened in 1985-86 and 15 more are due to open by the early 1990s. Some 11,500 new prison places are being created. That is a substantial programme and it is in addition to refurbishment and the provision of sanitation. I do not agree with the hon. and learned Member for Montgomery (Mr. Carlile) that the prisons are being built in the wrong places.

Mr. Martin Flannery (Sheffield, Hillsborough): Does the Minister remember that yesterday a Conservative Member talked about prison officers earning £15,000 a year? The number of prison officers has been increased but not sufficiently. Is it not to be condemned that officers are working as many as 20 to 30 hours a week overtime? That is because there are insufficient prison officers to do the job.

Will the right hon. Gentleman take note of what my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) said about education? The Select Committee on Education, Science and Arts had on it some hon. Members from the Government side and it placed before the House a most important report setting out the cuts in education in the prison service. It showed that there were insufficient officers to escort the prisoners to classes. We had a debate on the matter but that got us nowhere, even though we warned about what would happen. When will the Government take note of that report and do something so that prison officers do not have to take action?

Mr. Hurd: The hon. Member spoke about prison officers' salaries. The average pay is £15,000, and that includes overtime. Overtime is not compulsory and quite a number of prison officers do not work overtime. However, a good many work 20 to 30 hours overtime a week. That is thoroughly bad but, to a large extent, it occurs because of the working practices and shift arrangements. That is one reason why it is crucial for us to discuss and change these arrangements.

Mr. Ian Gow (Eastbourne): Is it not the unpleasant truth that those who were properly sentenced to terms of imprisonment are now at liberty, and that substantial damage has been done to public property as a result of a breach of duty by the very people who have a special duty to protect the public interest?

Mr. Hurd: There must be widespread anxiety in the country and, indeed, within the ranks of the POA about the events of last night. They were appalling and must on no account be repeated.

Mr. James Lamond (Oldham, Central and Royton): Does the Home Secretary feel that he is assisted in any way in grappling with this great problem by hearing at Prime Minister's Question Time perfectly serious questions about the matter being greated by jeers and boos and shrieks of laughter from the Government side, led by the Prime Minister herself?

Mr. Hurd: I am sorry to return to the matter, but I think it may have arisen because the Leader of the Opposition thought he was making a case in support of his argument but was in fact, making a case against it.

Mr. Teddy Taylor (Southend, East): I fully support the action the Home Secretary has taken. Will he assure

[Mr. Teddy Taylor]

the House that contingency resources will be available speedily to restore order and security in the unfortunate event of a further outbreak of industrial unrest?

Mr. Hurd: I referred in my statement to arrangements involving the police and to arrangements between each governor and each prison and the chief officer of the local police forces. I also mentioned central arrangements involving the Government and particularly my right hon. Friend the Secretary of State for Defence.

Mr. Jeff Rooker (Birmingham, Perry Barr): What proportion of the governor grades and the management of the prisons in the Home Office are former prison officers? How does the figure compare with promotion through the ranks of the police?

Mr. Hurd: Obviously, the structures are different, but I shall let the hon. Gentleman have the figures.

Mr. Derek Spencer (Leicester, South): Leicester gaol has a special secure unit. Can my right hon. Friend reassure those hon. Members who have similar units in their constituencies that their special requirements have an appropriate high priority?

Mr. Hurd: I certainly give my hon. and learned Friend that assurance. As he will know, there was some trouble in Leicester prison last night. The problem is not entirely resolved in that my last report was to the effect that POA officers at the gate were still discouraging staff who turned up for duty. I hope that that problem has been resolved by now.

Mr. Andrew Faulds (Warley, East): Would it not be advisable for the Prime Minister to abandon her jaunt to Tokyo in view of the fact that she is personally responsible for this trend in the breakdown of law and order which is a direct result of her Government's policies? If she does go, is it not a fact that nobody else in the Cabinet will be able to take any decision at all until she comes back?

Mr. Hurd: The hon. Member is in his usual wild and flaming form. He seems to have very little notion about how these affairs are conducted.

Mr. Michael Marshall (Arundel): Will my right hon. Friend take this opportunity to assure those of us who have open prisons in our constituencies, such as I have at Ford, that the experience at Northeye has not been the general pattern? We accept that the prison officers and the governor did a good job in keeping things normal.

Mr. Hurd: Yes. That gives me an opportunity to say that not only at Ford but at the great majority of prison establishments there was no trouble last night.

Mr. Ian Lloyd (Havant): The country will have heard with immense relief the Home Secretary's statement this afternoon. Before too many diverse and disreputable organisations seek to parade their spurious claims against society under the banner of "industrial action", will my right hon. Friend make it perfectly clear that industry is not involved in this? We are talking about not action but inaction, and what we are seeing is civil disruption. Can he make sure that in future that phrase is used to describe this kind of action against society when organisations, however various, parade their grievances in the street?

Mr. Hurd: My hon. Friend is quite right. We have lapsed into this jargon but it is not accurate and can be unhelpful.

Mr. John Home Robertson (East Lothian): Is the Home Secretary aware that Mr. Peter Clarke, the officially adopted Conservative candidate for my constituency who describes himself as a loyal Thatcherite, made a public statement last week describing the prison service as incompetent, inefficient, brutal and stupid. He went on to call for the privatisation of the penal system. Would the Home Secretary care to comment on those Tory policies?

Mr. Hurd: The hon. Member seems to have a particularly enterprising opponent, and I look forward to the intellectual debate that will follow.

Mr. Harry Greenway (Ealing, North): Is not my right hon. Friend currently undertaking a study into alternatives to prison and to the possibility of reducing prison population by that means? In his talks with the POA, will he give priority to getting prisoners to education classes and make that part of the future duties of prison officers?

Mr. Hurd: One of the difficulties about the present situation is that prison officers are caught up with other activities. As my hon. Friend says, they might be better employed escorting people to and from education classes.

My hon. Friend asks about alternatives to custody. He knows that we cannot in any way direct the courts about who should go to prison, but where the courts can be persuaded that there are tough and practical alternatives to custody for minor offences, I hope that they will take them up.

Mr. John Ryman (Blyth Valley): May I ask the Home Secretary two specific questions? Does he agree that one of the fundamental problems is that basic pay is far too low in the prison service, so that to make a living wage a prison officer has to work overtime? That is why a vast amount of overtime is worked—the basic pay is insufficient to live on.

Secondly, what does the right hon. Gentleman propose to do about the extraordinary circular with which he has been inundating the judiciary, telling them what they already know—that their sentencing powers are very wide? I suggest that it amounts to an attempt to interfere with the judicial process.

Mr. Hurd: The hon. Gentleman's second point is nonsense. I answered questions about that before. The circular strictly followed precedent and was issued with the agreement of my noble Friend the Lord Chancellor. I think that the hon. Gentleman asked me two identical questions last night. The answer to the first is the same as last night—that there is scope for negotiations between the Treasury and the Prison Officers Association on basic pay. The irony is that those negotiations were about to begin when the present dispute escalated. I hope that if the procedural talks that I have outlined are successful, the substantial negotiations between the Treasury and the POA on basic pay can start.

Mr. Kenneth Warren (Hastings and Rye): Will my right hon. Friend take account of and give praise to the excellent work of the Sussex constabulary in containing the problems at Northeye? I am sure that my hon. Friend the Member for Bexhill and Battle (Mr. Wardle) will want to refer to that if he catches your eye, Mr. Speaker. Will

my right hon. Friend praise the police for the way in which they contained a serious situation and for looking after prisoners in my constituency?

Mr. Hurd: I have heard praise from all quarters for the work of the Sussex constabulary. It received small quantities of help swiftly from Kent and Surrey. Two prisons are involved — Lewes and Northeye. The constabulary has performed a necessary job skilfully.

Mr. Greville Janner (Leicester, West): Does the Home Secretary accept that it is important to try to reach a settlement before the weekend, because at the weekend, in Leicester and elsewhere, prisons are manned to a large extent by people working overtime. If overtime is not to be worked, deputy governors and others who have been filling in from one prison to another will not be able to do so because they will have to look after the places where they are ordinarily stationed. Has the right hon. Gentleman contingency plans, and, if so, what are they?

Mr. Hurd: The answer to the second question is yes, but I shall not tell the hon. and learned Gentleman what they are at this stage. The answer to his first question is that I hope that it is inconceivable that the action will be resumed between now and the weekend. That would be the height of irresponsibility.

Mr. Robert Atkins (South Ribble): Is my right hon. Friend aware that my constituents will be immensely grateful to the police from Leyland, who were called in to assist at Wymott prison, which is immediately adjacent to my constituency boundary? We are extremely grateful to them for what they have done. Is my right hon. Friend further aware that we on the Conservative Benches are getting a little sick of the sanctimonious claptrap from the Oppostion Benches, bearing in mind the Labour Government's irresponsible management of the prison service over the years compared to ours? We have caught more criminals, imprisoned more prisoners and are building more prisons.

Mr. Hurd: It is true that we have grasped and are trying to deal with the problems, which are much worse than they need have been because they were shirked by the Labour Government.

Mr. Ken Eastham (Manchester, Blackley): During this fearful and disastrous period for the Home Office, may I remind the Home Secretary that in the major cities we have the oldest, most overcrowded and worst prisons? This is causing great anxiety in built-up city areas. Will the right hon. Gentleman give an assurance that there will be no overspill of fear and disaster in communities in cities as a consequence of the disturbances?

Mr. Hurd: It is true that many of the Victorian prisons are in the heart of county towns and cities. It is an essential part of our programme to build new prisons, as in my own county, which will partly or wholly replace those prisons, or to refurbish them. They were extremely well built. If their design can be modernised, they still have a good deal of life in them, in many cases.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Has my right hon. Friend taken the opportunity, in his talks with the Prison Officers Association, to remind it that this Conservative Administration not only say that they care about the prison officers' future and their working conditions, but, unlike other parties, have announced the biggest building programme in the history of the prison service? We have shown to the prison officers that we care about their future. I hope that in return they will help us in the fight to maintain law and order.

Mr. Hurd: I agree with the spirit of my hon. Friend's remarks. I hope that we can recover from this disastrous situation and, as my hon. Friend wishes, build up in the mind of the public once again the importance and necessity of the work that the prison officers do. We can all help in that.

Several Hon. Members *rose*——

Mr. Speaker: Order. I have to take into account the subsequent business before the House. This afternoon I have given precedence to those who were not called last night. I shall now endeavour to call all those who have been standing provided that questions are brief.

Mr. Dennis Skinner (Bolsover): Now that the Home Secretary is almost halfway to getting his earhole belted by a group of trade unionists, will the settlement be of the "Solomon Binding" variety, or will it be in the upper quartile? Whatever course is taken, is the right hon. Gentleman aware that the British people will not be hoodwinked by the Government? The Government were elected in 1979 on a law and order ticket and promised a short, sharp shock for prisoners and to set the British people free, yet seven years later here we are with the Tory Government delivering a short sharp shock, not to prisoners, but to the British people and setting the prisoners free.

Mr. Hurd: That was not too subtle, and I disagree.

Mr. Nicholas Soames (Crawley): I welcome the news that further talks are to take place, but does my right hon. Friend agree that the prison officers who took part in the action yesterday showed a gross and inexcusable dereliction of duty?

Mr. Hurd: I think that prison officers will want to reflect carefully on the action that they took in response to the request of the national executive of the POA, and will want to think carefully about the consequences which, in a minority of cases, flowed from it.

Mr. Robert Kilroy-Silk (Knowsley, North): Does the Home Secretary accept that for a long time many of us have opposed some of the abuses of prison officers, which are so detrimental to taxpayers, prisoners and their families, but those abuses should have been dealt with by himself and his predecessors a long time ago? They can be fairly dealt with only by patient and long negotiations, not by the seemingly provocative, confrontationist politics on which the right hon. Gentleman is embarked. Will he give an assurance that in any further talks not only will there be no preconditions, but that part of the package for ending the dispute will include proposals to reduce substantially the prison population, thereby creating a constructive and positive regime for prison officers and prisoners?

Mr. Hurd: I am in favour of patient discussion of those matters as long as there is progress. The trouble is that over many years progress in that area has been extraordinarily slow. It is not our action that has been provocative in the past few weeks. The hon. Gentleman makes his point again about reducing the size of the prison population. He

[Mr. Hurd]

knows that I have no direction over the courts in that matter, so what one is talking about is persuading the courts that, in certain cases, as I have said, there are tough and practical alternatives.

Mr. Peter Bruinvels (Leicester, East): Does my right hon. Friend accept that the sit-in at Leicester prison during the night by 48 prisoners was peaceful only because of the able assistance given by five assistant governors? Will he join me in congratulating those assistant governors? Is he satisfied that there are enough assistant governors around to help? What will be done at the Old Bailey, which I understand had to be closed at 2 o'clock today because there were not enough prison officers to take the prisoners back to the remand centres?

Mr. Hurd: I shall keep an eye on the situation in Leicester to which my hon. Friend referred. I hope that the position in the law courts can revert to normal once the suspension of action takes effect.

Mr. D. N. Campbell-Savours (Workington): Is it not true that overcrowding in Britain's prisons is now so severe that more than half of Britain's prisoners are still slopping out, in 1986? Is it not true also that, even after the implementation of the Government's building programme, by 1991 there will still be 24,500 prisoners slopping out and, even after the completion of the programme by 1999, there will be 18,500 of Britain's prisoners slopping out? How is it possible to get peace in the prisons until conditions are improved?

Mr. Hurd: The hon. Gentleman should really be ashamed to make that point. What we are doing is retrieving a situation of scandalous neglect. It is not just a question of the new prisons, which obviously are built with new sanitation, but of the refurbishment of existing prisons which means that integral sanitation is being installed in 10,000 existing cells. That is quite a programme.

Mr. Tim Rathbone (Lewes): My right hon. Friend may be reassured to hear that I visited Lewes prison this morning and found that the governor and his assistant did a remarkable job last night. They are tired but in good heart today. The majority of the prisoners have behaved within all the rules of the prison. I believe that the majority of prison officers at Lewes prison would have wished to behave and to do their duty in the normal way. Unfortunately, there is a small coterie, both within the prisoners body and among the Prison Officers Association, which stirs up this trouble. This was illustrated in a response to the governor himself by one prison officer, who, when greeted, said with a threatening smirk, "Ah, but the day is not over yet." I hope my right hon. Friend will ensure that communications between all members of the Prison Officers Association will be as good as his communications with the officers themselves.

Mr. Hurd: I am glad that my hon. Friend visited Lewes prison this morning. The situation at Lewes was one of the most difficult, and there are still difficulties, as he has just told us. I have taken careful note of what he said.

Mr. Harry Ewing (Falkirk, East): Is the Home Secretary aware that this problem will not be solved simply by negotiations or discussions between prison governors, assistant governors and the Association of Chief Police Officers, because one of the major problems in the prisons throughout Great Britain is that a prison officer cannot in any circumstances become a governor or an assistant governor, and most of the governors and assistant governors are direct entrants from the college at Wakefield into the prison system, without any experience of managing difficult prisoners, let alone short-term prisoners? This matter will be solved only through negotiations between the Home Office and the Prison Officers Association. Generous as I am at times, I must say that of the four former Home Secretaries still in the House of Commons, three would have resigned on this issue, and the right hon. Gentleman really ought to follow the example of those three.

Mr. Hurd: I think that it was one of the hon. Gentleman's hon. Friends who raised the question of the different structures of the two professions, the police and the prisons, and, of course, they are different. I have been very impressed by the high quality and sensitivity of prison management, and I believe, from what I hear, that there has been a substantial improvement in that quality in recent years.

Mr. Charles Wardle (Bexhill and Battle): I have reported to my right hon. Friend what I saw at Northeye last night and again this morning after the prison was retaken. Will he recognise that a potentially very dangerous situation was contained largely because of the courageous action of the prison governor and chief officer, and because of the prompt and highly professional support of the Sussex police? Will he accept that the unavoidable impression from what I saw last night was that the riot would not have taken place if there had not been an overtime ban? Will he bear in mind that the total and wanton destruction of Northeye should be contrasted with the recent completion of five new prisons, with 15 more prisons to be completed in the next few years?

Mr. Hurd: I am grateful to my hon. Friend for passing on the news of his visit to his constituency prison. The two Sussex prisons were among the most difficult. My hon. Friend was in close touch with me last night, and I am most grateful to him for his efforts.

Mr. Michael Stern (Bristol, North-West): Has my right hon. Friend heard the recent report from Bristol prison, with which I have been in touch all day, that that branch of the Prison Officers Association is still meeting to decide whether to obey the advice of its national executive and call off the overtime ban? If that report is correct—and I have no way of being certain about it—will my right hon. Friend join me and our hon. Friend the Minister of State, Department of the Environment, who is also concerned with this issue, in calling upon the Bristol branch to take the advice of the national executive and contemplate the results of its inaction last night?

Mr. Hurd: I have not heard the report. Indeed, the report that I had from Bristol was rather to the contrary, that the local Prison Officers Association chairman, before the national executive decision, stated that staff would work normally there today, whatever the national executive decided. Obviously that needs looking into. If the situation is as my hon. Friend describes, I shall certainly agree with his appeal.

Mr. Kaufman: The Home Secretary, in response to his hon. Friend the Member for Crawley (Mr. Soames), said that the prison officers' action had been taken at the request of the national executive of the Prison Officers Association, whereas the position is precisely the opposite, namely, that the national executive of the Prison Officers Association took the action on the mandate of its membership, who, under the Government's own legislation, took the Government's preferred course of a ballot, in which 78 per cent. voted. Of that figure 81 per cent. voted in favour of industrial action, which, as the Home Secretary has now acknowledged to me, under the ruling of the High Court cannot be abandoned, as he demands, without a further ballot. That being so, following his statement and his responses today he may be in danger of imposing requirements for talks which are too rigid and may lead to a breakdown. I therefore recommend that the right hon. Gentleman studies the words that I put to him—they were not phrased idly and they were not put to him idly—since that kind of approach could be a means of achieving talks that might end the dispute.

Mr. Hurd: I shall certainly do what the right hon. Gentleman said at the beginning. I accepted when he first made the point that, because of the nature of its rules and the legal decisions that have flown from its rules, the Prison Officers Association has a procedural problem. There was nothing in the law of the land that forced the association to decide to instruct its members to follow the particular form of highly damaging and destructive action that it took. There was nothing that compelled it to do that. Therefore, I stand by what I said, but I will, of course, study all constructive suggestions that have been made.

Opposition Day

[13TH ALLOTTED DAY]

Caring for the Carers

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

4.47 pm

Mr. Michael Meacher (Oldham, West): I beg to move,

That this House, noting that there are an estimated 5·5 million people from the age of seven to 70 years caring for disabled and elderly relatives at home, often for many years, pays the warmest possible tribute to those carers; and, further noting the research which shows that carers themselves suffer disproportionately from mental and physical illness, social isolation and poverty, calls upon the Government to take urgent action to improve their position, especially in view of the undoubted savings to public funds which flow from their commitment, and in particular to ensure that, in line with its stated policies on care in the community: (i) adequate respite care, both at home and in short-stay facilities, be assured by a considerable improvement in the level of support given to statutory and voluntary agencies, (ii) a flexible system of cash and other appropriate support services, such as home helps and home nursing, be available at times when the carer needs them and (iii) the invalid care allowance is made available to married women carers as recommended by the Select Committee.

Community care policies have been advocated now for a decade on the basis that it is much better for those who need support because of physical or mental infirmity to be cared for outside large institutions. It is now becoming increasingly recognised, however, that that policy has merely shifted the burden of care from the trained and supportive to the untrained and isolated in the form of the family. What started off as a policy of keeping dependent people out of institutions has backfired to the point where it has created more mentally and physicaly ill people—this time those who are supposed to be the carers.

At present, carers save the state over £5,000 million. That would be the cost to the state if it had to provide alternative institutional care. One would think that the state would aim to put back some of that money to support them in their invaluable role. Instead, the Government have been offloading responsibility on to their shoulders without even a sideways look at how they should be helping.

At present 5·5 million men and women are caring for an elderly or disabled friend or relative who could not live safely or comfortably without their help. They include about 1·25 million people who are caring for someone who is severely or extremely severely handicapped. I understand that as many as 100,000 of them have been caring for more than 10 years, and that thousands have been caring for as many as 30 years or more. Those figures give the lie to the myth that we are no longer a caring nation.

Today, far more people than ever before are making a major contribution to the physical and mental health of a family member, but they can maintain that role only if they have support. The Opposition have tabled this motion because of the absence of that support in far too many cases.

About two out of three carers are in poor physical or mental health at any one time. Recent surveys have shown that nearly half are at serious risk of mental illness. Nearly seven in 10 suffer physical injury as a result of their caring duties, because there is a great deal of single-handed lifting involved, unlike in hospitals where nurses are ordered to lift only in pairs or using the appropriate hoists. The position is made worse for carers when a back injury cannot be rested or a hernia repaired because there is no one to take over their caring duties while they are in hospital.

Carers suffer emotional and psychological stress from social isolation, when other family members flatly refuse to help, or when statutory services simply fail to materialise in support. The complete submersion of one's own needs and preferences in those of another and feeling wholly out of control of one's life are major causes of depression in carers. They suffer financial penalty because disability and frailty nearly always lead to reduced income and increased outgoings. The Government should not be so mealy-mouthed about that by altering the word "poverty", which we use, to "disadvantage" in their amendment. Carers suffer "poverty"—and we use that word advisedly.

Many entitlements to benefit are lost as soon as a disabled person moves in with a family member. An elderly disabled parent can no longer claim supplementary pension and will lose heating and diet allowances. Most important, carers' problems are often multiple, not of one type alone. Physical injuries, psychological stress, and financial hardship are often compounded. In addition, many carers have duties towards not only one single disabled, or extremely disabled, person, but to two, or even three. I could give many examples, but I shall cite one.

A woman of 50, whom I know, cares for her husband who is 20 years older than she is and is suffering from dementia. Her parents, who are in their 90s, and her mother's sister live with them. Both her mother and her mother's sister are physically frail, and her mother is also blind. She receives assistance only from a district nurse who comes once a week to give her mother a blanket bath. Such cases are typical. There is nothing exceptional about them.

All the evidence shows that the more handicapped and dependent a relative is, the less support a carer will receive from formal and informal agencies. That makes the cumulative burden all the harder to bear. The more disabled a relative, the fewer the people who are prepared to give the necessary assistance. It is because volunteers and neighbours are of little help when a disability becomes advanced, which is when help is needed, that statutory support is urgently required.

Above all, the debate centres on the unrecognised needs of women. More than one in eight women is a carer, and four out of five carers are women. Their position is much worse than that of their male counterparts because they are much more likely to have to give up their jobs. They have less money, experience more stress, and are less likely to receive support services. To add insult to injury, married and cohabiting women are denied invalid care allowance, which is the sole benefit paid to people who are prevented from undertaking full-time work because they are carers.

The problem will not go away. As the numbers of elderly people increase—that section of the population will grow fastest towards the end of the century—an increasing number of people will need assistance if they are to continue to lead independent, fulfilled lives. Our

intention today is to make it clear that carers cannot and must not be expected to bear the full weight of the Government's community care policies unseen, unpaid and undervalued. That is the central theme of the debate.

I take this opportunity to pay the warmest tribute to the Association of Carers for its dedicated and tireless campaign to bring this vital issue to the attention of the nation.

At present, the position of carers is worsening. The Social Security Bill will leave carers entitled to long-term supplementary benefit worse off by £6·90 a week. In addition, they will have to pay the first 20 per cent. of their rates from that reduced income. The Government have refused to move on the European Advocate General's recommendation on the Drake case, made a week ago. They have talked of the money being spent on services instead of on invalid care allowance. The truth is that the allowance is not being paid and the services are not being provided. The Government failed to support the carers' clause in its original form in the private Member's Bill introduced by my hon. Friend the Member for Monklands, West (Mr. Clarke). Therefore, they have denied carers the right to be assessed for their ability to care or to continue caring, and that is extremely important to carers.

Even the Government's helping-the-community-to-care programme — I pass over its tiny £10·5 million budget — has been a wasted opportunity for carers, because almost none of the funding has been directed towards increasing statutory services to carers as a right.

Our motion calls on the Government to provide some real, substantial increase in support for carers in ways which they want. First, carers—who have often given up full-time work to undertake their caring role—want an income independent of those whom they look after. Following the clear prompting—I know that this is a recommendation — of the European Court, we in the Labour party believe that the Government have an undeniable duty to pay invalid care allowance to married and cohabitating women. I have received legal and counsel's opinion that if, in June, the European Court decide that the Government are discriminating against women, and if they do not pay invalid care allowance to every eligible woman, regardless of whether she has claimed it, backdated to December 1984, they will be acting unlawfully.

Mr. Eric Forth (Mid-Worcestershire): Is the hon. Gentleman prepared to say that any future Labour Government will immediately accede to any similar ruling, or, indeed, to any ruling, by the European Court of Justice? Is he now so enamoured of European Community institutions that that is his position?

Mr. Meacher: I believe that if a Labour Government had been in power for seven years, they would have paid the invalid care allowance to married women without waiting for a decision by the European Court. We do not believe in discrimination in social security matters. A British Government should not need external prompting.

It is no good the Government making noises about spending money on services. The fact is that invalid care allowance is an income replacement benefit. The Government have no more right to offer invalid care allowance or services to carers than they have to offer a state retirement pension or home helps and day centres to elderly people. Carers are entitled to income and to services. It is false economy not to provide this balance of aid. In the absence of both, many carers are forced to give up a role that they would otherwise maintain. The alternative, institutional care, is a far greater cost to the state.

Carers want access to respite care, both in the home and in a residential setting, which is of a quality acceptable to the carer and the dependant. Such evidence as we have shows that respite care is patchy. I am aware that some local authorities provide excellent respite care, but they are few in number and mainly Labour authorities. More Tory authorities should provide such care. The existing respite care, however, is patchy, inflexible, inappropriate and often directed at the dependant rather than the carer. All too often, carers are placed in an intolerable position when the person they care for refuses to go into respite care, or states that they do not need it because they have a daughter to look after them.

I know that it is invidious to pick out the name of a voluntary organisation, because there are so many performing an important role, but I think it is fair to pay tribute to the work of Crossroads and other care attendant schemes which seek to offer a multi-purpose, paid worker, round the clock, every day of the week. It is only such schemes which enable carers either to continue at work or to take time out from caring to meet their own needs. That is the right model for respite care. All the tasks of the carer need to be covered; otherwise breaks for more than a few hours from caring would be impossible.

Mr. Dafydd Wigley (Caernarfon): Does the hon. Gentleman accept that an important aspect in attempting to maximise the provision for respite care is flexibility? Respite care should be available at short notice as a support service within the home or a place suitably near to the home. In case of illness or emergency, respite care should be available immediately.

Mr. Meacher: The hon. Gentleman must be telepathic, as I was about to make that exact point. It is crucial that respite care is flexible enough to cover emergencies and unforeseen circumstances, as well as set and specific periods of care. That would enable the needs to be met.

Carers need advice and access to information. Many carers feel isolated. They do not know what, if any, services are available within the local community. At present, the vast majority of carers receive neither training nor support. There should be medical assessment of both the carer and the dependant. It is impossible to know what sort of services would be most suitable if neither the clinical condition of the dependant nor the medical capability of the carer has been checked. There should be a continuous back-up service and reviews so that help can not only be provided at times of crisis, but adjusted to match changing circumstances.

The Government in their amendment complacently talk about

"continuing improvement in the level of support given to statutory and voluntary agencies".

For millions of carers and dependants that is a cruel joke. The lie is proven by the pathetically low community care expenditure, the continued rate support grant cuts and the drastic cuts in the voluntary sector budget due to the Government's abolition of the GLC and the metropolitan counties.

[Mr. Meacher]

The Government are proposing a so-called social fund in the Social Security Bill. That fund will undermine community care policy and force many thousands of people into institutions. The Government have rejected the invalid care allowance for married women and revealed their true attitude to carers. On 28 January, the Minister for Health dismissed my plea for increased income support for carers on the ground that it would mean

"a great big nanny state".—[*Official Report*, 28 January 1986; Vol. 90, c. 779.]

We reject that nauseating disregard for those who have given unremitting care and support to the disabled and the elderly year upon year, without complaint and without any allowances. By contrast to that disregard, the Labour party pledges to extend the invalid care allowance to married and cohabiting women. We do not accept the Government's feeble excuse that they cannot afford the meagre benefit of £23 a week for 96,000 women, when the same Government can find the money to pay private nursing homes £250 a week to look after elderly people.

We will appoint a carers' liaison officer to each social services department to identify carers in its area and to assess how best to meet their needs. We will seek to provide respite care and a flexible system of support services for carers. It will take time, and the services will have to be phased in as our economy recovers. However, we acknowledge the objective and will not shirk that responsibility.

We do not accept the present position, whereby carers are presented with the stark choice of looking after a dependant with minimal support and at great, sometimes crippling, cost to themselves or of putting their relative into permanent residential accommodation. The vast majority of carers are devoted to looking after and keeping their relatives at home. To do so they need financial, social and practical support. If the Government will not provide that, we will.

5.6 pm

The Minister for Health (Mr. Barney Hayhoe): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'noting that there are a substantial number of people from the age of seven to 70 years caring for disabled and elderly relatives at home, often for many years, pays the warmest possible tribute to these carers; and, further noting the research which shows that carers themselves often suffer from mental and physical illness, social isolation and disadvantage, recognises the action already taken by the Government to improve their position, especially in view of the undoubted savings to public funds which flow from their commitment; and in particular welcomes the Government's intentions, in line with its stated policies on care in the community and the availability of resources, that: *(a)* adequate respite care, both at home and in short-stay facilities, be assured by continuing improvement in the level of support given to statutory and voluntary agencies, *(b)* a flexible system of appropriate support such as home helps and home nursing be available at times when the carer needs them and *(c)* any judgment which may be made by the European Court relating to the invalid care allowance introduced by the Labour Government in 1976, be carefully considered by the Government and made the subject of a report to the House.'.

This debate gives the House and myself a chance to pay a warm tribute to the role of informal carers. I certainly welcome that part of the speech of the hon. Member for Oldham, West (Mr. Meacher), which was otherwise characterised by pessimistic and exaggerated descriptions of these matters. I hope that his tribute to informal carers is echoed in all quarters of the House.

Last week *The Sunday Times* graphically described the pressures that a heavily dependent person represents to a family. The article explained that, even when practical help is provided to such a family, that help puts pressures on the family. I doubt whether there is any way of avoiding such pressures on informal carers, but without doubt all those concerned — the professionals, the voluntary agencies and the informal carers — who support such families need to work together to minimise the pressures upon carers.

The key significance of informal carers has, as the hon. Gentleman said, recently been referred to in our debates on the Disabled Persons (Services, Consultation and Representation) Bill, introduced by the hon. Member for Monklands, West (Mr. Clarke). I do not wish to add anything to what I said about that Bill on the Floor of the House and in Committee. I am glad that the Bill is making progress.

The hon. Member for Oldham, West made much of the invalid care allowance and married women. The Government have made their position perfectly clear. The cost of extending invalid care allowance to married women is estimated to be £100 million a year extra, net of savings on other benefits. Even if the resources were available, this should be seen in the context of priorities for social security spending as a whole. The present invalid care allowance arrangements were introduced by the Labour Government of 1976. I do not think that shone through the speech of the hon. Gentleman. This discriminatory legislation, which the hon. Gentleman derided, was introduced by the Labour Government. I am not sure whether he was a member of that Labour Government, but he was certainly a supporter of that Government. The judgment of the European Court as to whether the arrangements that were so introduced contravene the Community's directive on equal treatment is not expected until June. However, I repeat the assurance that it will be carefully considered by the Government and made the subject of a report to the House, as stated in the amendment.

Opposition Members are always keen to add to their list of promises to spend more and more. Indeed, I noticed that the hon. Member for Oldham, West was at it again today. I want to contrast their promises with the performance and record of this Government. For example, we have increased spending on benefits for the long-term sick and disabled by more than 50 per cent. in real terms. In cash terms, we have more than doubled the mobility allowance and taken it out of tax. We have ended some of the discrimination against women, which we inherited from the Labour Government, by abolishing the household duties test and introducing a new severe disablement allowance. We have also ended the invalidity trap—a move that helps 55,000 sick and disabled people.

Of course, there is no hon. Member who would not give high priority to support for the disabled and those who care for them, but we serve them ill if, as the hon. Member for Oldham, West has done, we make promises that it is beyond this country's capacity to fulfil.

Mr. Meacher: There have been no such promises.

Mr. Hayhoe: The hon. Gentleman's commitment to spend £100 million more on ICA seems clear. I assume that is on top of the £24 billion commitment that has already been made by the Labour party.

Mr. Meacher *rose*——

Mr. Hayhoe: I shall give way to the hon. Gentleman. I hope that he is about to explain how a Labour Government would fund that £24 billion of promises.

Mr. Meacher: Perhaps I can explain the canard of £24 billion that Ministers keep mentioning. Apparently, £2.5 billion of that sum is for equalising the retirement age at 60. Neither I nor anyone else in the Labour party has given that commitment. It simply shows what a total fabrication that total of £24 billion is. The Minister has mentioned the £100 million that the ICA would cost. My point was that there would be a net saving if more people were kept in the community instead of being put into private nursing or rest homes at a cost of £250 a week or more and at the expense of supplementary benefit.

Mr. Hayhoe: In effect, the hon. Gentleman is not promising to spend any more money. That contrasts with the attitude of some of his hon. Friends, who always want to know what extra money the Government intend to spend.

As the hon. Gentleman is in a mood to discard promises, perhaps he will turn his mind to the £4·5 billion commitment that he made last April, when he said that a Labour Government would pay a disablement costs allowance of nearly £60 a week on top of the existing attendance allowance. Does he stand by that commitment today, or does he wish to withdraw it? Disabled people and their carers have a right to know which of Labour's promises can be believed. Frankly, I think that they would be very unwise to bank on any of them being implemented.

As I have said, the Government fully recognise what families, friends and neighbours do in providing support within the community for the disabled and elderly frail. Real progress is being made, particularly in the provision of support for informal carers of heavily dependent people living at home. But that progress represents only part of the improvements made over the past six years in the health and social services generally.

Expenditure on the NHS has increased by about 24 per cent. in real terms between 1978-79 and 1986-87. In 1984, there were nearly 3,000 more GPs than in 1976, and as a result the average list size has been reduced. That is particularly important as the number of elderly people who require greater medical care is increasing. More than 3 million extra out-patient cases were dealt with last year compared with the year before we came to power. Community psychiatric nurses have increased in number. Indeed, the increase has been significant, as the number has more than doubled. Many more examples could be given, but I have quoted enough to show that on a range of measures significant improvements in the services available to patients have been made.

Progress has equally been made in the social services. We introduced the social services inspectorate in April 1985 to help to improve the quality and efficiency of services. The number of social workers has risen by 25 per cent., from 12,481 in 1978 to more than 15,600 in 1984. In the same period there was a 13 per cent. increase in the number of home helps, and we all know how important they can be. Expenditure by social services departments increased in real terms by 19 per cent. between 1978-79 and 1984-85. Those increases in resources have been matched by the action that we have taken to encourage collaboration between the different statutory services.

We have placed emphasis on the key enabling role of social services departments in mobilising all the sources of support available in the community. We have widened the membership of joint consultative committees to include representatives of the voluntary sector and of family practitioner committees. We continue to seek improvements in services that provide support to those in the community who need it, with the recent publication of the consultation document on primary care.

Mr. Roy Mason (Barnsley, Central): We estimate that there are 12,600 disabled people in the Barnsley area, which represents 7 per cent. of the population. Moreover, 7,000 of them are severely disabled and require constant care and attention night and day. The carers should clearly receive more financial recognition. In industrial towns, the number of disabled people is higher than average because of coal mines, factories, and so on. Local authorities in those areas would like to develop a much more comprehensive care and attendance service. What plans does the Minister have to assist local authorities to achieve that objective?

Mr. Hayhoe: I have already said that no hon. Member would fail to give high priority to the extension and improvement of services for the disabled, but such matters must be seen within the context of the availability of resources. Indeed, that is mentioned in our amendment.

I am talking about real improvements. I know that the hon. Member for Oldham, West may wish to concentrate on other areas. However, the imaginative proposals in the report of the review of the role of community nursing services, chaired by Mrs. Julia Cumberlege, which is now out for consultation, illustrate further ways in which services might be changed to meet better the needs of users, including informal carers. The crucial role of informal carers—families, friends and neighbours—who care for heavily dependent people living in the community should be much more widely recognised. They certainly need advice and information about how to cope, sometimes emotionally and often with practical problems.

Practical assistance can greatly help. I refer, for example, to the provision of bath hoists. We have already heard about the difficulties faced by elderly carers who have to do a lot of lifting. Moreover, the availability of some form of respite care can make all the difference. Being treated as a valued member of the team by those paid professionals helping to support the dependent person can also make all the difference. It was because the Government recognised that too often informal carers were ignored rather than supported by those providing health and social services that, during the past few years, considerable emphasis has been placed on the role of informal carers.

Mr. Tony Blair (Sedgefield): Is the Minister aware that in constituencies such as mine, where Winterton hospital cares for many psycho-geriatric patients, patients are gradually being released into the community? Is he further aware that that is causing tremendous problems for

[Mr. Tony Blair]

the families looking after them informally? The worst thing that could happen would be for the services provided by local authorities to be cut.

Mr. Hayhoe: I agree that the arrangements which are being made for people to move back into the community must be carefully considered and co-ordinated by all concerned. Generally speaking, the policies—they are not just this Government's policies, but they have been considered desirable for many years, as the hon. Gentleman recognised—are being pursued.

The DHSS has taken a variety of steps, some of them modest, which together add up to a significant programme of action. In 1983 and 1984, the Department's social work service ran a major national project to draw attention to the needs of informal carers and to encourage policy makers, managers and front-line workers to consider how support for a dependent person's informal carer could be made an integral part of the range of services needed for effective community care.

To continue the policy development beginning with that social work service project, several elements of the helping the community to care programme are specifically concerned with support for informal carers. The King's Fund is undertaking two projects. One is aimed at improving the quality and availability of information and training of use to informal carers about what services might be of help or about how to cope. The other, in co-operation with Age Concern, is to provide information and training directed at general practitioners and community nurses so that they are better equipped to advise carers of elderly people suffering from incontinence. A third element of the helping the community to care programme is the development of three demonstration districts—in east Sussex, Stockport and Sandwell — of voluntary sector services to support informal carers.

We have heard about the importance of respite care. It is right for dependent people to be cared for in their homes as far as possible, and I recognise the need for respite care in the interests of the dependent person and of his family or friends who support him. Respite care, as the hon. Member for Caernarfon (Mr. Wigley) said, is especially valuable when unplanned events or emergencies mean that the informal carer must give up his responsibilities for a time. Like many hon. Members, I know from personal contacts how valuable such respite care can be. I wonder whether full advantage is being taken of the variety of types of respite care provided through the voluntary organisations. This is being investigated in the demonstration districts that I mentioned, and there may be scope for advance in that area.

It is clear that there are hundreds of thousands of informal carers, but there has so far been no systematic information about their circumstances and numbers. The hon. Member for Oldham, West gave figures of 5·5 million carers and £5·3 billion. The latter, which is the amount alleged to have been saved as a result of existing policies, is a fanciful calculation.

Two major national surveys by the Office of Population Censuses and Surveys will provide hard information. The general household survey has, for the first time, explicitly asked people whether they care for a dependent person, and those results should begin to be available at the end of the year. The major national survey of disabled people includes questions about who cares for the disabled person, and it will provide information early in 1988 about the services that families with a dependent disabled person receive. The information from those two surveys will enable planning for community care to take better account of the needs of informal carers.

The comprehensive statistical information that will be provided by the OPCS surveys will be complemented by a programme of research being undertaken by the social policy research unit of the Univeristy of York, funded by the DHSS.

The initial social work service project is being followed up with two national seminars — one in London last month and the other to be held soon in Leeds—about support for informal carers specifically directed at those concerned with community nursing services.

For several years, the Department has supported national voluntary organisations directly or indirectly interested in informal carers through its general scheme of section 64 grants. The major national voluntary organisations concerned with the needs of client groups of dependent people, such as Age Concern, MENCAP and MIND, receive grants under the scheme and take an interest in informal carers as significant contributors to the well-being of the client group concerned. Other national voluntary organisations more directly concerned with the needs of informal carers also receive grants from the Department.

The hon. Member for Oldham, West mentioned the valuable work done by the Association of Carers. He will know that it receives a grant from the DHSS, as do Crossroads Care Attendant Scheme, Contact a Family, the National Association of Carers and their Elderly Dependants and other similar voluntary organisations at national and local level, all of which make significant contributions that are supported actively in the constituencies by hon. Members on both sides of the House.

Meals on wheels is an extremely valuable service and an excellent example of productive collaboration between a social service department and a voluntary organisation —the Women's Royal Voluntary Service. The WRVS is already doing much, and I pay tribute to its work, which I hope will expand and develop in the months ahead. Many people, especially elderly people, depend upon the delivery of a meal to the door by the meals on wheels service. More that 28 million meals are provided every year, often by the dedicated members of the WRVS. As part of our search to improve the value of services, we have commissioned several research projects from the WRVS to test the feasibility and acceptability of offering alternatives to the traditional cooked meal delivery service, such as escorted shopping trips. We have asked the personal social services research unit at the University of Kent to carry out a study of the present position. We hope to set up a seminar to consider the subject, especially the different options for future development, early in 1987.

There is greater scope—I am buttressed in that belief by the conversations that I have had with Dame Barbara Shenfield, the leader of the WRVS—that we can do more. I hope that we can obtain better co-operation between the statutory agencies and the voluntary workers. We have made substantial progress in providing community care through, for example, joint finance.

Mr. Meacher: That is a joke.

Mr. Hayhoe: The hon. Gentleman says that that is a joke. When we came to power in 1979, the total spent on such programmes was £63·5 million.

Mr. Meacher: That was seven years ago.

Mr. Hayhoe: It has increased to £670 million since then. Of course, the hon. Gentleman always wishes to denigrate what we have done, because the Labour Government did so little when they were responsible. We have also made considerable progress in taking long-stay children out of large mental handicap hospitals and putting them into better provision in the community, including small NHS units for children who need health care. More than 2,400 children were in such hospitals at the end of 1980. At the end of 1984, there were fewer than 700, including those children in short-term care. Our latest estimates show that the numbers are now much lower.

We are committed to providing efficient and effective services for those who need them. For too long, the central key role played by families, friends and neighbours in community care has been ignored. Of course, it is not true to say that nothing more needs to be done by statutory and voluntary service providers before adequate support is provided for all informal carers. We have recognised their key importance and brought it to the notice of those planning and providing services locally. We are developing and exploring new and better ways of providing support. We are undertaking the research to provide solid evidence for future planning. I believe that that is a record of progress, and it lays the foundations for significant further progress over the next few years. I commend the amendment to the House.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. Time is very limited and many hon. Members wish to speak. I appeal for very short speeches.

5.31 pm

Mr. Jack Ashley (Stoke-on-Trent, South): The Minister for Health has just proved that he is incapable, not only of taking care of carers, but of making a decent speech on the issue. He accused my hon. Friend the Member for Oldham, West (Mr. Meacher) of being pessimistic, but my hon. Friend was reflecting the deep and profound pessimism of carers. The right hon. Gentleman should ask his hon. Friend the Minister for Social Security, who has responsibility for the disabled, what was said to him by the deputation of carers I took to see him a few months ago. The carers were profoundly pessimistic, as my hon. Friend the Member for Oldham, West explained. That was the reason for my hon. Friend's pessimism. He was reflecting the reality of the situation.

The right hon. Gentleman referred to an article in *The Sunday Times*. I cannot see how any Minister could read such an appalling and tragic article and refuse to do anything positive and constructive for carers. It beggars belief that the Minister could use the example of an article in *The Sunday Times* and make the bromide speech that he made today. The right hon. Gentleman said he wa glad that the Bill introduced by my hon. Friend the Member for Monklands, West (Mr. Clarke) was making progress, but he surgically removed from the Bill the provision relating to carers.

The right hon. Gentleman said that the figures cited by my hon. Friend the Member for Oldham, West were fanciful. The right hon. Gentleman does not know the real figures, so he attacked my hon. Friend. The right hon. Gentleman has not taken the trouble to find out what they are. He said that the figures would emerge in 1988, but carers cannot wait until then. The Conservative party has been in power for seven years and Ministers for Health have had sufficient time to ascertain the position. The Minister said that he recognised the importance of carers, but he still made a wordy speech which offered no real progress. He has not satisfied the House on all those issues. In fact, I am sorry to say that he made a bad speech. His speech disappointed me, because I had hoped that hon. Members on both sides of the House would agree on this issue.

The debate is not about compassion; it is about justice. People have become carers because they love the people for whom they care and because they have compassion for them. It is unjust for society and it is wrong for the Government to expect those people to become virtual slaves in caring for disabled people. Severe disability damages people's lives. It is wrong that a disability should damage the lives of those caring for disabled people. In fact, it devastates their lives, yet that occurs all too often. It is unjust, unfair and intolerable.

The Government's amendment seems similar to the early-day motion which was supported by hon. Members on both sides of the House, but there are some significant differences. The early-day motion asked the Government

"to ensure that . . . adequate respite care . . . a considerable improvement in the level of support . . . a flexible system of cash and other . . . services, such as home helps and home nursing"—

and that

"the invalid care allowance is made available to married women".

The amendment pays warm tribute to carers. We can all say that we pay tribute to carers. However, the amendment uses the phrase

"in line with its stated policies . . . and the availability of resources".

We all know that that is shorthand for saying that funding will not be provided and that the money is not available. That is what the Government are saying. The Minister's fine words mean only that, because of a lack of resources, the carers will not receive the money.

The amendment refers to the European Court judgment and says that the Government will carefully consider it. That is not good enough. We do not want the judgment just to be carefully considered by the Government. We want it to be accepted by them. There is a great difference between considering and accepting.

It is impossible to overstate the importance of the issue to women. There are some men carers but basically it is a women's issue. A few months ago, in the presence of my wife, I attended a meeting of carers at county hall across the river. I went as their friend. In the 20 years that I have been a Member of Parliament I have never had such a rough ride. Those women carers, of many creeds and kinds—some black, some brown and some white—were unanimous in their bitterness at being exploited. When I tried to explain that, along with many hon. Members, I was campaigning for carers, they were vindictive. They said that it did not matter what we were trying to do. The only thing they cared about was what we were doing and what we had accomplished. I could not say that we had

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accomplished anything. I have never known women who felt so bitter. They are treated badly. They feel that they are abused by authority. A loving task to them has become a prison sentence, where no adequate support is provided.

Some of the country's 1·25 million carers are driven to despair, are in ill health and in need of care. Some carers are prisoners of their own conscience. Cash is the most important requirement. It has been estimated, as my hon. Friend the Member for Oldham, West said, that more than £5 billion is saved every year. I pay a warm tribute to Judith Oliver of the Association of Carers for the marvellous work that she and her colleagues have done and to Pat Osborne of the Crossroads association for the wonderful work that that group has done. Those associations are demanding cash, and rightly so, because cash is crucial.

Back-up services are also being demanded. There is no round-the-clock nursing help and carers are neglected, especially at weekends. There is little respite provision. Above all, carers need a break. They cannot stand the eternal grind 24 hours a day, seven days a week, 365 days a year. Yet often, when they contact the emergency services, they find that they get little help. Carers are not given adequate training. They are given a rough deal. As my hon. Friend the Member for Oldham, West rightly emphasised, the more disabled a person is, the more difficult it is to get help. Carers are taken for granted by national Government, local authorities and the public.

I have no doubt that the main reason why carers are shabbily treated is that they are women. This is a women's issue. If most men were carers, responses and attitudes would be very different. People look down on women. The Government look down on women. Women are shabbily treated, and women carers are the most shabbily treated of all. That is the main reason why the Government pay scant regard to them. I hope that the Government will pay due regard to this debate, because carers can easily sink and become submerged non-persons unless we can help them. There is a strong feeling among carers that they want not just cash but recognition and a sense of identity. That is what they require.

I suggest that we should provide for carers a genuine new deal, which includes eight points. First, we should give carers an honoured place in society. Secondly, we should recognise their wonderful value and make civilised and adequate provision for them. Thirdly, there should be adequate Government recognition of the serious problems hidden behind the sad curtains and the lonely wheelchairs. Fourthly, there should be an end to discrimination against married women and co-habitees. They should be paid the invalid care allowance now rather than have to wait until the Government are dragged kicking and screaming by the European Court to undertake reform. Fifthly, there should be a careful assessment of the role, capacity and functions of all carers and the burdens that they relieve. Sixthly, home helps and nursing helps should be made available when needed and for as long as required. Seventhly, the provision of expert care is needed so that carers can have a break, rather than a breakdown. Eighthly, there should be planned provision of information and advice about benefits, services and options.

Carers are exploited because they care and are dutiful, because they love their dependent relatives, because they want to help and because they are women. It is time that we ended this scandal and gave them justice.

5.43 pm

Sir David Price (Eastleigh): I feel somewhat upstaged by the speeches of the hon. Member for Oldham, West (Mr. Meacher) and of my right hon. Friend the Minister for Health. Those who follow the Order Paper may recall that on 10 February I tabled a not dissimilar private Member's motion. On listening to the opening speeches in this debate, particularly that of the hon. Member for Oldham, West, I could not help but feel that if I rather than the hon. Gentleman had opened the debate—I say this in due modesty — I might have created a better atmosphere for the debate. Above all, this is a subject on which we should try to strike a consensus. I shall not, therefore, reply to some of the more partisan of the hon. Gentleman's points or take up some points raised by the right hon. Member for Stoke-on-Trent, South (Mr. Ashley).

I start with the proposition that many more dependent people are cared for at home than are cared for in the ordinary hospitals, institutions and rest homes of all the statutory, charitable and private groups combined. That is our point of departure. To set it out in a little more detail, I shall give the House a round up of the facts, some of which have been mentioned.

More than 1·25 million people are caring for a relative or friend who is severely or very severely disabled due to illness, accident or the infirmities of old age. About 100,000 of those carers have been doing so for 10 years or more and some have been doing so for more than 30 years. More than 5·5 million people are supporting a person who because of age, illness or disability could not live safely or comfortably without the help of the carer. More women now care for an elderly or disabled relative than care for a child under 16. That fact, which has not yet come up, is one of the most penetrating facts to grasp in the debate. As the right hon. Member for Stoke-on-Trent, South said, four out of five carers are women.

Recently published reports confirm that there is an inverse ratio of support for carers — the more handicapped the dependent relative, the less support is made available. Research in Yorkshire has shown that the more disabled the relative, the fewer the people able to undertake the care because it is too difficult and onerous. That means that volunteers and neighbours find it increasingly difficult to give meaningful help as the disability becomes more advanced and severe.

If 1 per cent. of those caring just for the elderly suddenly gave up, our health and social services would find their budgets being increased immediately by 20 per cent.

Mr. Allen McKay (Barnsley, West and Penistone): That is an interesting point. The social services department in Barnsley estimates that its budget would probably increase by twice as much again. I notice that the hon. Members for Eastleigh (Sir D. Price), for Renfrew, West and Inverclyde (Mrs. McCurley), for Cheltenham (Mr. Irvine) and for Mid-Kent (Mr. Rowe) and 43 other colleagues have signed early-day motion 299. I have been listening intently to the hon. Member for Eastleigh, and I hope that he will join us in the Division Lobby.

Sir David Price: If the hon. Gentleman had listened, he would have heard me say that I wanted the debate to achieve a consensus. I was referring to a major point. The hon. Gentleman can keep his party points for his party's committees.

It is estimated that those caring for the elderly at home save the statutory services £5·3 billion a year. It is important to take on board also the fact that the cost of a bed in a residential establishment is between £140 and £500 a week. By contrast, the maximum rate of attendance allowance available only to the most severely disabled living at home is £30·60. The invalid care allowance is only £23 a week.

That puts the role of the carer and the scope of the problem within statistical dimensions. The problem is severe. It covers age spectrum. It is important to remember that many carers are themselves elderly people.

Mr. Robert N. Wareing (Liverpool, West Derby): *rose——*

Sir David Price: No, I have given way once already, and I am trying obediently to be brief.

It is generally acknowledged that there are a number of hon. Members who have personal experience of caring. They will be with me when I say that the reality of caring for someone whom one loves is so private and intimate that even in a debate like this the House will not expect us to share our personal experiences. I certainly do not intend to do so. Suffice it to say that most carers have consciously chosen to look after their dependent relatives at home because they love them. They do not, therefore, want to hand the job over to anyone else.

Caring for someone who is heavily dependent is continuous, tiring, stressful, and restrictive. It can impose serious strains on other relationships within the family. Many of us have constituents with a severely disabled child and have seen how this can have repercussions on other children in the family who are not disabled. Outside help at key times on both a regular and a one-off basis can make the difference between total breakdown and a successful and loving partnership between the carer and the cared for.

That leads me on to consider — and this is what future discussion should be about — the different forms of support that are needed. In the interests of brevity I shall try to go straight to the heart of the matter. I invite the House to consider the various ideas put forward by the Association of Carers. Time prevents my going through them, but I would mention one point which comes in its submission to hon. Members:

"It does appear at the moment that the presence of a carer is often seen by statutory services to obviate the need for supportive services, whereas carers are almost invariably in need of help in the very onerous tasks which they have opted to undertake out of love."

I think that this is true.

I should like to draw the attention of the House to the report of the Select Committee on Social Services and the 101 recommendations that we made. Let me emphasise that we made them on an agreed basis, across the party spectrum, which is the spirit that I wish to introduce, and maintain, in this debate. I hope that when replying to the debate my right hon. Friend will declare the Government's support for those measures.

Each of us who takes part in this debate will have his own suggestions for improvement. We have already heard a number from the right hon. Member for Stoke-on-Trent, South. I should like to suggest a few briefly, in encapsulated form.

We need more back-up in the home. This means more home helps and more meals on wheels. I pay tribute to the progress which has been made, but we have only 50,000 home helps in England, and that is not enough. There is uneven provision between men and women. In support of that I quote from a recent report of the Equal Opportunities Commission:

"Evidence presented in our report shows that nearly 60 per cent. of male carers studied received home helps compared with only 34 per cent. of female carers, and 28 per cent. of men had the support of the meals on wheels service compared with 16 per cent. of the women. It seems services which provide direct help with the daily domestic routine are more likely to be provided if the carer is a man. So the work and health of women carers is affected to a greater degree."

We would like to see progress made in this area, not only for its own sake, but because this is an inequality which I find unacceptable.

We need more medical support in the home. My right hon. Friend referred to the primary care report which has just come out. We have to build on that. We must support the general practitioner service, which is the linch pin. We ought to extend the role of the community nurse, the community physiotherapist and the occupational therapist. In my part of the world they are extremely helpful to the handicapped.

We need an extension of the care assistant or care attendant. I call in aid the development of the care attendance service in Hampshire. On the hospital side, we need to have relief on call, what in our report we refer to as the "revolving door". If a chance is taken in putting people back into the community and the carers run into difficulties, they can by this means get those people back into hospital. This may have to be done at awkward times — which is when it nearly always happens — and not during the conventional surgery hours.

There is a need for the carer to have time off from caring. Age Concern once described the life of a carer of someone with dementia as the 36-hour day. Earlier, I heard people talking about problems of overtime. If one is caring for someone who is severely disabled, there is no question of normal working hours or overtime; it is a total commitment. So the need for relief is often urgent.

What happens when the carer runs out of steam? We all get these tragedies in our surgeries — a mother and father, now old-age pensioners, who, having looked after a severely disabled child who is now aged 40 or 45, can no longer provide the necessary care because they have literally run out of steam.

I support all the pleas to my right hon. Friend to get the invalid care allowance right. I have raised the issue, as have many right hon. and hon. Members. There is no longer any justification for not extending it to married women. As I said in a letter to *The Times* a few months ago, I very much hope that my right hon. Friends will be able to do it gracefully before they are compelled to do it by the European Court.

I hope that I have said enough to demonstrate the importance of carers to our nation. We need them. We cannot get on without them. I hope, too, that I have demonstrated that carers need more back-up, and more support, especially professional support, if they are to fulfil their role as carers and still have some personal life of their own.

[Sir David Price]

I beg the House not to treat carers as if they were an object of pity or compassion. They do their caring willingly, as part of their role in life, out of love.

5.56 pm

Mr. David Alton (Liverpool, Mossley Hill): The hon. Member for Eastleigh (Sir D. Price) has spoken with considerable knowledge and a good track record in putting forward his point of view. He has set up an interesting agenda of proposals which will probably find cross-party support in this Chamber. Above and beyond the debate tonight, there is plenty there for which we can gather a consensus. But such is the nature of these debates that this evening at 7 o'clock we shall have to decide which way to vote on the motion. I can find nothing in the motion with which to disagree, and I am glad that it is before us for debate.

I might perhaps enter a number of caveats and additional points, but some of these have already been touched on and, because I know that other Members want to take part in the debate, I shall try not to detain the House.

The first of my three caveats is a plea for a proper balance in dealing with carers between the voluntary sector and the statutory sector. I know from my experience as president of the Liverpool old people's hostels association and from discussions with the Merseyside council for voluntary service and Liverpool young persons advisory service that they are very stretched for funds. They believe also that they are having to deal with a local authority which almost seems philosophically opposed to the spirit of voluntarism, and that can make life difficult for the voluntary organisations. If adequate support is to be given to those who care and who do the caring work, resources and support must be provided for voluntary organisations. Although I am glad to see a reference in the motion to increased support for voluntary organisations and agencies, I should like the Government to look at ways in which their position might be better protected.

Another caveat concerns the division of responsibility between health and social services departments. Often they are hopelessly unco-ordinated. To rectify this, I would like to see the health and social services provision for adults amalgamated under directly elected regional government. I would also like to see the social services provision for children integrated into a family courts system.

My third caveat is about flexibility, of which there needs to be more if we are to give more help to carers — a point on which the hon. Member for Eastleigh touched. Flexibility in the provision of care requires the breaking down of the entrenched intransigence of some groups of people, regrettably some of them trade unionists who defend working practices and insist that care may be provided only at certain times — for example, not at weekends. I hope that the Opposition Front Bench will use its considerable influence with the trade unions to ensure that some of this inflexibility is broken down.

In addition, we should like to see a charter for carers that would establish their inalienable right to an income that is independent of their dependants. Secondly, there should be access to information, which is often denied by the professional to the carer. Thirdly, as other hon. Members have said, there must be respite care, which is so important. Fourthly, there must be increased governmental encouragement and support for organisations such as the Association of Carers, with opportunities for more training to be provided under their aegis.

Enhanced nursery provision would enable women to have more flexibility in caring for children or relatives and would increase opportunities for women generally. Our record is not good. In France, 90 per cent. of three-year-olds attend nursery. In West Germany, the figure is 70 per cent. Here, it is only 2·8 per cent. My city of Liverpool intended to open six new nursery classes in 1985-86, but the Secretary of State withheld his approval. The authority will again seek approval for 1986-87. I hope that this time the Secretary of State will give the go-ahead.

These are the caveats and addenda that I would enter, while supporting the Opposition motion. Like the Government in their amendment, we commend the estimated 5·5 million people who are supporting disabled or elderly relatives at home. We have all been sent details of how many it is estimated are in our constituencies. I am told that there are 9,500 carers in my constituency. However, we repudiate the Government's contention that they are giving adequate support to the carers. Like the right hon. Member for Stoke-on-Trent, South (Mr. Ashley), I feel that the Social Security Bill, which should have been a golden opportunity, makes no specific provision for carers, and some will be up to £6·90 a week worse off because of the changes being made to long-term supplementary benefit.

What thanks is that to people who have sacrificed so much for the good of others? What sort of thanks is that to those who save the state millions of pounds? If just 10 per cent. of those who are cared for at home had to be looked after in residential institutions, the public cost would be over £1 billion a year. In comparison, the cost of extending invalid care allowance to married women — a move for which there is all-party agreement, and which would be of real help to the carers — would be less than one tenth of that £1 billion a year, at approximately £85 million a year.

The key to the Government's intentions comes in that immortal phrase used by the Minister for Health, "the availability of resources". If a Government can find, as this Government did a few weeks ago, £1 billion to give away in tax reductions, and can look next year to a further £4 billion for cuts in taxes, why can it not find greater resources to support the carers? That is the touchstone on which the Government's sincerity should be judged. By that touchstone, we shall vote against them tonight.

6.3 pm

Mrs. Virginia Bottomley (Surrey, South-West): I am fast reaching the stage when I find it hard to take seriously the views expressed by the Labour party, because its answer to all difficulties is the profligate application of a cheque book — somebody else's. I have been closely involved in caring for carers for many years. It is no news that their difficulties are not only financial. There has been a certain amount of rivalry over voluntary organisations, and I speak on behalf of the National Council of Carers and their Elderly Dependants, now reaching its 21st birthday and so well in advance of many others who have more recently joined the debate on the needs of carers.

The council was founded at a time when nearly all the caring for elderly relatives was done by unmarried women — the single daughter staying at home looking after the

elderly relatives. The invalid care allowance, which was introduced in 1976, was brought into existence largely under the pressure of organisations such as the council.

I share the views of those who hope that the Government will find it within their power to find the £100 million necessary to pay the invalid care allowance to married women. I am content for that to wait for the fully considered judgment from the European Court, and until it has been considered by the Government and they have made it the subject of a report to the House. However, having been through all those necessary steps, I have every confidence that the Government will do the right thing by the many married women caring for dependants. I pay tribute to the Government for the steps that they have already taken in extending the invalid care allowance to non-relatives and doubling the amount of part-time earnings that can be allowed before entitlement to the allowance is affected.

I wish to speak particularly about the carers of the elderly. It is easy to throw all carers into the same discussion, as they have many aspects in common, but they also have distinguishing features. For example, there is no doubt that elderly parents will be very much a growing part of our community as the number of residents over 85 doubles in the next century. Increasingly, elderly people will be looking after the very elderly.

Many contributors have said that it is too easy to take carers for granted, and to assume that all is well for them until they reach breaking point. I hope that the debate will highlight some of their needs and the ways that they can be given help before they reach that breaking point.

We have spent too little time concentrating on some of the good practices that have been established throughout the country. In my constituency, I have been consistently impressed by pioneering projects and ideas about meeting the needs of the elderly and carers. It has become fashionable to say that we always want more without looking carefully at what is being achieved, learning from our successes and then trying to spread good practices to other areas.

In my constituency I have visited many projects for sheltered housing, cluster housing, good neighbour schemes and, above all, schemes using telecommunications systems to keep in touch with dependants. The recent census returns showed a doubling of the number of people living on their own. People are increasingly reluctant to live with their relatives, whether semi-dependent or independent. Using telecommunications networks is the way to ensure that the welfare of the elderly is provided for without their losing privacy.

It is too easy to say that we need more resources for health care, but we have had a 24 per cent. increase in real terms in spending on the Health Service. Above all, I applaud the 63,000 more midwives and nurses since 1979. I hope that we shall be able to discuss the role of nurses in the light of the report by Julia Cumberlege. Nurses are independent professionals who should have increasing scope for practising on their own, and are particularly important in meeting the needs of dependants.

During the autumn, I was fortunate enough to spend a morning in my constituency with a district nurse and a health visitor and I was constantly impressed by the new practices, developments and schemes available for the elderly. It is more fashionable to say that we do not have enough, and in many areas there is room for improvement, but when one goes out on the twilight scheme, which offers help to put dependants to bed in the evenings, and many other schemes, one realises the recent remarkable achievements.

I should like to share with the House my pride in the new geriatric hospital in my constituency, which has cost £1·2 million to build. For too long, health care has too easily concentrated on the dramatic, exciting and acute operations rather than on the less exciting Cinderella services for the mentally ill, the mentally handicapped and the elderly. It is too easy not to recognise the great redirection of resources, not always met with favour by the power leaders in the NHS, but making an enormous difference for those in need of health care.

Much mention has been made in the debate about the role of voluntary organisations. These organisations do the best work and the work which we can be most proud of in our country. Many voluntary organisations have not been mentioned—for example, the Alzheimers Disease Society and the Red Cross. Many voluntary organisations organise schemes and work together with statutory authorities.

We have not so far in the debate mentioned the needs of former carers. Reference has been made to those people who give up five, 10, 15 or 20 years of their lives to care for a young or an old dependent relative. That may result in the carer becoming extremely isolated as the dependent relative's needs take up all the carer's time and attention. When that relative dies, the carer can be quite bereft and take some time before he is ready to return to employment. I hope that the Minister will consider whether it is possible in the provision of benefits to give that carer longer after the death of the dependent relative before the relevant benefits are lost. As a member of the National Council of Carers and their Elderly Dependants said, "Carers cannot walk from the graveside straight to the jobcentre."

Carers have financial needs and there are extra burdens to caring quite apart from the loss of earnings. I am confident that, with due consideration and careful planning, the Government will find their way to keep in line with the rulings of the European Court. Carers also have practical needs—relief and respite care, day and night sitting services, day centres, lunch clubs, recreation and leisure facilities. It is vital that there should be joint planning and careful surveys of the needs in specific areas. It is also vital that there are mechanisms for offering information and advice to carers.

There is, above all, one area which is so easily undervalued by those who see everything in basic financial terms which requires consideration — the emotional needs of carers. Carers are isolated and unacknowledged. Their status needs to be raised in the eyes of us all, and local authorities, voluntary organisations and professional bodies at every level must be aware of carers. I hope that the tributes paid in the debate to the commitment of informal carers will lead to a greater appreciation and understanding of those unsung heroes throughout the country.

6.12 pm

Mr. Bill Michie (Sheffield, Heeley): I am acutely aware of the shortage of time and I will therefore speak for no more than five or six minutes, not because this serious debate does not deserve more of my time, but because many of my colleagues wish to speak.

Most hon. Members are aware of the problems in our constituencies and know of the many thousands of people

[Mr. Bill Michie]

who are affected by the lack of resources for caring for loved ones, neighbours or families. Some 12,000 people are affected in my constituency and at least 1,200 of them are severely handicapped and have, as already mentioned, extra problems which are difficult to resolve immediately unless more resources are available. A special kind of person is required to deal with such cases.

I believe that the main argument relates to resources. The hon. Member for Surrey, South-West (Mrs. Bottomley) said that it was all very well for Opposition Members to talk about providing more money but that that money always comes from someone else's cheque book. I do not know who these aliens are, these "someone elses", these people who do not appear to belong to our society. The hon. Lady seemed to imply that they were removed from reality. I do not believe that many people would object to helping the people who help others. The cheque book mentality is not a good argument for inaction.

Sheffield has done a great deal of work to help carers. On many occasions the district council in Sheffield has told me that there are three aspects about carers, and they have been outlined already in the debate. The first is that practical help and flexibility are required. At present there are services in Sheffield which do the best that they can. However, local authorities generally find it difficult to give the support at the right time in the right place. There was a story of one local authority which could not provide services early in the morning, late at night or at the weekend because it could not afford it, yet it could afford to offer places in homes which could cost much more. We must locate the resources in the right places. Flexibility in that area is vital.

Sheffield is trying through experimental areas such as the scheme at Ecclesfield to provide such flexibility and Sheffield hopes to introduce further changes to help the carers who are caring for 24 hours a day. It is a fact of life that, without additional staff, it will cost almost £175,000 in premium rate payments to fund that experimental project. Such a sum is not easy for local authorities to come by.

Secondly, local authorities have the problem of finding enough cash for adaptions. It is vital that carers should have such adaptions in their homes. In Sheffield, in 1985-86, expenditure on adaptions was £1·2 million. There have been many debates over the past year or two about public expenditure. It is obvious that, in relation to revenue, that money will not be forthcoming and therefore we will have problems in sustaining programmes which we believe to be essential for adaptions.

My third point relates to respite care. Occasionally people want a break, particularly those who care for the severely handicapped. They need time to restore morale and recover physically and emotionally from such caring. I know that some of the carers in my constituency will not ask for such a respite service, but I believe that such a provision should at least be available in a civilised society. It is impossible to continue day and night caring without some respite.

There is an early-day motion which is more or less in line with the motion we are debating. The hon. Member for Sheffield, Hallam (Sir J. Osborn) signed that early-day motion and I hope that he will be voting with the Opposition tonight. Most of my colleagues have said that the needs of carers are desperate. Their needs are not being shouted about because they exist behind closed doors and caring is done in a quiet and sincere manner. That does not mean that the need is not great. The need is present and the House and the rest of society have a responsibility to fulfill our commitment to carers.

Several Hon. Members *rose—*

Mr. Speaker: Order. The hon. Gentleman has set an admirable example. If other hon. Members do the same, I shall be able to call all those who wish to speak.

6.18pm

Mr. Andrew Rowe (Mid-Kent): As I was one of the proposers on behalf of the parliamentary panel for the personal social services which put forward the early-day motion which has been adopted by the Opposition as their motion tonight, some explanation as to why I intend to support the Government may be required. However, that is not too difficult to explain. The Opposition carefully chose the motion to scourge the Government's record and in a way which paid no heed, for example, to the galloping inflation which pauperised many of the people who now need help from the state because their savings were stripped by out-of-control public expenditure which made it impossible to make sensible provision for their later years.

I will be supporting the Government. However, I should like to make it clear that we are discussing a major problem. There is a huge bulge in the number of elderly people needing to be cared for. We must plan for that bulge just as carefully as we plan for any bulge in school or university populations.

We are sadly very much a behind-closed-doors society. It is the dream of most of us to rush back from our day's work, slam our front door in the face of the world, and stay at home with perhaps a small number of friends or by ourselves. That is running away from the thought of any commitment to others. We must ask ourselves whether that really is the way forward for our society. If it is, it will be the end of the willingness to care. It has been well pointed out that in the enormous increase in the number of step-families there will be a huge increase in the number of kin but perhaps a considerable falling off in the commitment of those kin to individuals within that relationship.

As we have heard today, carers have a range of needs, but one of the things that they need most is a 24-hour response. For reasons which I entirely understand, carers, having committed themselves to looking after their loved ones, are too reluctant to accept help from volunteers. They see it as a job in which they have developed considerable skill and they are reluctant to share it with volunteers. They need help in coming to terms with what has been demonstrated to be a remarkable source of help.

Secondly, we need more part-timers. I could not agree more with the hon. Member for Liverpool, Mossley Hill (Mr. Alton) when he says that the trade unions should be encouraged in every possible way to make it possible for people to respond outside the ordinary working day.

Thirdly, organisations such as Crossroads need support. It is enormously important that organisations which are not yet big enough to have formed major fund-raising arms should be given a great deal more help with their headquarters' costs than organisations which have grown used to raising their own money. That is important.

The delay which accompanied the grant to the headquarters of the Association of Carers made its life difficult. Therefore, we ask for both speed and rather more understanding of the needs of the headquarters of such organisations.

To provide care through the local authority bureaucracy is expensive, not because local authorities are unduly costly — some are, some are not — but because it is difficult for them to provide care cheaply. Liaison officers will be enormously costly, however worthy they may be. There have been examples of women meeting together and forming their own co-operative to provide care and that is a major way forward for helping carers to find the sort of 24-hour response that they need.

With the huge growth in demand, there is a need for new sources of funds. Ever since the war we have had a society which has put an enormous premium on people spending their money on their house. That is their principal form of saving. That is the most immobile form of saving and the most emotionally tied-up form of saving. It leads to poverty because people cannot bring themselves to trade down-market to free funds. They find it enormously difficult to shake off the emotional ties of their home and so they remain isolated from other people who might be more able to provide them with help. As a society we need to look seriously at ways of helping people in such a situation to release the funds which are tied up in their home. Some schemes are already available, but we need to look at the matter much more coherently and consistently than we have done.

I commend the Government for carrying out research into the best way of allocating what will always be, by definition, inadequate resources. However, their research and the findings which will come from it will cry out for more resources. What we are doing is, perfectly properly, postponing for a moment the spending of money so that we know exactly how best to spend it. But the money will have to be found. As our society begins to grow even faster —it has had several years of consistent growth—each of us should ask whether we would not prefer to spend some of our new prosperity on this neglected source of help.

6.24 pm

Mr. Dafydd Wigley (Caernarfon): I am delighted to follow the hon. Member for Mid-Kent (Mr. Rowe). I am vice-chairman of the social services support group in the House of Commons and it is my intention to vote for the motion before us. The words of the motion are identical to those of early-day motion 299 for which the hon. Gentleman and I acted as sponsors a few weeks ago and which 147 hon. Members have signed. If it was right to sign the motion then, by what token is it not right to vote for it today?

Indeed, I am a little surprised that the Government have not found a way of adopting the motion. I realise that the last part relating to the invalid care allowance is rather difficult at this time, but, as was said in another place recently—some hon. Members were there—the sooner the nettle is grasped the better. The Government will have to grasp it.

Many of the points in the motion appeal to hon. Members on both sides of the House, across party divides. The sort of divisions that have arisen tonight are unnecessary. We should be finding a way forward. The right hon. Member for Stoke-on-Trent, South (Mr. Ashley) put forward a specific eight-point plan. The hon. Member for Eastleigh (Sir D. Price) put forward an action programme, as did the hon. Member for Liverpool, Mossley Hill (Mr. Alton). People have been looking for specific steps to try to reach the common objectives that we all share.

We can argue about what resources are needed and how they should be funded, but everybody acknowledges that ideally greater resources are needed and that they should be directed to the right places. The Minister said that no details of the numbers and circumstances of carers are available. He referred to the general household survey later this year and the national survey of disabled people in 1988. Those two surveys, which are all very well, will give us global statistics, but they will not give us detailed local figures. They may show what resources are needed, but the question that then arises is where to allocate those resources, to whom and to answer what needs.

In Committee on the Disabled Persons (Services, Consultation and Representation) Bill, the Minister said:

"It would not be right to put a statutory obligation upon local authorities to assess carers' needs." — [*Official Report, Standing Committee C*, 5 February 1986; c. 68.]

It is necessary to assess carers' needs. New clause 10, eventually brought forward by the Government, contains the words:

"the local authority shall . . . have regard to the ability of that other person"——

the carer—

"to continue to provide such care on a regular basis." — [*Official Report*, 11 April 1986; Vol. 95, c. 523.]

If the local authority is to have regard to the ability of the carer, what is the difference between that and trying to quantify that regard in terms of an assessment of what is necessary to provide the support services? We are in danger of playing with words here, when in our heart of hearts we all know that we need to be able to quantify and specify the requirements in detail in order to ensure that resources are available to meet those needs.

The Minister made the point that promises should not go beyond the country's capacity to fulfil them. I was a little disturbed last night when in another place it was suggested that the pressure to pay the invalid care allowance — we all hope that the Government will be forced by the build up of pressure to do that — could restrict the money available for other purposes to help disabled people. I realise that all Governments have a limited pot of gold from which to obtain resources, but there is a general mood, not only in the House, but in the countries of these islands, that we require a shift of resources in the direction of those needing care.

One reason for that is that we have not done enough in the past. That is not a party political point. Many people who provide care have not been supported enough in the past and they need more in the future.

Secondly, there is the bulge in the elderly population, which the hon. Member for Mid-Kent mentioned. The increasing elderly senile population will have an enormous impact over the next 20 years. We have seen that happening over the past decade, and the momentum is growing. The pressure is there. We are not yet getting our act together to meet that need. Therefore, we must get the resources together to ensure that we are not caught out.

The position of the elderly and mentally infirm is very serious. They have requirements that carers cannot hope to contain within the community unless they get the range of support services that other hon. Members have detailed. I shall not repeat them now.

[Mr. Dafydd Wigley]

As the hon. Member for Surrey, South-West (Mrs. Bottomley) said, we need a survey of needs in particular localities. That comes back to the question of specific assessment. We cannot get away from it. Therefore, I hope that the Minister can give an assurance that when the Disabled Persons (Services, Consultation and Representation) Bill, which is critical to what we are discussing tonight, passes through another place, as I expect it will, probably unamended, the Government will find the necessary resources to ensure that it is implemented at an early date. I realise that the local authority clauses cannot be implemented in this financial year because of the constraints on local authorities. However, I hope that the Government will give a firm undertaking that the resources will be available to meet the needs of carers from the beginning of the next financial year onwards. I hope that will be a token of the Government's determination to do what is necessary to help carers.

6.31 pm

Mrs. Anna McCurley (Renfrew, West and Inverclyde): There seems to have been a little fuss from the Opposition about the fact that some Conservative Members supported an early-day motion which approximates to their motion this evening. I believe that there was no harm in supporting the idea, but a little realism has been injected by the Government in the amendment.

I should like to speak about the elderly in Scotland. What we have been talking about tonight came home visibly to me when I recently visited Killallan house, in Houston, in my constituency, where a 97-year-old was celebrating her birthday and her 77-year-old son and daughter were visiting her. They were the fortunate ones. Most people in that position are still at home without help.

The problem of elderly carers with even more elderly parents or dependants is becoming more acute. Those in the greatest need are now those who are either unable or unwilling to articulate their problem because they do not want to be a burden on society. Many of them come from a generation which believes that love and duty are not bound up with money. Sometimes I believe that the Opposition do not understand that, no matter how little people are paid, they are still willing to do the work.

There is the problem of the elderly looking after the aged. However, for many younger carers there is the problem of loss of income combined with the high cost of the much needed services such as additional laundry, additional heating and lighting, aids for incontinence and special diets.

There are roughly 125,000 carers in Scotland. They are mostly women who undoubtedly have had a poorer deal than men. Their job will never get better or easier. Age, decline and ultimate loss are the end products of their hard work. It is estimated that the savings to the Scottish budget through the hard and unpaid work of carers is about £660 million per annum.

However, the Government have demonstrated their concern in Scotland. They have provided additional resources for keeping people within their own homes, with carers in mind. The emphasis is undoubtedly on care in the community and the SHAPE priorities and SHARE allocation of the Health Service shows that clearly. Additional funds have been provided and recently the Minister responsible for health in Scotland gave an additional £250,000 to help the elderly in their homes.

We are very responsive in Scotland to voluntary bodies such as Age Concern when they suggest projects. One project did a survey of dementia sufferers and their carers in Glasgow. We responded very swiftly and provided additional finance.

The benefits which are available must be taken up. It is important for those who are entitled to benefits to ensure that they get what they deserve. Admittedly, at present the benefit system is a tangled forest and there are many outstanding inequities, but we are steering a path through it. Age, sex and marital status can exclude one from benefits and we are well aware that married women are excluded from the invalid care allowance. That must ultimately change. Also, divorced women are not eligible if they are receiving maintenance. That seems unduly harsh.

I hope that the Government are willing to continue to move towards a more equitable position, not through the force of the courts but by humane evolution of the system. Of course, the cost implications are huge and we cannot do it overnight. However, it is important that we aim to get things right now. In the next decade the number of over-75s will increase by 33 per cent. That is a worrying figure for a society whose resources are created by fewer and fewer people. Seventeen per cent. of the Scottish population is now of pensionable age. The number will increase slightly between now and 2011, but the number of over-75s will have increased by 19 per cent. and the over-85s by 80 per cent.

It is interesting that 35 per cent. of all Scottish households have an old-age pensioner, but 31 per cent. of our pensioners live on their own. Therefore, additional resources need to be put into the system. Of the female carers in Scotland, 42 per cent. are more than 60 years old and 70 per cent. are more than 50 years old. The average age of a carer in Scotland is 61. That is a time in life when one needs a little help for oneself and should not be in a position where one has to use mental and physical energy to such a great extent. Those people do it willingly, voluntarily and out of love.

I add my congratulations to those which have already been given to the voluntary services for their help. The National Council for Carers and their Elderly Dependants is grateful to my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley) for all the help that she gives it. Without that body the services would be under a severe constraint. My contact with the council has been quite frequent recently and I have found it a magnificent body.

Many other agencies are helping to keep carers happy and to prepare the elderly for old age. I must mention the Women's Royal Voluntary Service because it is the true embodiment of a voluntary organisation. It husbands its resources very well and it is involved in direct care with very little administration. Many of the voluntary organisations would do well to take the WRVS as their example. I also congratulate Age Concern, Crossroads and the other remarkable voluntary bodies.

The Government are showing greater willingness to participate in research and in funding this very important area. I hope that we can continue to help before it is too late.

6.38 pm

Mr. Allen McKay (Barnsley, West and Penistone): We in the House and people outside are now about to book holidays, if they are not already booked. We are saying that we will put our household pets in places where they will be looked after or we will get friends to look after them. A carer of people is not in that happy position. A carer cannot do that. Why should carers be in that position?

We blithely take such people for granted. The Minister took them for granted when he said that the resources were not available. He said that the resources were not available in the social services departments. There is much understanding among hon. Members about the need to help carers. We must together try to find the money to achieve our objective. We can do it. Local authorities have capital expenditure tied up. For heaven's sake, let them release that capital expenditure and let it be spent on things that it should be spent on such as caring for the carers.

6.40 pm

Mr. Robert N. Wareing (Liverpool, West Derby): I am pleased that there is consensus about what needs to be done, but there is no consensus about the availability of cash. That is where the rub lies. There are 1¼ million people in this country who are looking after severely disabled relatives. Although they may be looking after their severely disabled relatives by choice, that is no reason for exploiting them, yet they are being exploited.

The hon. Member for Surrey, South-West (Mrs. Bottomley) said that it is all right if one signs cheques using somebody else's cheque book, but who is signing the cheque for £120 a week that goes to many owners of private nursing homes? This gives rise to the kind of headline that appeared earlier this week in the *Liverpool Echo*, which, together with the "World in Action" team, has done a great service by pointing out that many of the cheques for £120 a week are wasted because that money is swelling the profits of the owners of private residential nursing homes who are not providing proper food and conditions for the people in their care. I have already put down three parliamentary questions about residential homes, including Millvale House in my constituency.

I hope that the Minister for Social Security will agree to hold an independent inquiry into this matter. If the Government really care for those who are in private nursing homes, they should inquire into the cost of caring for people in those homes. They should provide more help for the real carers—relatives who provide care, not for profit, but for love.

6.42 pm

Ms. Harriet Harman (Peckham): The desperate urgency of the case for carers is obvious to the carers themselves and to anyone who knows a carer. At the very least, caring for an elderly or a disabled person can mean the loss of social life, job prospects and income, but for many carers it also means emotional and physical breakdown, exhaustion and isolation.

I want to mention the circumstances of one woman to whom I talked in her own home last week. For many years Mary looked after her elderly mother until she died at the age of 84 after a long, depressive illness. Three years later, when Mary was only 48, her husband suffered a massive stroke which left him with pre-senile dementia. It was then that, in practice, Mary lost the husband whom she loved dearly.

It is 12 years since Mary's husband had his stroke, years which have seen her life devastated. She has become totally isolated. She had to give up her job to look after him—a job she desperately misses, not only for the money, but because she enjoyed her work. She has lost contact with her friends. She cannot go out to see them because she has to stay in to look after her husband. When she last invited friends to her home her husband stripped off in front of them, so she feels that she can no longer invite them to her home. Her relationships with her children and the rest of her family have also broken down. Her children find that it is less easy to travel to see her, because they have small children, and she cannot travel to see them because she has to look after her husband.

Mary always gets up before her husband to have her breakfast, because as soon as he is awake she is too busy responding to his demands to find time to eat. She finds it impossible to eat at the same table as her husband, anyway, because he stuffs his food into his mouth so forcibly that he nearly always vomits over his food. He is doubly incontinent. She finds faeces smeared everywhere in the house—up the banisters and up the walls. She feels under strain 24 hours a day. On the morning that I met her she had awoken to find that her husband had disappeared. She spent anxious hours searching for him, with the help of the police.

In those 12 years of caring for her husband, the strain and isolation have broken both her physical and her mental health, but because her husband is doubly incontinent she finds it difficult to get respite care, even in an emergency. She had to be taken into hospital for a cancer operation, but even then she could not get respite care. Mary is one of the many carers whose caring has broken her. Because of the struggle and the strain, these carers feel as though they no longer have the capacity to care, yet they have no choice but to continue.

Mary has never been assessed as to her capacity to care. She has never been offered day or night sitting services, or a home help. She says that she cannot stand it any more. She wants to get her husband into residential care, but she will have to go on looking after him because of the low level of services where she lives.

Mary's case is heartbreaking in the extreme, but it is not unusual. It is relatively typical of the pattern of caring. It is not just part of her life; it is a series of caring roles that have taken over her life. They take up the 24 hours of the day, the seven days of the week, and the 52 weeks of the year. As both she and her husband are not earning, she has financial problems. Her case is also typical of the social isolation that is caused, of the breakdown of family relationships and of mental strain. Carers are six times more likely than anybody else to suffer a mental breakdown.

Mary lives in the London borough of Merton. It is a Conservative-controlled borough that takes pride in its low level of spending on social services. That means that it takes pride in an appallingly low level of services. Although there are carers in all parts of the country, the services that are available to support them in their role differ drastically. According to the Minister, there is a network of professional carers and the only problem is co-ordination, but whether one gets any help at all depends not upon one's needs but upon where one lives. There is

[Ms. Harriet Harman]

no respite care for those looking after younger, physically disabled people if one is a carer in Conservative Kent or Conservative Richmond. In neither of those counties, unfortunately, is there one of the excellent Crossroads care attendance schemes.

Mr. Rowe: That is untrue.

Ms. Harman: I stand by the fact that no respite care is provided by the county of Kent for those looking after younger, physically disabled people. Many counties under Tory control provide less than half the number of home helps that are set down in the Government's minimum guideline.

The hon. Member for Eastleigh (Sir D. Price) referred to the need for more home helps. Is he unaware of the fact that councils that are under Tory control are cutting back on home helps and that the increase in the home help service that the Minster praised is because Labour-controlled councils, in the teeth of Government opposition, have tried to increase their provision? The Liberal-controlled Isle of Wight is such a care less council that it provides less than one third of the Government's minimum guideline for home helps.

Mr. Alton: Will the hon. Lady give way?

Ms. Harman: It is an irony that the Government praise as responsible and exemplary those Liberal and Tory councils which leave carers to crack up behind closed doors. The Government condemn Labour councils which try to improve services in order to ease the burden on carers. The Government brand them as irresponsible and profligate. What an irony that the Government are discouraging councils which are trying to improve and increase services. The statement in the Government's amendment to our motion, that they intend to continue to improve the level of support for statutory agencies, is not true. In fact, last year council social services spending increased by only 0·5 per cent. because of Government restrictions, although the Department of the Environment acknowledges that a 2·5 per cent. increase is needed just to maintain existing services for the growing number of elderly people.

Nor is it true, as the Government say in their amendment, that they are continuing to improve the level of support to voluntary agencies. As a result of local government spending restrictions, voluntary organisations have seen their council grants cut by over a quarter. Instead, the Government have spawned a chaotic range of schemes for voluntary organisations, many of which involve services being provided by short-term Manpower Services Commission trainees on as little as £1·70 an hour. Carers deserve better than a disjointed service by an ever-changing stream of conscripts from the dole queue.

Instead of mealy-mouthed platitudes, the Government should embark upon a national strategy for ensuring comprehensive provision of services at local level. The Minister said nothing about that in his speech. He referred only to seminars. The Government should be taking the initiative to recognise the growing needs of a growing army of carers.

As well as the financial measures which my hon. Friend the Member for Oldham, West (Mr. Meacher) outlined, the Government should encourage the development of local services which ensure that there is early identification of carers and an assessment of their capacity to care. The Government should also provide sufficient residential provision to ensure that nobody has to care when that is beyond her or his capacity. Not all carers want to be voluntary carers. Some of them are conscripted into caring because there is no alternative. Carers need information and advice about help. They need the continuing backup of key workers to help them to fight their way through the maze of different agencies with which they have to deal. Obviously, we would like to see care attendant schemes in all parts of the country. The Government must encourage and co-ordinate group practice and make sure that the resources are there to back it up.

Forty seven Conservative Back Benchers have already signalled their support for this motion by signing early-day motion 299, which stands in the name of my right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley). That motion is identical to the motion that we are debating. The Government amendment totally contradicts early-day motion 299, and Conservatives who signed that motion must vote for this motion and against the Government. If they do not, they will be revealing themselves as dishonest and as hypocrites, and carers in their constituencies will be saddened to know that the support they thought they had from their Members of Parliament is worthless because they were not prepared to defend the interests of those carers whom they said they represented.

6.51 pm

The Minister for Social Security (Mr. Tony Newton): The one thing on which all hon. Members are united is the importance of the subject that we have been debating for over two hours. In some ways, the time has been too short for such an important subject. In the past, the people about whom we have been talking have had inadequate recognition, perhaps from hon. Members on both sides of the House. Such people are worthy not only of the admiration that has been expressed by every hon. Member who has spoken, but of the support of the whole community for what they do.

Apart from the occasional rude remarks that have been made about the Government and the odd sour note that has crept in, I found the debate immensely encouraging. I suspect that five, or certainly 10, years ago such a debate would not have taken place, because nobody would have thought the subject warranted even two or three hours of the time of the House. That is a sign of a great and welcome increase in public and political awareness of the problems of carers.

I have no doubt that part of the trigger for today's debate was the Advocate General's opinion, issued on Tuesday of last week. However, that would not have triggered off the debate if there had not been a fundamental interest in the subject. That interest represents an important gain for our political discussion and for a solution to the problems of the disabled and those associated with them. I am happy to acknowledge that, because I can claim something that was implicit in the speech of my right hon. Friend the Minister for Health who opened the debate. While the Government can in no sense claim, nor would we seek to claim, that it is primarily our own achievement, we have contributed to that awareness by the policies and initiatives that we have taken in the past four or five years.

When the first results of the DHSS social work service — now the social services inspectorate — project on informal carers were discussed at a major seminar at Friend's House in London, I was in the job now carried out by my hon. Friend the Member for Wycombe (Mr. Whitney). I remember making the opening speech at that conference which had been instituted to discuss the project. Those taking part included representatives from local authorities, health authorities, voluntary organisations and others. The conference sought to bring to their attention the need to think more about the problems of carers. A good deal has stemmed from that work, carried out only three or four years ago, and it is being built upon.

I know that the Opposition regard £10·5 million as a piffling sum, but we are contributing with our helping the community to care programme. That programme has its bits and pieces. Some are large, others are small, but they are all important in their way in developing further the recognition and awareness of this problem. Pilot projects are taking place in three local authority areas.

The hon. Member for Liverpool, Mossley Hill (Mr. Alton) spoke about the information and advice available to carers. The King's Fund work seeks to improve that information and advice. I know that people have occasionally rubbished such things and asked "What is information and advice?" In my experience both in this area and in a narrower way in social security, the improvement of information and advice fulfils a major need and ensures that people know where to go to get the help either in cash or in care that they need. I make no apology for those projects, because they play an important part in what we are all seeking to do.

My right hon. Friend touched on the development of joint finance and joint planning. I should like to join in the tributes that have been paid to many of the voluntary organisations. There has been a significant expansion of the amount of support given to those voluntary organisations by the Government to enable them to expand their work, to which the hon. Member for Oldham, West (Mr. Meacher) rightly paid tribute.

I have looked up the amount of grant aid paid to a number of those organisations, and it confirms my own recollection of what has taken place during the time that I have been in the Department. Broadly speaking, Crossroads and the Associations of Carers are getting three time the amount of grant aid now that they were getting just a few years ago. The Association of Carers was not receiving any grant aid when this Government took office, because at that time the association did not exist. We have not contributed to the association as much as it would like, but we have contributed significantly to the development of its important work. I hope that we shall be able to continue to do so and to develop financing methods that will assist still further its steady development and give it the greater security that it would undoubtedly like.

I should like to pay tribute to the hon. Member who made the most thoughtful speech in the debate—I hope that I am not offending any other hon. Member by saying that—my hon. Friend the Member for Eastleigh (Sir D. Price), who has considerable knowledge and a long involvement in these matters. It gave the debate the balance that it had previously lacked, because of some of the words uttered by the hon. Member for Oldham, West. I was struck by the point that I think my hon. Friend the Member for Eastleigh took from Judith Oliver of the Association of Carers about the tendency for local authorities and other service providers sometimes to assume too easily that if there is a carer there is no need for services. However, very often the opposite is true. Governments cannot change those attitudes by diktat from the centre, but they can help to change them over a period, and this Government have already contributed to that aim.

Much of the debate has focused on the argument about the invalid care allowance. I acknowledge the strength of feeling and the interest that exists on both sides of the House about that matter. We have heard quoted some huge figures of carers. Whether or not we quarrel with the size of those figures or the sums involved, the House should at least not run away with the idea that the extension of invalid care allowance to married women is a solution to the sort of problem that we are debating. At most, 70,000 of those millions of carers, about whom the hon. Member for Oldham, West spoke, would stand to gain. They would certainly not see this as a solution to their problems or as an alternative to the sort of services that have been spoken about so tellingly in the debate. For example, it must be recognised that an elderly carer would not gain at all from the extension of the invalid care allowance because, as part of her husband's pension, she already receives exactly the same amount of money that she would receive by way of invalid care allowance. If she were to receive invalid care allowance, the husband's benefit would be cut by a corresponding amount.

I ask people not to exaggerate the extent to which invalid care allowance presents a solution to this important issue, nor to exaggerate what would be achieved by what they are urging the Government to do. As the amendment says, we shall consider and report to the House on any judgment that the European Court may make in due course. Both the motion and the amendment in their different ways show the dilemma posed by many different needs. What they have in common is that they unequivocally recognise the needs of carers and the progress that has been made. However, much more needs to be done. The amendment invites the House to proceed in a considered and responsible way.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 170, Noes 272.

Division No. 167] **[7.00 pm**

AYES

Abse, Leo	Callaghan, Rt Hon J.
Alton, David	Callaghan, Jim *(Heyw'd & M)*
Anderson, Donald	Campbell-Savours, Dale
Archer, Rt Hon Peter	Canavan, Dennis
Ashdown, Paddy	Carlile, Alexander *(Montg'y)*
Ashley, Rt Hon Jack	Carter-Jones, Lewis
Atkinson, N. *(Tottenham)*	Cartwright, John
Banks, Tony *(Newham NW)*	Clark, Dr David *(S Shields)*
Barnett, Guy	Clay, Robert
Barron, Kevin	Clelland, David Gordon
Beckett, Mrs Margaret	Clwyd, Mrs Ann
Bell, Stuart	Coleman, Donald
Benn, Rt Hon Tony	Conlan, Bernard
Bermingham, Gerald	Cook, Frank *(Stockton North)*
Bidwell, Sydney	Corbett, Robin
Blair, Anthony	Corbyn, Jeremy
Boothroyd, Miss Betty	Cox, Thomas *(Tooting)*
Boyes, Roland	Craigen, J. M.
Bray, Dr Jeremy	Crowther, Stan
Brown, Gordon *(D'f'rmline E)*	Davies, Rt Hon Denzil *(L'lli)*
Brown, N. *(N'c'tle-u-Tyne E)*	Davis, Terry *(B'ham, H'ge H'l)*
Brown, Ron *(E'burgh, Leith)*	Deakins, Eric
Buchan, Norman	Dixon, Donald
Caborn, Richard	Dobson, Frank

Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Eastham, Ken
Edwards, Bob *(W'h'mpt'n SE)*
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freeson, Rt Hon Reginald
Freud, Clement
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Fife Central)*
Hardy, Peter
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Dr Mark *(Durham)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Janner, Hon Greville
Jenkins, Rt Hon Roy *(Hillh'd)*
John, Brynmor
Kilroy-Silk, Robert
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Terence *(Worsley)*
Litherland, Robert
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McCartney, Hugh
McKay, Allen *(Penistone)*
McKelvey, William
MacKenzie, Rt Hon Gregor
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Miller, Dr M. S. *(E Kilbride)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Parry, Robert
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Prescott, John
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Robinson, G. *(Coventry NW)*
Rogers, Allan
Rooker, J. W.
Ross, Ernest *(Dundee W)*
Ryman, John
Sedgemore, Brian
Sheldon, Rt Hon R.
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Straw, Jack
Thomas, Dafydd *(Merioneth)*
Thompson, J. *(Wansbeck)*
Tinn, James
Torney, Tom
Wareing, Robert
Weetch, Ken
Wigley, Dafydd
Williams, Rt Hon A.
Wilson, Gordon
Woodall, Alec
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ray Powell and
Mr. Mark Fisher.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Ashby, David
Aspinwall, Jack
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Biffen, Rt Hon John
Biggs-Davison, Sir John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Bruinvels, Peter
Bryan, Sir Paul
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Butcher, John
Butterfill, John
Carlisle, John *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chalker, Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clegg, Sir Walter
Colvin, Michael
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Dickens, Geoffrey
Dorrell, Stephen
Dover, Den
du Cann, Rt Hon Sir Edward
Dunn, Robert
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Farr, Sir John
Finsberg, Sir Geoffrey
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Franks, Cecil
Freeman, Roger
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Grant, Sir Anthony
Griffiths, Sir Eldon
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John S
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hayes, J.
Heathcoat-Amory, David
Henderson, Barry
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Hordern, Sir Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(Norfolk, N)*
Hunt, David *(Wirral W)*
Hurd, Rt Hon Douglas
Irving, Charles
Jackson, Robert
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Rt Hon Tom
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lloyd, Ian *(Havant)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
MacGregor, Rt Hon John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McNair-Wilson, P. *(New F'st)*
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M. *(N'hampton S)*
Morrison, Hon C. *(Devizes)*
Moynihan, Hon C.
Mudd, David
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Oppenheim, Phillip
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Ottaway, Richard
Page, Sir John *(Harrow W)*
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Patten, J. *(Oxf W & Abgdn)*
Pawsey, James
Pollock, Alexander
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg

Price, Sir David
Proctor, K. Harvey
Pym, Rt Hon Francis
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rippon, Rt Hon Geoffrey
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Spicer, Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon John
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stokes, John
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Terlezki, Stefan
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Trippier, David
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Waller, Gary
Walters, Dennis
Ward, John
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wilkinson, John
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tony Durant and
Mr. Peter Lloyd.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments), and agreed to.*

Mr. Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House, noting that there are a substantial number of people from the age of seven to 70 years caring for disabled and elderly relatives at home, often for many years, pays the warmest possible tribute to these carers; and further noting the research which shows that carers themselves often suffer from mental and physical illness, social isolation and disadvantage, recognises the action already taken by the Government to improve their position, especially in view of the undoubted savings to public funds which flow from their commitment; and in particular welcomes the Government's intentions, in line with its stated policies on care in the community and the availability of resources, that: *(a)* adequate respite care, both at home and in short-stay facilities, be assured by continuing improvement in the level of support given to statutory and voluntary agencies, *(b)* a flexible system of appropriate support such as home helps and home nursing be available at times when the carer needs them and *(c)* any judgement which may be made by the European Court relating to the invalid care allowance introduced by the Labour Government in 1976, be carefully considered by the Government and made the subject of a report to the House.

County of South Glamorgan (Taff Crossing) Bill (By Order)

Order for Second Reading read.

7.13 pm

Mr. James Callaghan (Cardiff, South and Penarth): I beg to move, That the Bill be now read a Second time.

I seek the indulgence of the House to make my maiden speech on a private Bill.

The purpose of the Bill, which is promoted by the county council of the county of South Glamorgan, is to enable the county council to construct a road crossing of the tidal estuary of the river Taff. The interests of those hon. Members who represent Cardiff are touched by the Bill, as is the interest of the hon. Member for Vale of Glamorgan (Sir R. Gower). As the river crossing that is the subject of the Bill is in my constituency, they have kindly allowed me to sponsor the Bill, although they will put their own gloss on it and perhaps add their own reservations. However, I think that there is no basic difference between us in our endeavour to secure a Second Reading.

I should like to begin by describing the area that the Bill touches. We are discussing not an area of sylvan beauty or an untouched coastline that we are seeking to preserve for the national heritage, but one of the most rundown industrial areas in south Wales, an area which was created when the coal traffic was at its height but which, with the decline of the coal traffic, has itself declined and become an industrial backwater where live some of my constituents, several thousand of them, who are in an area of deprivation. We are concerned in this matter to improve the environment in which they live. In so doing we have run up against problems that I will describe and try to treat fairly because I hope, if I can, to satisfy the objections of those who object.

I want those who are thinking of objecting to recognise that this area comprises very old, poor housing, a rundown industrial backwater with a road transport depot at one side and an oil storage depot at the other; the dry docks and the wet docks are there, and the mud flats that lead to them have to be constantly dredged; and unemployment in the area is the highest in the city of Cardiff. I should not like any Member to be under the impression that the vandals of Glamorgan county council are attempting to spoil some part of our national heritage. That would be far from the truth.

The area is being improved, and the Bill is part of the effort to improve it, although the proposal that the House is being asked to approve is the building of a crossing from Cardiff to Penarth across the Taff estuary. Here the difference arises. The county council is proposing a barrage. Those who oppose it for good reasons would prefer a bridge. There may not seem to be much between the two, but I will explain why the county council would prefer to build a barrage.

I have already said that this is an area with the fewest amenities in the city of Cardiff. It is an area outside the entrance to the docks that has been a great handicap to us in the past. It comprises mud flats that have to be dredged constantly. The rise and fall of the river Severn, as I think is well known, at this point are the highest and lowest in the world, with the exception of the Bay of Fundy in Nova Scotia. Having said that, I dare say that I will get a number

[Mr. James Callaghan]

of letters telling me of other places that have higher rises or lower falls. In this case, it is 40 ft. When the tide goes out, it leaves a tremendous area of mud flats, and the Cardiff docks entrance has to be kept dredged constantly.

In its proposal for completing the road system from one side to the other, the council had what it thought was the excellent idea of improving the amenities of those who live in the area by building a barrage that would hold the water level steady and would disguise the ugliness, which is how some people think of the mud flats. There are, I know, people in Essex who believe that the mud flats there are the most beautiful things in the world. I can only say that my constituents, alas, do not have that taste. They wanted to see the mud flats disguised, and they were very happy with the county council's proposal.

The council wants to take a small area of the mud flats closest to the houses where my constituents live. This is an area on which feed a great many important birds. They go there to feed every winter. I am told that they feed on invertebrates. If they choose, they can also have an excellent diet of rusty bicycles, old bedsteads and sundry other rubbish. Not surprisingly, some of my constituents — though not all — are anxious that this should be removed. A barrage would be one way of removing it.

A public exhibition was put on in the area concerned which 700 people visited. Many were enthusiastic. A large number were in favour and there were some objectors, but I am happy to say that this is the reverse of the normal type of Bill where the objections usually come from the residents. In this case, the residents are in favour and those who live outside—if I were in an unkind mood, I would say those who live in much better areas—are opposed to the Bill. We must take the matter seriously, and later I shall suggest what I think should be done. We must find a balance.

We fell foul of the sites of special scientific interest and conservation groups generally, including the Nature Conservancy Council, all of whom have registered objections. I do not wish to criticise those groups which do much to preserve our heritage. If I may speak of my bona fides, I have been a member of the International Council for Bird Preservation for many years. Yesterday I checked with my bank that my subscription was fully paid, otherwise I might have received a request to pay it.

The county council wishes to enclose a small area of a much bigger area which stretches roughly from the Severn bridge — an area we call the English Stone — through the Welsh Grounds, lying in the middle of the Severn estuary, to the English and Welsh Stone at the bottom. It is a vast area of 25,000 acres or more. The county council proposes to enclose less than 1 per cent. of the total area in order to improve my constituents' amenities. For that reason, I am asking the House to allow the Bill to go to a Committee so that it can examine what can be done to meet the needs of those groups.

A large number of birds roost and feed there, partly, no doubt, because of the nature of the mud flats. Naturally, the mud flats are closest to the city where my constituents live. They are the last to be flooded, and the tide leaves them first. There are also many scavenging gulls on the refuse of the city which pours out. The area has been an eyesore for as long as I have represented this part of Cardiff. It is unpleasant for the residents, and offputting for industry and commerce.

The county council, knowing that there would be claims that its proposals would have an impact on bird life, commissioned a study on the effects. Clearly there will be a loss of feeding ground, and no one can disagree with that. The study, conducted at University College, Cardiff, counted a peak of 1,500 redshanks feeding at low tide, 8,000 dunlin, 450 shelduck and others.

In my innocence, I assume that if the birds are shut out of this tiny area, they will find somewhere else on the huge expanse between the English Stone and the Welsh Stone. However, I am told that, because the area is the last to be flooded, it is where the birds much prefer to be, and that we would perhaps rob them of a little of their feeding ground. The county council tried to handle that, and proposed to the Royal Society for the Protection of Birds that it would construct an artificial mud bank of equal size surrounded by ditches so that it would be there in perpetuity, adjoining the area to be shut off. In that way the birds may continue to feed on an area of equivalent size. I am not making fun of the matter, but that was the type of problem that the county council set out to meet.

I notice that some hon. Members who signed the objection are present. I believe that the RSPB has been unreasonable. It refused to meet the county council to discuss the matter fully, and to see whether the council's idea of a substitute mud bank would meet the objections. The RSPB said, "We are losing so much land for all sorts of good purposes that as a matter of principle we refuse to allow any more to go. Therefore, we must stand on our rights and object to the Bill." If that happens, the Bill will not receive a Second Reading, and that would be entirely wrong. Obviously, we must look after the interests of and seek to conserve our natural heritage, but if the choice is between 1,500 redshanks and 5,000 constituents who live in the worst possible conditions in south Cardiff, we must achieve a balance, and I know where that balance should be struck.

If the RSPB will meet the county council and discuss the matter, every effort will be made before anything is done to construct some alternative that would not destroy even one acre of the birds' natural feeding grounds.

Mr. Alex Carlile (Montgomery): Does the right hon. Gentleman accept that the RSPB—I am so advised by the Wales officer of the RSPB — has met the county council, placed all its objections before the council and remains of the view that the objections are not met by the proposals in the Bill?

Mr. Callaghan: That is why the objection is continuing.

Mr. Carlile: The county council and the RSPB met.

Mr. Callaghan: Whether they met or not—

Mr. Carlile: The right hon. Gentleman said that they had not met.

Mr. Callaghan: I am not sure whether they met. There was certainly correspondence between them if that counts as a meeting. Some people from the RSPB visited me, and none of them lives in the area about which we are talking. They live in much more salubrious areas. I am anxious that my people should have as good a life as those who came to see me, and that that should not be denied them. That is why I ask the House to give the Bill a Second Reading.

The hon. and learned Gentleman may be right, but no one could have made greater efforts than the county

council. The society told me that it was standing on principle and that there could be no compromise because enough has been lost. If a society does that, obviously there can be no agreement, whether or not it met the county council. The House must judge between the two groups and see where it thinks the balance of advantage lies.

I promised to put one further matter to the House. As I explained, the channel is constantly subject to dredging. British Dredging Aggregates, a company in my constituency, operates from a wharf on the river Taff which will be cut off from the sea if the barrage is built. It is the company's most profitable wharf. The company asked me to tell the House that

"it is happy to support the Scheme at this stage but that must be subject to the essential requirement that adequate and proper compensation is made to BDA for the loss of a vital part of its undertaking. Discussions are currently proceeding with the Local Authority and it is hoped that adequate compensation will be agreed."

The House need not deny the Bill a Second Reading on those grounds. Although the company will be subject to some difficulty, it believes that it can reach an agreement with the county council.

I shall be glad to answer any questions. If the RSPB has met the county council, I gladly withdraw what I said. Perhaps the hon. and learned Gentleman will explain to me whether the society is willing to depart from its attitude that there can be no compromise on the matter.

Mr. Carlile: I can assure the right hon. Gentleman that a meeting took place between officers of the RSPB, including Mr. Lovegrove, the Wales officer who runs the RSPB in Wales, and county council officials, including the chief environmental officer and the chief solicitor. The RSPB is perfectly prepared to listen to any proposal which the county council puts to it.

The right hon. Gentleman has been fair and most helpful, but could he help me with other important factors? What have been the consultation costs of the barrage scheme? What is the estimated cost of the barrage scheme? For the aid of a comparison, what would be the cost of a bridge?

Mr. Callaghan: I accept that the officers of the RSPB met council officials. I do not think the hon. and learned Gentleman has disposed of my question. If the RSPB is not willing to compromise, what is the consequence of it listening to the county council?

The cost of a high-level bridge—it is all part of a larger scheme and should be put in that context—would be £38 million. The cost of a low-level bridge on piers would be £36 million. The cost of the barrage would be £40,600,000. The barrage would cost £2 million more than a high-level bridge and £4 million more than a low-level bridge. I hope that the hon. and learned Gentleman will not tell my constituents of south Cardiff, who have lived in these conditions for 40 years or more, that £4 million should stand between them and the barrage scheme. If that is the basis of the hon. and learned Gentleman's objections, I must tell him that that is not the sort of equation that my constituents would make. They would be astonished if the hon. and learned Gentleman, as a member of the Liberal party, were to make such an equation.

Mr. Peter Hardy (Wentworth): My right hon. Friend is making a powerful case on behalf of his constituents. I wish to remind the House that I am a member of the RSPB council, although I have not been involved in this matter. I do not live in one of the salubrious areas referred to by my right hon. Friend; I live in south Yorkshire. if my right hon. Friend secures the Second Reading—I think he is confident of doing so—I hope he can assure us that that will not provide the county council with any reason to believe that it does not need to enter into further discussions with the RSPB. Such discussions are necessary, not least because the RSPB has assured me that it does not, in principle, object to the crossing.

Mr. Callaghan: My hon. Friend is correct. The RSPB has stated consistently that it does not object to the crossing, but does object to the barrage. The RSPB has made it absolutely clear that it favours the building of a bridge.

I can give my hon. Friend an assurance, after many years of contact with the councillors of the county council, that it is their determination and intention—I hope that no one will take exception if I say it is a Labour county council, as I do not wish to put off anyone who is ready to support the Bill—to improve the amenities of the area. Whatever the politics, officials who are not politically minded have shown every desire to meet the RSPB with the intention of achieving a compromise and to find some way of ensuring that the scheme goes through.

I received a letter from the council which informed me that it does not intend to proceed with the construction of the barrage until replacement mud flats have been established. I hope that that assures my hon. Friend and the RSPB. I support the work of the RSPB and I hope that its good work will continue.

It would be a great disservice to people who are deprived and who are living in an area of high unemployment and whose living conditions are not satisfactory if they could not have the improvement in their amenities which this proposed construction would effect.

7.34 pm

Mr. Gwilym Jones (Cardiff, North): It is important to stress that there is no lack of enthusiasm for the peripheral distributor road around south Cardiff and for the Taff crossing which is the subject of the Bill. I regard these developments as positive features—indeed, they are one of many features which we can gloriously hold up which seek to attract people to relocate in Cardiff. There have been some local reservations about the line of the road, and, as the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) referred to, the effect on British Dredging Aggregates Limited. Those are not points which I need to discuss in detail as they have been dealt with by the right hon. Gentleman. We are debating the nature of the crossing and whether it should be a barrage. The barrage is the centre of no small controversy both in and outside Cardiff. It is important to emphasise that, from all the representations I have received, there is no objection in principle to this new crossing of the Taff.

When the Bill was read the First time I found it necessary to shout "object" in company with my hon. Friend the Member for Lincoln (Mr. Carlisle) and to add my signature to the blocking motion which appears on the Order Paper. I knew that there were significant local worries about the environmental implications of the Bill. I did not feel it was right that it should receive a formal

[Mr. Gwilym Jones]

First Reading and receive a relatively brief consideration by the Unopposed Bills Committee. I had received representations and petitions from constituents who sought my help as well as from local and national groups worried about the environment. I felt those reservations should be considered.

On the day following the First Reading, no fewer than six petitions were received against the Bill. One petition came from ARC (Western) Limited and ARC-Powell Duffryn Limited. The others were from the Cardiff Naturalists' Society, the Severn-Estuary Conservation Group, the Glamorgan Trust for Nature Conservation, the RSPB and British Dredging Aggregates Ltd. That meant that, unless the petitions were withdrawn, the Bill would automatically go to the Opposed Bills Committee.

The week following the First Reading I received an assurance from South Glamorgan county council that it would enter into negotiations with the petitioners in an attempt to reach agreement with them to withdraw their petitions. I withdrew my objection to facilitate and encourage those negotiations. I did not want any excuses for the negotiations not to be pursued full-heartedly, nor did I want it to be claimed that the objections to the Bill were making the negotiations pointless.

I regret that the political representatives of South Glamorgan county council reacted with great arrogance when the Bill was read the First time. They said that all the environmental arguments had already been fully considered by the council and dealt with. Accordingly they said that this House should not bother to hear those arguments for itself. I am sure all right hon. and hon. Members would utterly reject that arrogant and flawed contention. What citizen is too unimportant that his point of view should not be heard by this House? The councils' audacious pretension has been further flawed.

South Glamorgan county council had sought to evaluate the environmental implications and effects. Dr. Peter Ferns of University College, Cardiff, was commissioned to advise the council on these aspects. In turn the South Glamorgan county council offered to carry out the compensatory works recommended by Dr. Ferns — a recognition of the environmental effects claimed by the objectors. However, Dr. Ferns has stated that South Glamorgan county council has not subsequently carried out any work to determine if his proposals are feasible.

The objectors claim that in negotiations with South Glamorgan county council, before and after the First Reading of the Bill, the representatives of the council have, at best, received submissions with a polite "thank you, but no thank you".

The impression has been conveyed that the council is determined to have the barrage, come what may. It is, therefore, only fair to mention that I have had reports from South Glamorgan county council, from its side of the table, to the effect that perhaps not all of the objectors have been fully prepared to work towards an agreed solution to the problem. But inevitably such recriminations will flow from negotiations which both sides admit have failed.

The county council's case for the barrage can easily be seen. It would provide a constant ponding of the water back up the river Taff to where the river runs adjacent to the city centre. It would be a significant cosmetic improvement in itself, and it would also be an improvement for those who abhor mud or for those other all too common features of urban vandalism, the rivers and their banks. We could all give endless lists of those things that are dumped into or alongside rivers by unthinking people.

It is envisaged that a wide range of water sports, most obviously rowing and other small boat racing, could be developed on the ponded water to the clear advantage of those who want to participate or to be spectators. However, cosmetic improvements are certainly not to everyone's liking. Beauty is very definitely in the eye of the beholder. All conservation groups and like-minded individuals emphatically say that the mud flats are very attractive to the wading and other birds which populate them, to those who enjoy and take pleasure in watching them, and to those who make serious studies of them. That enjoyment, and those studies are possible, because the Taff-Ely estuary has the highest density of wading birds in the whole Severn estuary, and as high a density as any other site in Great Britain. Little wonder that the Taff-Ely estuary was designated as a site of special scientific interest in 1981. That is a factor of no slight consequence.

As the right hon. Member for Cardiff, South and Penarth said, the proposed barrage would only compromise an area of less than 1 per cent. of the whole Severn estuary SSSI or less than 10 per cent. of the Taff-Ely SSSI. But it must be remembered that it is the most up river part of the SSSI, and the part that is available for feeding first and last with each tidal cycle.

I have numerous statistics for the bird population, but I shall cite just one example, that of the redshank, which has a peak count of 1,500. I am advised that the redshank's presence is significant, as there has been a national decline in redshank numbers. But at least in the Taff-Ely site their population has remained relatively stable. The compensatory works originally proposed by Dr. Ferns are only exactly that. Their feasibility is not yet proven, and the barrage would inevitably eliminate a critical part of the bird feeding area, leading to a substantial reduction in the bird population. That is no small price to pay for what others have chosen to describe as a cosmetic only improvement to the river Taff.

I said that there was no objection in principle to the crossing, and I should add that the advantages of industrial regeneration are recognised by all of us, and, not least, by the conservation groups. It has been pointed out to me, however, that if there was a barrage at the mouth of the river Taff there would be a paradox, because it would then be more difficult to attract new industry further up the Taff vale. Moreover, it is confidently predicted that the standards of discharge into the river Taff would have to be raised by the Welsh water authority. New industries might wish to take advantage of the opportunity to discharge into the river Taff, and so the standards would have to be raised if the Welsh water authority was to avoid an unacceptably high effluent level in the static or much slower flowing waters behind the barrage.

Some of my constituents, along with the Cardiff Naturalists Society, the Glamorgan Trust for Nature Conservation and the RSPB, have asked me to vote against giving the Bill a Second Reading and to speak, and to urge others to do so as well.

However, Second Reading is neither the place nor the time to do anything like that. That would not properly answer all the questions that need to be answered. What is worse, it would jeopardise the crossing across the Taff which we all want to see. I want the Bill to obtain its

Second Reading and to go on to the Opposed Bills Committee. That Committee will comprise four hon. Members who are impartial and who have no axe to grind. Despite any past recriminations about meetings or negotiations that have taken place between the objectors and the council, I am confident that both sides will have a fair crack of the whip in Committee. Accordingly, I am prepared to give the Bill a Second Reading, despite the fact that I have some quite considerable reservations about it. I hope that it will be given a Second Reading, and I urge all other hon. Members to vote in favour of that.

7.45 pm

Mr. Alex Carlile (Montgomery): I congratulate the hon. Member for Cardiff, North (Mr. Jones) on his excellent speech. He set out succinctly many of the objections that I might wish to raise. I share his judgment about the Bill at this stage. Although I have distinct reservations about the environmental impact of the proposed barrage, as well as one other reservation to which I shall refer, I believe that the overall scheme proposed by South Glamorgan county council — the scheme for regeneration of the docklands — is commendable. I should like to see it come to fruition.

I shall concentrate on whether there is a need for a barrage or whether the crossing could be adequately provided by a bridge. The right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) may have given the impression that the local authority is unanimous about the proposal. There is certainly not unanimity among the elected members of the county council. I have taken the trouble to make inquiries within the county council, and I know that some members are very concerned about the cost. I believe that the council will have to establish, to the Committee's satisfaction, that the cost of its proposals has been properly investigated. At this stage, I cannot counter the broad figures given by the right hon. Gentleman for the respective cost of a barrage, bridge, or low-level bridge——

Mr. Ray Powell (Ogmore): Will the hon. and learned Gentlemen give way?

Mr. Carlile: Before I give way, perhaps I should say that some county councillors and others in the area believe that the construction of a barrage as opposed to a low-level bridge would cost substantially more. Information on the relative costs has not been made available, as it might have been. I understand that the county council has already spent about £250,000 on research reports and that the estimated cost of building the barrage, which the right hon. Member for Cardiff, South and Penarth rightly gave as being just over £40 million, is very much not a fixed estimate. Although the cost of building bridges can sometimes escalate out of all belief, the building of bridges tends to be rather more predictable because the engineering technology is much better known. It is possible, however, that the cost of building a barrage will escalate out of all recognition and reality.

Mr. Ray Powell: I am grateful for the opportunity to ensure that the House is clear on this matter. Only two hours ago, I was given to understand that all the councillors on South Glamorgan county council are agreed on the Bill. Indeed, all the political factions on the county council have agreed to support the measure. Will the hon. and learned Gentleman explain from where he gets his information? I am sure that he does not wish to mislead the House.

Mr. Carlile: I am grateful to the hon. Gentleman for giving me the opportunity to do so. I have been informed by the leader of the alliance group on the county council that it supports the principle of the scheme and does not oppose the erection of a crossing, but that it opposes the barrage because of the apparently escalating costs of that method of crossing. I hope that that answers the hon. Gentleman's question.

I move from cost—I have tried to put down a marker for the Committee that the issue of cost must be addressed by proper evidence—to the environmental impact. The Royal Society for the Protection of Birds, which has its Wales headquarters in my constituency, feels strongly about the matter, but it is wrong to suggest that it is not prepared to attend meetings or to consider the views of the county council. I assure the House that, on 13 February at 3 pm, senior staff of the county council met senior staff of the RSPB in Wales, including the Wales officer, Mr. Roger Lovegrove. On that occasion, as the right hon. Gentleman suggested, the county council offered to the RSPB what has been described as the compensatory scheme, which involved the construction of artificial mudflats.

Mr. James Callaghan: The mud will not be artificial.

Mr. Carlile: I am reminded that the mud will not be artificial, but the construction will have to be contrived.

So that it is clear that the RSPB was listening to what it was told, I inform the House that the county council suggested that the construction of the proposed alternative site would cost a considerable amount of money, and it is my understanding that a figure of about £1 million was mentioned. The RSPB was asked to consider the matter and undertook to consider it during the following weeks.

The RSPB considered the matter, but rejected the proposed compromise. I assure the House that the RSPB is a responsible body which does not have a record of opposing all developments involving river crossings on environmental grounds. It tries to take a balanced view between the impact of any proposed scheme, which may be extremely beneficial, upon the local population, and the deleterious environmental impact which may arise. As an example of that balanced view, there is a proposal that the stretch of the lengthy Montgomery canal, leading from part of the constituency of the Leader of the House into my constituency, should be reopened. That would require a private Bill. The RSPB, having considered the evidence, believes that the proposals made for the reopening of the canal, which will involve considerable construction work, are acceptable, subject to environmental safeguards which, in principle at least, have been broadly agreed. It is not a body which simply opposes every such development on environmental grounds. It makes a judgment and, in this case, it made a judgment that the impact of a barrage would be more damaging than is justified.

The right hon. Member for Cardiff, South and Penarth appeared to be a little less knowledgeable than he should be about sites of special scientific interest. We are not simply talking about an unsightly mudflat of relatively minor importance, but about a mudflat which is part of a complex of wetlands which has achieved international

[Mr. Carlile]

recognition. It qualifies for protection under the international convention on the conservation of wetlands because it is internationally important. It is also regarded as important under the European Community directive on bird conservation. Indeed, the entire Severn estuary is a proposed special protection area under the EC directive on conservation of wild birds. It is nationally important as a site of special scientific interest because of its important wintering population of shelduck and wading birds, especially dunlin and redshank.

The Taff estuary, although only a small part of the Severn estuary complex, supports 9 per cent. of the birds of the complex and is the third most important subsection of the Severn after Bridgewater bay and the Welsh Grounds. The Taff supports 10 per cent. of the Severn's dunlin population and 26 per cent. of the redshank population. Peak counts of 8,000 dunlin have been recorded. Dunlin and redshank are declining in numbers elsewhere on the west coast.

Mr. James Callaghan: The hon. and learned Gentleman rebuked me for not being as well informed as I should be. If an alternative site is provided for the birds — it is a relatively small matter — why should that reduce the number of birds that roost and feed there? The new site that is being offered, and which the RSPB has not yet accepted, is within a bird's flying distance—a few hundred yards—of the site that would be submerged. I cannot understand the objection in principle by the RSPB.

I am assured that the county council, including the SDP-Liberal alliance, agreed unanimously when the scheme was introduced. Councillors may have had reservations since then on the ground of rising cost, but when the vote was taken, everyone said yes.

Mr. Carlile: The premise upon which the right hon. Gentleman based his first question is false. The provision of an alternative site would not necessarily achieve the purpose of that site.

Mr. Callaghan: Why not?

Mr. Carlile: Because birds may not go to the new site.

Mr. Callaghan: They fly hundreds of miles to get to the present site.

Mr. Carlile: The right hon. Gentleman's simplistic premise flies in the face of the evidence in the report of Dr. P. N. Ferns to the county council, and the considered opinion of the RSPB, which has some expertise in these matters.

The proposed barrage would result in the permanent inundation of at least 8 per cent. of the mudflats on the estuary. Although in quantitative terms it is a relatively small area, it is nevertheless of disproportionate and special importance for feeding birds because of its position at the top of the estuary. The right hon. Gentleman referred to the assertion that the area is important because it is at the top of the estuary. The mud on that flattened area is the last to be covered by the rising tide and the first to be uncovered by the falling tide. As a result, waders concentrate in the area immediately before and immediately after high tide at the time of year when they need to feed for the maximum time. In the coldest conditions they need to feed for longer to acquire fuel in order to survive.

In the mild winter of 1983-84—I cite this example so that the right hon. Member for Cardiff, South and Penarth and the House can see that the propositions are based on evidence and not just on surmise—66 per cent. of the redshank population in the Taff and 49 per cent. of the dunlin population used the uppermost mudflats for feeding for a significant part of the tidal cycle. In the more severe winter of the following year, 1984-85, 100 per cent. of all species, except curlew, used the area for a significant time. The loss of these mudflats would have serious consequences for birds, especially dunlin and redshank.

I recognise, as does the hon. Member for Cardiff, North, that in the end one must choose between a barrage, which may result in a pretty looking lake with questionable economic benefits, and a perfectly acceptable form of crossing, a bridge, which would not have a considerable impact on the environment and bird life, for, from the point of view of the bird life, it is not good enough to provide another site on the seaward side of the barrage. Expert opinion is that interruption of the natural tidal flow in the estuary because of the barrage could seriously alter the mudflats on the seaward side of the proposed barrage.

As the hon. Member for Cardiff, North said, the reason for a barrage as opposed to another form of crossing is based not on economic or environmental grounds but on cosmetic grounds. A decision must be made whether such an expensive cosmetic recommendation should be adopted, at considerable cost to our important wild life.

The right hon. Member for Cardiff, South and Penarth knows that the bird life of Wales is one of Wales's greatest possessions. It attracts many people to Wales, not only to those scenic parts in which my constituency is situated, but to other areas where the birds are. I assure the right hon. Gentleman that people go there to see the birds, even if the birds are on mudflats in a rather unattractive area near a city.

Mr. Callaghan: Will the hon. and learned Gentleman give way?

Mr. Carlile: I assume that the right hon. Gentleman wishes to make a serious point.

Mr. Callaghan: I promise the hon. and learned Gentleman that there is no tourist industry in Butetown, and I fear that there is never likely to be one.

Mr. Carlile: I think that the right hon. Gentleman was not present when I reminded the House that this area is part of an internationally recognised conservation area under the Ramsar convention on wetlands of international importance and that it is proposed to be included as a special protection area under the European Community directive. The serious matters which I have raised—they do not deserve the frivolity which has come, surprisingly, from the right hon. Member for Cardiff, South and Penarth —should be given full, fair and impartial consideration by the Opposed Bills Committee.

8.5 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Wyn Roberts): It may be helpful if, at this point, I intervene to give a brief indication of the Government's view on the Bill. The Government have considered the content of the Bill and have no objection in principle to the powers sought by the council, although there are minor points of detail that need to be discussed with the promoters. Traditionally, the Government stand

neutral in relation to private Bills, and I do not propose to depart from that practice on this occasion. However, it is clear from the contributions made to the debate so far that the County of South Glamorgan (Taff Crossing) Bill raises important issues which require careful and detailed consideration.

The right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) explained the importance of the proposals in the Bill in the context of the county council's plans for the economic regeneration of its area. A crossing of the Taff is clearly seen by the county council as a vital component in the peripheral distributor road scheme designed to improve links with the motorway system and, particularly, to help to bring new life to the old dockland areas of the city whose regeneration is currently being tackled with considerable imagination.

The proposal is that this crossing should be achieved by means of a barrage so as to create a permanent lagoon point to the environmental improvements this would bring about and to the social and recreational benefits which would flow from it. These are all points which cannot be dismissed lightly.

On the other hand, clearly there is a great deal of concern amongst conservationists about the impact on bird life of the proposals to construct an embanked bridge or barrage. The site of the proposed developments affects an area of considerable nature conservation interest — the Taff-Ely estuary — which has been notified by the Nature Conservancy Council as a site of special scientific interest. The site is of regional and national importance for its population of over-wintering wildfowl and wading birds. The NCC includes also the Taff-Ely estuary within the boundary of a wider Severn estuary site which it is considering proposing for designation as a wetland of international importance under the Ramsar convention and as a special protection area for birds under the European Community birds directive, which the hon. and learned Member for Montgomery (Mr. Carlile) described.

The NCC takes the view that the construction of a barrage or embanked bridge would entail the loss of an important part of the Taff/Ely site of special scientific interest and has formally advised the Department of the Environment that it objects to the proposals for the Taff crossing contained in the Bill, although it would not object to a crossing which did not involve the loss of feeding grounds. The NCC's report will be placed before the House in the normal way. Undoubtedly, the conservation implications of the proposals demand careful consideration, but they must be weighed against the undoubted benefits which would accrue from the construction of a barrage or bridge, which have been described.

I agree with my hon. Friend the Member for Cardiff, North (Mr. Jones), the hon. and learned Member for Montgomery and, I am sure, the right hon. Member for Cardiff, South and Penarth that the arguments would best be decided in Committee when the detailed evidence on either side can be presented, examined and evaluated. I therefore recommend to the House that the Bill be given a Second Reading and allowed to proceed in the usual way to Committee where the provisions can be considered in detail.

8.10 pm

Mr. Roy Hughes (Newport, East): It is unusual for a Newport Member to intervene in what is essentially a Cardiff matter, and I do so with some trepidation. Strictly speaking, this is not exclusively a Cardiff matter, because the Bill is sponsored by South Glamorgan county council. However, those of us who recall the reorganisation of local government in the early 1970s realise that, essentially, south Glamorgan is really greater Cardiff.

Cardiff is the capital city of Wales, and all Welshmen are proud of it. In the past decade, it has suffered severe blows to its industrial and commercial base. That was symbolised by the closure of the great East Moors steelworks, when thousands lost their jobs. Other enterprises were equally badly affected.

The county council, in its wisdom, has realised that good communications are the key to new developments and to attracting new jobs to the area. New road schemes have formed a large part of the county council's regeneration scheme. There is a need for better linkage with the M4 via the Severn bridge to south-east England and, likewise, better access via the M50 and the M5 to the midlands and north England. The major element in this strategy is a southern link road around Cardiff. The southern part of Cardiff would particularly benefit, including the docks which in recent years have suffered because of the loss of their traditional trade. Other developments running parallel to the new road scheme consist of residential, commercial, high-tech, leisure and public development. Altogether it seems to be a most enterprising scheme.

The route of the new road has been considered for many years, and the line chosen was considered and then approved after public inquiries. The whole scheme is to undertake industrial and commercial regeneration but, significantly, one of its principal aims is to improve the environment. The county council has granted planning permission for a barrage option and an embankment/bridge where the road crosses the estuary.

It is felt that these developments could considerably improve the appearance of the lower reaches of the river Taff and provide recreational and leisure opportunities for the Cardiff people. This is not just a cosmetic exercise, as was suggested by the hon. and learned Member for Montgomery (Mr. Carlile). The construction of a barrage would ensure that the unattractive river bed and lower part of the river, which are exposed at low tide, are covered by water at all tidal levels. Those objectives and the developments they encompass are commendable. They make sense from an economic and investment standpoint and in environmental and recreational terms.

A snag in the scheme which has already been mentioned several times is that some disturbance will be caused to the conservation interests of the Taff estuary and the site of special scientific interest. As a result, there have been protests. For example, I received from the Gwent Ornithological Society through its chairman, Mr. Peter Martin, a letter dated 14 March, in which he said that the Taff estuary was special because it supported 9 per cent. of the birds—mainly waders—using the Severn estuary. Those birds feed on the mud flats which would be enclosed by the proposed development.

Other conservationist bodies have been active and have made their views known. I suppose that it is a sign of the times, and praiseworthy, that such strong protests should be made in the interests of conservation. Nevertheless, we must all recognise that a reasonable and fair balance must be found between the interests of the economy and the environment and the interests of conservation.

[Mr. Roy Hughes]

The county council believes that its proposed development tends to outweigh the more specialised conservation and ecological considerations. On balance, I tend — reluctantly, in some ways — to support the county council's view. We are, after all, living in a time of mass unemployment, and Wales has particularly suffered. Cardiff, like many other parts of the country, badly needs new jobs. This development will help to provide them. Likewise, with the growth of technology, more leisure time will be made available. A recreational scheme of the type proposed by South Glamorgan county council will help to fill a need.

As I understand it, the county council is prepared to sit down with the Nature Conservancy Council, the Royal Society for the Protection of Birds and other interested groups so that compensatory measures can be discussed. For example, a small nature reserve has been suggested because new habitats may be created behind the barrage. Every encouragement should be given to this possibility. New mud flats and roosting sites will be created.

The number of disturbances could be controlled. The county council's suggestions leave me with the impression that the conservationist bodies are knocking at an open door. The South Glamorgan county council is prepared to co-operate with the bodies which have the necessary expertise. The council has had a good conservation record since its inauguration in the early 1970s. This Bill is, therefore, worth supporting. It should be given a Second Reading, for, with good will, the objections can be ironed out.

8.19 pm

Mr. Kenneth Carlisle (Lincoln): I object to the Bill not because I do not want a crossing of the estuary of the river Taff, but because the barrier that has been proposed achieves the crossing in a way that is less than adequate. We all recognise the need for Cardiff to develop its economy, and we certainly support the aim of creating jobs. I have a great deal of sympathy for the right hon. Member for Cardiff, South and Penarth (Mr. Callaghan) and my hon. Friend the Member for Cardiff, North (Mr. Jones) and the hon. Member for Newport, East (Mr. Hughes), who all argued the economic case. There is no doubt that hon. Members who represent that part of south Wales have a compelling duty to try to improve the economy and to bring jobs to their area. I myself come from an area which needs jobs, and I can understand the need to make rapid and lasting progress in this respect.

What I find highly objectionable about the Bill is not the crossing itself but its proposed form, its effect and its cost. It could very well be achieved without destroying a valuable habitat and what I believe will in future be an area of great interest for residents of Cardiff, particularly when Cardiff enjoys the economic regeneration which we all expect. The crossing could retain that interest and also, by creating better communications and industrial connections, achieve the economic benefits which we would all like to see. It could also be constructed at considerably less cost to the taxpayer.

We have had a long discussion about dunlin and redshank and numbers of wading birds. I do not intend to go down that road, but I do want to mention four of the really important aspects of the conservation argument. This is a site of special scientific interest. It is also scheduled under the Ramsar convention. The environmental requirements, therefore, need to be examined very carefully.

The area to be affected covers some 9 per cent. of the birds of the whole Severn complex, so it is not something to be sniffed at and the number of birds is not insignificant. The area affected is at the top of the tide, so it is of particular interest and value to these birds in periods of very heavy weather. In the hard winter of 1984-85 — and, I am sure, in this past winter although we have no figures yet — 100 per cent. of the species spent some of their time feeding in this area. It is of clear benefit to them. If they do not have it for feeding, they do not go elsewhere, because there is nowhere else to go; they are just lost to the bird population.

Why should we care about this? Wetlands and coastal habitats of this type are under threat. They are diminishing. We have a clear duty to protect these irreplaceable assets for future generations. The Government have recognised this principle in the Wildlife and Countryside Act 1981 and also through European Community directives in, for example, the Ramsar convention. Are we in this House merely to ignore this? That is not good enough, without the most convincing reasons for doing so.

I might consider my argument a little weaker if this would stop the development and modernisation of Cardiff, but I do believe that it would. If we achieved these essential communications across the Taff estuary, they would in themselves lead to economic activity and to all the benefits of a more effective and vigorous economy in the area.

Moreover, it would be cheaper and easier to build a bridge on concrete piers which would allow the tide to flow and so not destroy the habitat. The hon. and learned Member for Montgomery (Mr. Carlile) mentioned the cost. It is a significant factor. When it examines this matter, the Committee will need to know the exact costs, the cost of the barrage and of the hydraulically operated sluice gates, together with the cost of the annual and ongoing dredging rather than just the compensation to be paid to the dredging company. It will need to know if significant costs will be incurred by raising the level of water and thus increasing the damp in the adjacent houses. I ask that all those costs be put before the Committee and be compared with the cost of a simple bridge on stilts.

In addition to the loss of habitat and the expense, the county council, in my view — and I say this as an outsider, I admit — has shown a lack of vision and a failure of imagination. While I accept the need to develop the area, the opportunity could have been taken to create a valuable natural reserve and an area of great interest for local people. In the proposed new leisure complex, for example, why could a viewing centre not have been set up overlooking the mud flats, with perhaps a small museum to show local people the value of mud flat and tidal waters for wildlife and explaining the wildlife which exists? That would have been of unique benefit and of great educational value, and it would have fitted in well with the redevelopment of the area.

Leaving the mud flats does not mean choosing between birds and people; it is really making the best use of what is there to help the people and to encouraging interest in the area. The rusty cycles and bedsteads lying on those mud flats are not there just because there are mud flats there, but because people have no interest in the area. If

one were to create an interest and bring out the variety in the area, one could solve that particular problem. Yet instead of this vision, the county council has decided to use the bridge and barrier to go for an inland lagoon which will not only destroy what is natural and special about the area, but will put something which is neat and dull in place of something which is or could be perhaps wild and intriguing.

It is not good enough to claim that the county council will create another habitat and make recompense for what has been lost. New habitats need years in which to create the diversity and complexity of an established habitat. I think of ancient woodland where it has taken 300 or 400 years to develop that complexity. It may not take so long in the Taff estuary—I am no expert on mud flats—but we will not replace one habitat with another at all easily. So we are going to lose something. Although the county council must be encouraged to do as much as possible to replace the habitat, we cannot fool ourselves that we will be successful.

We all support the development of Cardiff. I respect the line taken by my hon. Friend the Member for Cardiff, North and his great interest in the economic prosperity of his constituency and area. But we can achieve that without destroying a valuable habitat. We can achieve that without an expensive solution, by going for something that is clearly more cost effective for the taxpayer.

Above all, by destroying the habitat, the county council would be losing an opportunity to create an imaginative site full of interest for the people of the area. If the Bill goes into Committee, these matters must be fully examined, and the Committee should alter the Bill to take account of the valid objections that have been made.

8.30 pm

Dr. John Marek (Wrexham): I agree with many of the points made by the hon. Member for Lincoln (Mr. Carlisle).

I wish to express my concern about what is proposed by the county council in the development in Cardiff. Bills such as this arouse concern and opposition. Depending on what one makes of earlier speeches, the county council may or may not have met the Royal Society for the Protection of Birds. That leads to the view that people who build roads often bring a bad name on themselves.

No hon. Member thinks that the road should not be built, but the proposal was introduced in such a way that there was bound to be opposition. There are two parts to the proposal. The first relates to the road and the second to an amenity lake and scenic area. They can be separated, because it is possible to build the road on stilts, costing £4 million or £6 million less than if it is built on a barrage. I would welcome a contradiction from any hon. Member if I am wrong.

We all want the road. Wales needs communications. It has suffered from bad communications for long enough. There are dreadful roads in mid-Wales and no motorway in north Wales. A bypass at Wrexham was built only on the condition that the railway line was singled, thus depriving us of a decent railway service. I have no argument against the road. We need plenty of good roads because our success as a modernised industrialised nation depends on our ability to communicate with the other parts of the country and Europe.

However, the road could be built on stilts. There would have been no opposition if the county council had proposed that idea. Instead, the county council has embarked on an ambitious plan for this derelict area.

Earlier this evening I saw an exhibition, mounted by the county council, with pictures of rotting and rusty metal in the mudflats. The residential area appears to be a quarter or half a mile further up the river. I asked the county council why, if the residential area was further up the river Taff, it could not build a barrage there. Its answer was that it wanted to build a sports and amenity complex halfway between the barrage and the residential area. Therefore, there is some point in having a barrage lower down the river so that the view can be more scenic.

Mr. James Callaghan: I would not wish my hon. Friend to be under any misapprehension about where the houses are. The houses of Grangetown are a quarter of a mile away, but there is one area in my constituency where the people do not need a viewing centre, because they already look out over the mudflats.

Dr. Marek: I am grateful to my right hon. Friend for that information. My only knowledge of the area comes from having looked at the maps and pictures two hours ago.

There should have been some compromise before the Bill came before the House. It is no use trying to find out who is to blame, but there has not been enough communication. If there has been a meeting, there has been only one. Something must be done. I share the view of other hon. Members that we should not hold up the Bill on Second Reading. Therefore, I do not intend to talk for one and a half hours. However, I have one or two points to make. The Bill should have a Second Reading and go into Committee, where I hope that meetings can be arranged, arguments can be put forward and we can achieve a compromise.

One possible compromise would be to move the road further north. However, that is not practical, because the road will be extremely expensive, and it appears that the county council would not consider it. Another possibility was mooted by the RSPB, the Cardiff naturalist trusts, and the other environmental bodies, all of which are concerned. The hon. and learned Member for Montgomery (Mr. Carlile) mentioned four bodies as being against the plan, so one cannot dismiss the environmental arguments.

The RSPB and other environmental bodies have suggested that the bridge should be built on stilts, so that the tide can go in and out. However, that would not satisfy the legitimate aspirations of the county council, which wants to do something for the area so that the residents will have a tidy environment. Moreover, it wants to build the leisure centre in a first-class position. Simply to have the rotting iron remaining there, with the tide going in and out of the mudflats, is not what the county council wishes to see.

Another possibility is to scrape away the spart grass on the other side of the barrage and to have a one or two-acre lake with a shallow end and a wide expanse. One would then hope that, deprived of their natural feeding habitats, the birds would fly over the new road and settle and feed on the other side. I am not a member of the RSPB, nor an expert on birds, but I shall believe that when I see it. The county council is prepared, as my right hon. Friend the

[Dr. Marek]

Member for Cardiff, South and Penarth (Mr. Callaghan) has said, to build such a lake before constructing the road. That might be a good idea. I am not sure whether invertebrates will be found on the other side of the proposed road construction once the spart grass has been scraped away, so that everything will be available for the birds. However, we should not dismiss that idea until it has been investigated. I know that the county council has undertaken a study, but this solution should be investigated fully to find out whether it would be acceptable.

The RSPB may be worried that, if it gives way on this project, there may be problems. Every two or three months an area used by birds is under threat—whether from a farmer wanting to plough it up, a county council wanting to build a road across it or a company wanting to dig peat out of it to distil whisky.

I am concerned about this matter in general. The RSPB could be right in saying that if the county council goes ahead with its plan but it does not work out, the council could wash its hands of the area. I would welcome a commitment in Committee that the county council would maintain an ongoing interest in the problem. If the road were built with an appropriate area for the waders on the other side of the barrage, that might be adequate. However, if that did not work, I hope the county council will not say, "We built the road five years ago and it is too late to worry about the birds now. We had 8,000 redshanks five years ago, but we have only 2,000 now. We have no clue where the others have gone but they must be somewhere." I hope that the county council will take a more positive attitude. They should realise that there is a serious problem. Redshank numbers are declining on the west coast. Once the council has realised that, perhaps it could spend some money to discover the cause of the decline in numbers and make adequate arrangements with regard to the building of the road.

If the county council could give such a commitment, to have a continuing interest in the bird population once the road has been built, the RSPB could take note of that and therefore have more faith in the council.

There is another possibility which might be entertained. As I understand it, the barrage would cost £42 million and the low level bridge £38 million. It might be possible to build a low level bridge and build a barrage with the extra £4 million or £6 million 200 yards north of the bridge. It would not be necessary to put a road on that barrage, and therefore it would be cheap. That barrage would be built at an angle to satisfy the residents—*[Interruption.]* I am making a suggestion.

Mr. Stefan Terlezki (Cardiff, West): Come on.

Dr. Marek: If the hon. Gentleman would like to intervene, I shall gladly give way as I would like to hear what he has to say.

If we give the Bill a Second Reading, we will show that we agree in principle with the proposal although we have some reservations. In the debate we are offering suggestions. These suggestions may be hopeless, but the council should consider them seriously. If the suggestions prove to be useful at the end of the day, the House might have done a service to the members of the public that it seeks to represent.

It is possible to build a bridge on stilts or a low level bridge and use the extra money to build a barrage 200 or 300 yards north of the bridge. From my examination of maps of the area, the bank in question is just that very small distance north of where the bridge might be positioned. If the bridge were built at an angle, it might be possible to satisfy both parties involved in the consideration of the problem.

It might also be possible to build a road partially as a barrage and with stilts in the central part. *[Interruption.]* The hon. Member for Cardiff, West (Mr. Terlezki) should not lower the tone of the debate by his sedentary interventions. This is a serious issue to the people not only of Cardiff but throughout this country from Land's End to John O'Groats. People are seriously worried about the environmental depredations that are taking place every day of the year. The matter is extremely serious and it deserves our careful consideration.

I shall not detain the House for much longer. It is possible to build a low level bridge to form a barrage for most of its route with stilts in the middle. A semi-circular barrage could be built to keep the banks that are important for the dunlin and the redshank. Although there are many acres of mudbanks in the Severn estuary, as other hon. Members have explained, the mudbanks that we are considering tonight have more than their average share of waders. The fact that the area is at the top of the estuary and is therefore the last area to be covered when the tide comes in and the first to be uncovered when the tide goes out makes it very important for wading birds.

In conclusion, I hope that the controversy about this matter can be dispensed with and that the Bill will receive a Second Reading. I hope, too, that in Committee we shall be able to resolve our differences. There must be a middle way in this matter. We must have the road—there is no doubt about that — but we must also preserve our environment.

8.44 pm

Mr. Ray Powell (Ogmore): I will not go down the same road as my hon. Friend the Member for Wrexham (Dr. Marek). He has covered a number of points which I hope will be examined closely by the Committee after the Bill receives its Second Reading.

My hon. Friend the Member for Newport, East (Mr. Hughes) began his speech by apologising for taking part in the debate because he did not think that he should be involved as he was an hon. Member for Newport. He thought that he should not become involved in a debate about Cardiff. Having listened to speeches from the hon. Member for Lincoln (Mr. Carlisle) and from the hon. and learned Member for Montgomery (Mr. Carlile) and now from my hon. Friend the Member for Wrexham, I make no apology for speaking in the debate. My constituency is Ogmore, and the river Taff runs through Ogmore to Cardiff. Most of my constituents shop in Cardiff and go there for their entertainment. I believe that the benefits of the Bill could extend to my constituents.

I am rather surprised that the Conservative Members with Cardiff constituencies have not sought to catch your eye, Mr. Deputy Speaker. I would remind them of a statement made by Nye Bevan that "If you sit on the fence too long, the iron will rot your soul." I would have thought that they would have been open in their support for the Bill. Local authorities in their constituencies, the South

Glamorgan county council and the Conservative party have given much support to the Bill, and I cannot understand why they have not supported it.

In all probability they share the same view that I would like to express regarding my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Callaghan). We all listened to his comprehensive speech, which covered most of the issues involved in this short debate. As might be expected from a previous Prime Minister and the present Father of the House, my right hon. Friend made an excellent speech. I take great pleasure in complimenting him on what was an excellent maiden speech on a private Bill. I know that that sentiment would receive sympathetic backing from all hon. Members present tonight.

I have known my right hon. Friend the Member for Cardiff, South and Penarth for at least 30 years. I am familiar with his service and representation to the city of Cardiff and to the Cardiff constituencies that he has represented as there have been parliamentary boundary changes almost every other election. I am sure that the House would unreservedly give its support to a Bill which my right hon. Friend introduced on Second Reading. I am sure that my right hon. Friend would be concerned only about the interests of the constituents that he has served in Cardiff and that he would not propose any measure to the House that might be detrimental to his constituents or to the environment of the Cardiff area in general.

I have no reservations about supporting the Second Reading of the Bill. I know the area well and I have canvassed there on many occasions, in Cardiff, North, South, East and West and indeed in Cardiff, South and Penarth. I did that when Cardiff, South and Penarth was Cardiff and Penarth before the reorganisations many years ago. I know the specific area we are talking about. I believe that the Bill should receive a Second Reading so that a Committee can be set up.

I am even more pleased to support a Bill on the Floor of the House having recently been involved in a controversial debate in the House on whether private Bills were needed and whether hon. Members should sit on Committees discussing them. I share the view that we should make facilities available in the House for private Bills and that hon. Members should serve on the Committees considering them. I know that on occasions that is irksome. Hon. Members may not have a particular interest in a Bill. Nevertheless, I have served on two such Committees, and they were interesting. I am sure that those who are asked to serve on the Committee considering this Bill will also find it interesting.

Having discussed all the issues mentioned by the hon. Member for Cardiff, North (Mr. Jones), I am convinced that his arguments are reasonable, forthright and responsible and I feel sure that the Committee will investigate fully the points that he so ably and responsibly raised. After Second Reading, the matters that he raised can be looked at in depth and in detail.

Having read more literature from the preservation societies on this proposal than, perhaps, from South Glamorgan county council, I know that it is necessary to look after the environment. I fought the last general election against a Greenpeace candidate and I learnt more about the environment and that movement than I had known before.

To date, the cost to the county authority is about £60 million and the link road to the M4 from the Grangetown link to the Butetown link should be approved. If the M4 stops where it is now, it appears, from examining the drawings and maps earlier, that the road would lead only to a residential area in Grangetown and through to the docks. If the Bill does not receive its Second Reading a great opportunity will be lost and the road will lead to nowhere. The problems of Grangetown as described by my right hon. Friend the Member for Cardiff South and Penarth will remain unresolved.

If hon. Members had taken the opportunity to look at some of the maps and drawings of some of the areas covered by the proposal and at the proposals of the county councils, they would appreciate that it is necessary for constituents to have their environment changed. A large area of Cardiff could be changed, far beyond the changes set out in the Bill.

The sponsors of the Bill have been kind enough to ensure that we have notice of the petitions against the Bill on the grounds of its potential effects on bird life which have been lodged by four conservation bodies. The county council accepts that the case for those conservation interests deserves careful consideration.

Two petitions have been lodged against the Bill by businesses which are likely to be affected. Negotiations are taking place with those petitioners which it is hoped will result in agreement. It is respectfully submitted that unless negotiations produce an agreed solution an opposed private Bill Committee would be the appropriate forum for considering the case. Most hon. Members have expressed that opinion earlier in the debate.

The county council has offered to the conservation petitioners a commitment to implement the material measures mentioned. The county council will gladly explain the material measures to a Committee of the House and undertake through that Committee to carry out those measures before commencing the construction of the river crossing. That covers the point made by my hon. Friend the Member for Wrexham.

The county council respectfully called attention to the fact that giving a Second Reading to a private Bill means that the House affirms the principle of the Bill conditionally and subject to the proof of the allegations of fact before the Committee to which the Bill is referred. Those allegations of fact are comprised in the preamble to the Bill on which the case for the Bill is founded. In the circumstances, it is respectfully submitted that it would be proper for the Bill to be given a Second Reading so that the issues which it raises may be thoroughly investigated in Committee. Therefore, I support the Bill and I hope that the House will do likewise.

8.55 pm

Mr. James Callaghan: With the leave of the House, I have an obligation to those who have expressed strong reservations on the Bill to say a few words to try to reassure and to meet the reservations raised by the hon. Member for Lincoln (Mr. Carlisle), the hon. and learned Member for Montgomery (Mr. Carlile) and my hon. Friend the Member for Wrexham (Dr. Marek).

The county council's general record in conservation of the environment is well known. I am one of the few people in the House who has an island in his constituency—Flat Holm. If any hon. Member had any doubts about the environmental interests of the county council he need only go to Flat Holm to see what has been done there to preserve

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and conserve its heritage. In addition, there is the Gwent-Glamorgan heritage coast, the Cosmeston lakes country park, Caerphilly mountain country park, the medieval village and an ambitious tree-planting project.

I am sure of the bona fides of South Glamorgan county council in this matter. It told me that it does not wish to be seen as vandalistic or insensitive in its consideration. It wishes to find a balanced and sensible compromise. South Glamorgan as an authority is conscious of the need to protect and enhance the quality of the environment, both generally and specifically. It wishes to seek the co-operation of the Nature Conservancy Council, the RSPB and other interested groups in determining the type and nature of compensatory measures. Hon. Members who raised those questions will find that South Glamorgan has every desire to come to some agreement.

I make one final offer to those hon. Members who have expressed their reservations, but not to those who have expressed their support. If they care to come to Cardiff, I shall stand them a good lunch and I believe that they would be convinced by what they saw.

Question put and agreed to.

Bill accordingly read a Second time, and committed.

Agricultural and Horticultural Co-operation Grants

8.57 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. John Selwyn Gummer): I beg to move,

That the draft Agricultural and Horticultural Co-operation Grants (Extension of Period) Order 1986, which was laid before this House on 23rd April, be approved.

The Agriculture Act 1967 provided authority for a scheme of grants to encourage and develop co-operation in the production and marketing of agricultural produce. There have been three extensions, in 1977, in 1980 and again in 1983, the latter ending on 14 May 1986. We propose to extend the period during which a co-operative grants scheme may operate by a maximum of five years, compared with three on previous occasions. I believe that the agricultural and horticultural co-operation scheme has done much over the years to encourage producers to come together and to undertake imaginative and forward-looking investments.

Since 1981-82 expenditure under the AHCS has more than doubled, from about £2 million to over £4 million. Over the same period launching aid paid to new fruit and vegetable co-operatives under EC legislation has risen from virtually nil to £1·2 million. Other grants payable to forage groups in the less favoured areas brings the current annual level of expenditure on co-operative grants to over £5·5 million. Given the growth in expenditure, we have looked at the AHCS in relation to other claims on the limited resources available. We have concluded that there are simply not the resources to allow unlimited further expansion of expenditure under the scheme and that some steps should be taken to bring it under greater control.

We believe that the necessary additional control of expenditure can be brought about by laying down a number of objective criteria by which applications will in future be assessed and by identifying some of the consequences flowing from them. One of my officials has, therefore, written today to the chief executive of Food from Britain setting out the criteria. Copies of the letter will be placed in the Library of the House. However, hon. Members may find it helpful if I outline the main criteria and the effect that they will have on the grants awarded.

The criteria include the funds allocated by Ministers in each financial year to pay grant claims. For 1986-87 the total provision for co-operative grants is about £5 million, about £4·8 million in 1987-88 and about £4·4 million in 1988-89. There is a time lag of up to two years between the award and the payment of the grant. In order to keep expenditure within the provision, therefore, we will need to tailor the level of approvals currently being given to match the money available for later years. One way in which we will do this is to place an upper limit on grant on any individual project of £100,000.

Ministers already restrict the amount of AHCS grant awarded to successful co-operative applicants under EC regulation 355/77. Successful co-operatives can now obtain up to 50 per cent. of the cost of projects from these two sources, which we consider too high when overall resources are limited. We shall therefore in future be limiting AHCS grant in such cases to 15 per cent., which, together with grant under regulation 355/77, will still total up to 40 per cent. of the cost—a substantial incentive.

The supply and demand position of each commodity will also be taken into account. This is very much part and parcel of the Government's policy to bring into the equation the realities of a world which is now in surplus rather than in shortage. As a result, we do not expect capital grants to be made to co-operatives in the cereals sector in future.

The criteria will be applied to applications received by FFB after today and prospective applicants will also be informed of them. We will, of course, continue to make grants available under the scheme for non-capital expenditure, which includes formation costs, feasibility studies, initial managerial salaries and marketing agents fees. Such grants can help to ensure that co-operatives get off to a good start and employ good quality staff to run their businesses.

For a number of years there has been a ceiling on the level of non-capital grant recommendations which FFB can make to Ministers in any one year. This has stood at £450,000, and we are reducing it to £350,000 for 1986-87 in order to stay within the financial resources available. As I have indicated, if we do not take this action now there is every likelihood that expenditure will soon outstrip resources. Nevertheless, expenditure on grants will still be substantial at around £4·4 million in 1988-89.

I am sure that the House will welcome the continuation of the AHCS and will recognise the widespread benefits which it has brought. I am sure that the House would also want it to be carried forward within the new situation brought about by the surplus production, which is now a continuing feature of our agricultural and horticultural life. Therefore, it seems perfectly right that we should make the sort of changes in administration which I have outlined, and I felt that this debate on the statutory instrument ought to give us a chance to acquaint the House with them.

I commend the statutory instrument to the House as a means of ensuring that these grants are available for a further period, but within the context of the overall resources we have to apply, and also with the new situation which we must constantly take into account now that we are concerned with surpluses, not only in this country and Europe, but in the world.

9.5 pm

Mr. John Home Robertson (East Lothian): The Minister of State referred briefly to the need to deal with the new situation that confronts the agriculture industry because of the surpluses that are a new feature of this type of market. It would be helpful to the industry and to many other people if the Government could give a clearer lead about the direction the industry is supposed to be taking. The Opposition support the order. There is a strong case to be made for promoting co-operatives and assisting change to take place, where appropriate, in the agriculture industry.

The only point that I want to put to the Minister relates to the body that has been charged with the task of disbursing funds, Food from Britain. The Minister said that an official in his Department had today written to the chief executive of Food from Britain. Some of those who are involved in the agriculture industry might wonder whether his letter will be returned to him tomorrow marked "Not known at this address." There is an air of crisis about Food from Britain. A meeting of that organisation has taken place today and it would be useful if the Minister could say something about it.

If this and other marketing schemes that are the responsibility of Food from Britain are to continue—I stress that there is universal support for a national promotional organisation for agricultural produce and for its funding not only by the Government but by the industry—help is needed. The funding of Food from Britain is in a state of crisis. The organisation has been unable to secure the £4·8 million that it needs to run a credible operation during the current year. The Government have guaranteed £3 million, which is welcome and appropriate. The Meat and Livestock Commission is to provide £265,000, but that is considerably less than was envisaged. As yet, nothing has been promised by the Milk Marketing Board, and a poll of cereal producers has yet to take place to find out whether they are prepared to contribute towards the organisation. There needs to be more certainty about the future of Food from Britain. Nevertheless, it might be argued that, because of the uncertainty surrounding it, the agriculture industry is not in a good position to take on this additional burden.

It would be helpful if the Minister could say whether the Government intend Food from Britain to survive and to succeed and whether, if necessary, they are prepared to tide it over. This would be an appropriate opportunity for the Minister to say something about the matter. It would be relevant to this order, because Food from Britain is the organisation through which these funds will be channelled. Again I stress the Opposition's general support for the objectives of the order. I hope that the Minister will be able to allay some of my fears.

9.7 pm

Mr. Colin Shepherd (Hereford): I commend my hon. Friend the Minister of State for directing resources towards areas of need that are not covered by those commodities that are in surplus. He will have commended himself and his ministerial team to the public as a whole who are casting a careful eye over the agriculture industry and its support mechanisms. What he has done is right, and I congratulate him on doing it.

I have a specific point to put my hon. Friend about the draft order. Previous orders have run for a period of three years. This order is to run for five years. In the light of the remarks of the hon. Member for East Lothian (Mr. Home Robertson), I should be grateful if my hon. Friend would explain the reason for this extension.

9.8 pm

Mr. Richard Livsey (Brecon and Radnor): I welcome the extension of the AHCS support. It is essential for the industry. However, further development of such grants is needed. In the context of the surpluses to which reference has already been made, there is a need to develop new markets and new products. We are depressed by the surpluses, but they should not allow our vision to become clouded. We may be able to produce new products that secure new markets. We should not ignore that.

Undoubtedly, there is under-funding of Food from Britain. However, the industry must be grateful for £3 million this year. That is obviously a help, but there is an immense task ahead. For example, New Zealand promotes its lamb in Britain at a cost of something like £7 million and that shows one of the problems we face in marketing our own food, but there is vast scope here too for us. The Minister said that there were limits on the amount of money that could be spent. I understand that, because for

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purposes of good housekeeping he has to work within a budget. However, I should not like to think that the Treasury has placed a dead hand on co-operative grants for agriculture.

As has been said, the industry is in something of a crisis. I have visited co-operative and marketing units on the continent, and it is obvious that a lot of money has been spent on co-operatives there. Continental farmers have advantages because of investment in the past, and we have not caught up with them. I was recently in western France and saw a co-operative that was developing new products. It was bringing forward six new meat products a month and selecting one of them for marketing. As I was leaving the building I noticed that many of the products were stamped and destined for Sainsbury's. We have serious problems to face in competition and marketing and if Food from Britain is in something of a crisis we need to pay attention to that. This is not a contentious issue in terms of politics across the House. The industry needs support, especially in marketing. I support the renewal of the AHCS grants but they need to be beefed up.

9.12 pm

Mr. Gummer: I should like to answer the points that have been raised and to thank Members on both sides of the House for their support.

My hon. Friend the Member for Hereford (Mr. Shepherd) asked about grant extension. We have sought to extend the period from three to five years because we believe that it is helpful for the industry to have security and to know that grants will continue over a longer period. Where we have the chance, it is necessary to give agriculture and horticulture such reassurance. That is because it is much more difficult to operate in a world where the security that comes from shortage has been replaced by the insecurity that is bound to attend surplus.

It is a curious fact within the industry, and one that we must face, that when people no longer have the assurance that they can always market what they produce because of shortage, they have to learn to live in a new kind of world. We want to make sure that there is no danger of people feeling that at some point in the future they will find themselves without these grants. That is why we have extended the period from three to five years.

The hon. Member for East Lothian (Mr. Home Robertson) asked whether, if the industry was unable to come up with the extra funding for Food from Britain, the Government would tide it over. The Government are already supplying £3 million. We have also agreed to provide additional sums next year, and in future we will supply matching funds on a generous basis, but we are not prepared to come up with more funds if the industry is not prepared to back Food from Britain. That is because Food from Britain works only if the industry is deeply involved in it and shows backing for it. We have no reason to doubt that the industry will produce the money that is necessary.

The hon. Member for East Lothian talked about a state of crisis. The way to create a state of crisis is to say that. There is no state of crisis in Food from Britain. It is continuing to operate successfully. However, it does not have the assurance of its future funding that we had hoped, not because it is not there, but simply because, as so often happens, the agriculture industry takes longer to come to the necessary arrangements. Reasonably, it has been suggested that until the poll among cereal producers has been carried through it is difficult to see what will come from that area. It is true that the milk marketing boards have not yet fixed a figure, but they have said that they will give generous support in line with the support given by other people.

The hon. Gentleman has been long enough in agriculture to accept that. It is always true that various sectors want to make sure that others are contributing before they put down their money. I can understand that. That and the innate conservatism—if I may use that word—of the agriculture industry taking a little longer to decide what to do override and run against the enthusiasm which we on both sides of the House have for Food from Britain.

I beg the House to accept that it is only if the industry itself shows enthusiasm by putting its money where its mouth is that we shall get the Food from Britain that we want. An enormous sum is not needed, but what is needed must come from the industry.

Mr. Colin Shepherd: Would not the industry do well to refresh its memory by looking at the experience of the French marketing co-operatives to see what can be done? Over the past few years, the progress that the French organisation has made may have been forgotten. Food from Britain was modelled on it. It may have been forgotten how persistence will produce similar results of a dynamic nature.

Mr. Gummer: I am sure that my hon. Friend is right, and that everyone in the House agrees that the agriculture industry would do itself and the nation a great disservice if it did not take seriously the need to provide the funds so that food can be presented with the same enthusiasm, panache and expertise as so many other products are produced. We are spending less per head as a proportion of our income on food than we have in the past. It is important that we ensure that the public are aware of the benefits, particularly of British-grown and produced food.

Mr. Home Robertson: I assure the Minister that, as a cereals producer, I shall vote for a levy when the poll takes place. The fact remains, however, that if the Minister has been reading the papers he will recognise that it is not I who have suggested that there is a crisis, but that it is broadly acknowledged that there is a crisis in Food from Britain. The scale of the crisis could mean that that organisation may not even be able to take part in the Paris show, which would be a tragedy.

Will the Minister give an undertaking that the Government will use such influence as they have with public organisations, such as the Meat and Livestock Commission and milk marketing boards, to ensure that they take their share of the burden? It is not good enough if Food from Britain has to stagger from crisis to crisis. There must be a guarantee to ensure that it can continue to succeed, as it has begun to succeed.

Mr. Gummer: My objection to the word "crisis" was that it is an inappropriate word. It suggests that it might be a continuing crisis of the sort to which the hon. Gentleman refers.

The organisation was a creation of the Government, and my right hon. Friend the Minister of Agriculture, Fisheries and Food and his predecessor put a great deal of personal support into it. There was also great support from

elsewhere in the House—I am not talking on a party political basis. That had not been done before in Britain. It was an important innovation. It should have been done a long time ago. Now that we have got it going, I agree with the hon. Gentleman that we want to continue it. It is not a crisis, but merely a function of moving from one system to another, and of that new system being a necessary way to bring the industry to the next stage. The industry must be deeply involved in Food from Britain if it is to succeed. That is what I am concerned about.

I do not wish to use the word "crisis", first, because it is not true even if other people outside may have used that word, and, secondly, because such talk is depressing for an industry which does not need to feel depressed. Many people have shown considerable support for the organisation. The Government will continue to make it clear that it is our view that Food from Britain should go from strength to strength. We want it to increase its ability to serve the farming and horticultural community. Therefore, we will go on saying to those in the position of making decisions that they ought to support Food from Britain. We shall not force them to do so. That does not work unless they can recognise the importance of it and provide a good proportion of the funding, with a generous return from the Government.

I welcome the support of the hon. Member for Brecon and Radnor (Mr. Livsey) for Food from Britain and his desire for it to succeed. It is true to say that we are late in the business of selling British agricultural products. We have a remarkable range, which is increasingly finding its place in the markets of the world, and we are selling better at home against imported goods. This is because we are beginning to understand much more that food has to be presented and sold with the same expertise as anything else. I wish to see that continue, and I am glad to note that we have all-party support for it.

My response to the first comment made by the hon. Member for East Lothian is that I am concerned about the constant requests that he makes about the need for guidance. Of course the Government must give guidance on what the agriculture industry should do. The aim should be to find opportunities and to encourage people to take up those opportunities.

The purpose of the statutory instrument is to ensure that there is an opportunity to provide grants for goods and services, to the benefit of the industry. The one thing that the Government must not be led into doing, and must not be pressed to do, is to produce some kind of blueprint that suggests to people what they ought to grow and what they ought not to grow. First, if the Government did this and everybody followed what they said, one would be in surplus very rapidly. Secondly, it suggests that the Government are better at doing the farming than is the farmer himself. That I deny, and I think it to be quite wrong. We must not try to recreate the kind of security which, inevitably, is associated with shortage in a world which, by its very nature, cannot have that security in future. We must, however, ensure that where security can be provided, it is provided.

The purpose of the statutory instrument and the extension of the period is precisely to give some security where we can guarantee it, but not to give the false security provided by the White Paper "Food From Our Own Resources". That suggested that we ought to do things when, almost as soon as that document was printed, we learnt we should not have done at all.

Question put and agreed to.

Resolved,

That the draft Agricultural and Horticultural Co-operation Grants (Extension of Period) Order 1986, which was laid before this House on 23rd April, be approved.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 79(5) (Standing Committees on Statutory Instruments, &c.)

VALUE ADDED TAX

That the Value Added Tax (Land) Order 1986 (S.I., 1986, No. 704), dated 15th April 1986, a copy of which was laid before this House on 16th April, be approved.

That the Value Added Tax (Land) (No. 2) Order 1986 (S.I., 1986, No. 716), dated 17th April 1986, a copy of which was laid before this House on 18th April, be approved. — *[Mr. Neubert.]*

Question agreed to.

STATUTORY INSTRUMENTS (JOINT COMMITTEE)

Ordered,

That Mr. Stuart Randall be discharged from the Joint Committee on Statutory Instruments and Mr. William Cash and Mr. Nick Raynsford be added to the Committee. — *[Mr. Neubert.]*

Overseas Civil Service (War Service Credits)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

9.23 pm

Mr. Ivor Stanbrook (Orpington): I declare a pecuniary interest in the subject that I bring to the attention of the House. If the Government respond favourably to the debate I, as a retired member of the overseas civil service with wartime service in the Royal Air Force, will be a beneficiary.

I hope that my hon. Friends the Members for Congleton (Mrs. Winterton) and for Stratford-on-Avon (Mr. Howarth) will be successful in intervening before the Minister replies to the debate. I am authorised by my hon. Friends the Members for Lewes (Mr. Rathbone) and for Wealden (Sir G. Johnson Smith) to say that they are unable to be here but support what I am about to say.

The Colonial Service, now called Her Majesty's Overseas Civil Service, together with the Indian Civil Service and the Sudan Civil Service, was responsible for the government of the British empire. Although recruited by the United Kingdom Government in London, its members were employed and paid by the Governments of the colonies to which they were assigned. They served the British Crown and British interests abroad in many different capacities, as administrators, accountants, engineers, policemen, educationists and in other professions. They worked under all sorts of adverse conditions of climate and health, often with primitive accommodation and usually without even the normal amenities of civilisation. The consequence was usually shorter careers, early retirement and shorter lives. They endured those conditions because, to be a member of the Colonial Service, with its personal challenges, dangers and adventures was worthwhile and a reward in itself. They were the instrument of Britain's contribution to the welfare of its overseas territories and they were proud that under them the standards of government, law and order and justice were raised to levels never known before, and in some cases since, in the countries concerned.

Although almost all its members were graduates and professional men and women, specially selected for their jobs, the Colonial Service was always the most neglected of the British public services. Its pay and pensions were comparatively low, being fixed according to the relative poverty of the colonies providing them and often influenced by hostile local politicians.

That does not matter so much now, when most of them are retired, but what does rankle with those who were first appointed to their colonies after serving in the second world war is the British Government's refusal to include in their pension computation an element on account of their war service. All the other public services in Britain —the Home Civil Service, the Diplomatic Service, the Armed Forces, the police, and even the teachers—have their war service taken into account when their pensions are calculated and paid. Only the Colonial Service—the Overseas Civil Service—does not. Members of the other public services who were appointed after service in the war get credits for that war service in their pensions on the simple ground that they should not suffer in their pensions compared with colleagues who did not serve in the war.

The reason for that distinction—it might almost be called discrimination — is simple. Members of the Overseas Civil Service were, technically speaking, employed by colonial Governments and no colonial Government was obliged, nor was any Government after independence expected, to pay the pensions of their expatriates beyond that appropriate to their actual service in the colony. Her Majesty's Government alone had the power and responsibility to pay the comparatively small sum involved but have always refused to do so, although the claim has been considered at the highest level. What my right hon. Friend the Minister of State now tells complainants is:

> "As you know this matter went forward to the 1983 Public Expenditure Survey where it received very careful consideration. I am afraid we were forced to conclude that it would not be possible to accommodate such a large and continuing commitment among the numerous claims on available resources. I am sure you will appreciate the overriding need to contain public expenditure: this is an example of the hard choices the government has to make. Given the continuing need to contain public expenditure it would not be right for me to hold out any hope that the position will ease, and that I might be able to reopen the issue in the foreseeable future."

I quote from a letter recently sent by my right hon. Friend.

The cost of what my right hon. Friend called "this large and continuing commitment" has been estimated by my right hon. Friend's Department at £3 million a year, and the number of people eligible at 4,600. These are probably over-estimates. In any case, the money could easily be found in savings elsewhere. A sum of £3 million, for example, is less than that now being wasted on the net cost of issuing dog licences. It is less than the cost of many unimportant items in the Government's research programme. No account is taken of the clawback in income tax. The number of people involved is declining every year with the deaths of the people concerned, most of whom are elderly. On the other hand, the small sum involved in each case could make a significant difference to the comfort of men and women in their declining years who served their country exceptionally well.

9.31 pm

Mrs. Ann Winterton (Congleton): I am glad to have the opportunity to say a few words to support my hon. Friend the Member for Orpington (Mr. Stanbrook), who has raised this subject on the Adjournment debate.

This anomaly was first brought to my attention by a constituent who is a member of the Overseas Service Pensioners' Association. Since that time I have been extremely interested in the matter. I cannot agree with the Government's technical excuses for not treating these pensioners in a similar way to other public servants with regard to war credits. The Government have a moral duty which they should accept with good grace.

Relatively speaking, the amounts of money involved are extremely small but they would make a great deal of difference to the pensioners concerned. If the sums were granted to the pensioners, they would feel they had been treated in an equitable way in comparison with the other public servants. I agree with the cogent arguments presented by my hon. Friend and I urge my right hon. Friend the Minister to reconsider the matter.

9.33 pm

Mr. Alan Howarth (Stratford-on-Avon): Some of our most distinguished citizens will share my gratitude to my hon. Friend the Member for Orpington (Mr. Stanbrook) for raising this question on the Adjournment.

The unwillingness of successive Governments to recognise, for pensionable purposes, the war service of colonial civil servants is a regrettable, deplorable, failure. I hope that my right hon. Friend the Minister will acknowledge that the time has come for the Government to accept that they must shoulder these undoubtedly strong moral obligations.

The colonial civil servants were recruited by the Government and were servants of the Crown. They have as much right to recognition as other servants of the Crown —home civil servants, officers of local government or teachers. They bore the burden and the heat of the day, and they served often in the most arduous of conditions. They made considerable personal sacrifices, born out of dedication and devotion. Their services are overdue for recognition.

We should also acknowledge that the end of the empire in the 1950s and 1960s meant for some, termination of their career and considerable difficulties in finding new employment and further pension opportunities. That strengthens the moral argument in favour of our case, and I hope that my right hon. Friend the Minister will be able to respond to it.

There has certainly been discrimination. There is no conceivable reason why the Government should draw a distinction between colonial civil servants and others. On a technical level, it is arguable that they were not employees of the United Kingdom Government, but, as I have said, they were recruited by the Colonial Office and were servants of the Crown. That factor should be regarded as paramount by the Government.

My right hon. Friend the Minister is altogether too honest and benevolent a man to ignore such considerations. I hope that he agrees that the sum involved in putting right that wrong amounts to about £3 million and that, in all the circumstances of today, the Government should be willing to find it.

9.35 pm

The Minister for Overseas Development (Mr. Timothy Raison): The House has listened carefully to the arguments put so clearly and directly by my hon. Friends the Members for Orpington (Mr. Stanbrook), for Congleton (Mrs. Winterton), and for Stratford-on-Avon (Mr. Howarth). Obviously, this topic is not discussed very often in the House. However, expenditure on Colonial Service pensions accounts for about £140 million this year. Incidentally, that is about one tenth of my Department's total expenditure, and the administration of those pensions to some 46,000 people is a major task of the Department.

I and my officials devote considerable time and effort to dealing with the questions raised on behalf of overseas pensioners by my hon. Friend the Member for Orpington, by other hon. Members and by the Overseas Service Pensioners Association; and rightly so. Of course, I endorse the remarks of my hon. Friend the Member for Orpington about the quality of the work carried out by our Colonial Service. Its reputation will not be forgotten, but it was nevertheless good to be reminded of it again tonight. We are rightly proud of it.

There is no disagreement on the basic point that the people involved have rendered great service to the United Kingdom, and, in particular, to the colonial territories in which they were employed. In my job there are inevitably many pressures on me to find new sums of money. That applies to overseas pensioners as well as to the general demands in connection with the aid programme. I receive a steady stream of letters, asking for more money for one thing or another. I am talking about not just the wide range of Overseas Development Administration activities but pensions too.

Over the years, the Overseas Service Pensioners Association has been active in proposing either that the field of people who benefit under the arrangements should be widened or, alternatively, that the benefits should be improved. War service credit for post-war entrants to the Colonial Service is an example of the second kind. We have always tried to give it very careful consideration. The argument that my hon. Friends have put tonight was put with equal vigour to my predecessor, the late Sir Neil Marten, and myself. I fully understand the substance of the case—that, since the concession had been extended to the main British public service groups in the 1970s to bring them into line with the Home Civil Service, it should in fairness be granted to overseas pensioners as well. It has also been argued that the cost of doing this for overseas pensioners—the figure of more than £3 million a year has been quoted previously and again tonight — is insignificant. But that cost could run for many years.

It is worth remembering that there are two types of war service credit. The first applies to officers who were in pensionable public service employment immediately before military service in the second world war, and whose careers were interrupted by the time that they spent in the armed forces. The war service of that group of officers counts in full towards their public service pensions. Colonial and United Kingdom public servants enjoy equal rights in that regard.

The second type of war service credit applies to officers who entered public service immediately after demobilisation. United Kingdom officers are allowed to count half of their military service for pension purposes. This puts them on a par with civil servants who were taken on during the war years on an unestablished basis.

The war service concession for post-war entrants was granted to United Kingdom civil servants in 1946, and to the main United Kingdom public sector groups, such as police, firemen, prison officers, teachers, Health Service workers and local government staff, in the 1970s. These arrangements, however, do not extend to colonial public servants, whose pensionable service was reckoned only from the date of their appointment to the Colonial Service.

It is difficult at this time to establish precisely why war service credit was not extended to the Colonial Service immediately after the second world war. Such evidence as there is suggests that wartime conditions of service in the Home Civil Service and Colonial Service were judged not to be on a par, so there was no automatic justification for treating officers in the same way.

In the case of the Home Civil Service, the original concession in 1946 was introduced to remove an anomaly which would otherwise have arisen between war-time entrants and post-war entrants to the Home Civil Service. The Superannuation Act 1935 provided that the unestablished service of staff who subsequently became established without a break in service should reckon at one

[Mr. Timothy Raison]

half its length for superannuation purposes. Recruitment to the Home Civil Service during the war was on an unestablished basis. Those who stayed on after the war would have been at an advantage, therefore, compared with those whose entry to the Civil Service was delayed by their war service. The 1946 Act simply provided that ex-service men and women should be treated no less generously in this respect than those who had entered the Civil Service during the war.

As I understand it, the same anomaly did not arise in the Colonial Service or, at any rate, did not arise in anything like the same degree. The terms of recruitment to the Colonial Service during the war varied from territory to territory and according to the particular discipline. Recruitment during the war years was also on a very much smaller scale — about 200 appointments a year, compared with 1,200 to 1,500 a year after the war.

This serves to underline the point that colonial pension scheme regulations did not, and should not, automatically mirror those of the United Kingdom public service. The provisions differed in several respects, often to the advantage of the overseas pensioner. For example, overseas pensioners have a retirement age of 55 rather than 60 and their pensions are inflation-proofed from that age. Unlike home civil servants, they can choose, within limits, how much of their pension may be commuted. They had the right to retire at independence on compensation terms which were by no means ungenerous. Many officers were able to pursue successful second careers having retired from overseas service. My hon. Friend the Member for Orpington is an example. It is difficult to arrive at a comparison of the relative worth of benefits from different superannuation arrangements, but I think that it would be generally accepted that the provisions for former Colonial Service officers, taken as a whole, are a fair recompense for past service. In some respects, the terms for the two categories differed. In certain respects, the colonial servants received favourable treatment.

It was against this general background that in 1983 we looked into the question of war service credit for post-war entrants to the Colonial Service. The conclusion then, among many hard and difficult choices, was that the resources could not be found. That remains the position. The Government are committed to the firm control of public expenditure. It is an unavoidable consequence of our policy that many claims, many of them worthy in themselves, for extra resources of one kind or another cannot be accommodated.

It has been argued that the cost involved is minimal. I cannot accept that. Although the figure of £3 million has been cited in the debate, and was cited by us in 1983, my Department has carried out more recent work, based on a random sample of pensioners' records, which has shown that the costs could be significantly higher—perhaps £5 million to £6 million a year. Those are sample figures. I am not claiming that they are exactly right, but they indicate a higher figure than that cited by my hon. Friend the Member for Orpington. It must be accepted that sums of this order raise public expenditure implications for the programmes for which I am responsible. Additional resources would have to be found if war service credit were to be granted to Colonial Service pensioners.

There is strong feeling on this issue. My hon. Friends have put the case tonight and, over the years, I have received quite a lot of correspondence on it. I hope that my hon. Friends will recognise our concern to strike the appropriate balance between the need to control public expenditure and demands on my Department and the claims of overseas pensioners for enhanced benefits. I believe, as I have tried to show, that, on the whole, overseas pensioners are by no means ill-served by the arrangements which successive Governments have put in place over the years and by the scale of the provisions now made for them. I am afraid that I have to say that, although my hon. Friend the Member for Orpington has argued his case cogently and I accept that there is strong feeling on this matter, I am not able to give my hon. Friend the assurance for which he has asked.

Afghanistan

9.45 pm

Viscount Cranborne (Dorset, South): I thank my right hon. Friend the Minister for Overseas Development for his willingness to answer an Adjournment debate twice in one evening. That goes way beyond the call of duty. I am grateful to him for the good humour he has shown in contemplating such a prospect.

I should like to raise the subject of aid to alleviate the severe difficulties experienced in Afghanistan by the population that remains in that unfortunate country. My right hon. Friend has rightly many times drawn the attention of the House to the Government's generous help to refugees in Pakistan. At least 3 million of those unfortunate people have been driven from their homes by a cruel conflict in their native country. My right hon. Friend's Department is giving direct about £4·8 million to the refugees. About £1 million is being given via the EEC for the same purpose. Of course, I welcome that.

Those of us who have visited the refugee camps know that, by and large, the money is extremely well spent. It is recognised that, although the refugees in Pakistan are treated well and are relatively well off by refugee standards, the real need is inside Afghanistan. On 13 March this year, I was delighted to note the unanimity in the House when my hon. Friend the Member for Lewisham, East (Mr. Moynihan) raised this matter in an Adjournment debate. My right hon. Friend the Minister need look no further than to the comments of the hon. Member for Swansea, East (Mr. Anderson) who replied to the debate on behalf of the Opposition. The hon. Gentleman stated.

"I look forward to hearing how the Minister responds, particularly to the request for appropriate mechanisms for channelling aid to those who suffer within the country. I agree with what the hon. Member for Dorset, South said about the need for a Government response on this. He would be the first to recognise that in the peculiar circumstances of Afghanistan, probably that response will have to be through non-governmental organisations such as his, because of the flexibility that they can bring. I congratulate that voluntary organisation on the work it has already done, and I trust that the Minister will respond positively to what has been said." — *[Official Report,* 13 March, 1986; Vol. 93, c. 1213.]

I hope that my right hon. Friend will take note of the unanimity of view expressed in that debate.

The services were always poor in Afghanistan, even before this latest conflict. It is quite clear that a central administration which was poor and which could not provide any sort of development aid before 1979 is wholly incapable of doing that now, when most of the country is in the hands of people opposed to the Kabul regime. It is important for us to recognise the very large number of people indeed who have been displaced. Not only have they taken refuge outside the country — 3 million in Pakistan and perhaps another 1·5 million in Iran — but very large numbers have also been driven from their homes to become internal refugees. There is, therefore, a crying need for emergency aid of a humanitarian kind, particularly food and medical services.

My right hon. Friend will know that the organisation to which the hon. Member for Swansea, East referred during the course of that last debate is one of which I have the honour to be chairman, a registered charity called Afghanaid. I think that my right hon. Friend will agree that it has begun to establish a record for being able to administer, in particular, food programmes inside the country on a fairly substantial scale. Not only can we propose the programmes but we can carry them out and, equally important, we can monitor the results. All those who have been donors to our food programme have admitted that the monitoring which has been carried out under what are necessarily extraordinarily difficult circumstances has been very satisfactory. I would be interested if my right hon. Friend could say something about that in his reply.

Apart from emergency aid, we ought also to consider development aid. Afghanistan was always a very poor country. Once the immediate emergency is under control —and much needs to be done—we should consider the question of development aid, which must include education and agricultural research and development. For all these projects, it is also essential that, if we are to carry them out, they should be based on professional and sensible research. It is impossible to determine the needs unless professional people are sent into the country to interview refugees and to decide what is needed and where.

If my right hon. Friend could look favourably on projects of this kind, he should stipulate that the proposals be based on the kind of research which is now becoming possible, thanks to the co-ordination of the various voluntary agencies which have become so active inside Afghanistan. In that context I would like to mention a federation of voluntary agencies interested in sending help into Afghanistan for the displaced persons there.

We have heard many rumours of late to the effect that the Soviets would like to withdraw from Afghanistan, rumours that I take with a pinch of salt. However, and my right hon. Friend must forgive me for being biased, if such a splendid thing should occur, we would have to consider how we should consult the refugees and indeed the whole Afghan population on their needs. We must also decide what mechanisms there should be for distributing aid if the Soviets withdraw, and perhaps if such an eventuality should occur, we should examine such possibilities as well.

I am grateful to my right hon. Friend for listening to this short debate, and I hope that he will be able to give some sort of reassurance to the people who deserve our help and who, for political reasons, have not been able to receive the help that their fellow citizens outside the country have.

9.55 pm

The Minister for Overseas Development (Mr. Timothy Raison): My hon. Friend the Member for Dorset, South (Viscount Cranborne) has a deep commitment to the cause of the people of Afghanistan who have suffered so terribly under the recent onslaught on them. He has spoken, as he has before, with considerable eloquence about the problems. The British Government regard the situation in Afghanistan seriously. The disruption and devastation caused by the Soviet occupation forces are a matter of the greatest concern.

Perhaps it may help the House if I touch briefly on what we see to be some of the aims of Soviet policy. The occupying troops and the regime forces are waging a callous and ruthless war against the resistance with all the weapons at their disposal. They seek out and ambush convoys, try to locate and destroy bases and do all that they can to crush the courageous opposition. We firmly support the courageous struggle of the Afghan people.

[Mr. Timothy Raison]

The Soviets are only too aware of the almost total rejection of the regime and its Soviet backers and of the resulting support given by the population to the Mujahadin with transport, communications or supplies. They have therefore followed a deliberate policy of displacing the rural population, either to neighbouring countries or into Afghan cities, making it easier to control the people and to isolate and identify the resistance. They do this through reprisals for Mujahadin attacks, destroying whole villages and massacring the inhabitants and by destroying rural infrastructure. Fields are laid waste, irrigation channels bombed and the lands mined. I do not propose to rehearse again the points covered by my hon. Friend the Parliamentary Under-Secretary in the House on 13 March, but any hon. Member wishing to discover more details may consult the report produced for the United Nations Secretary-General by Mr. Ermacora which is in the Library, and which presents a devasting picture of the cruel events happening in Afghanistan.

There has never been the closest Government control in large areas of Afghanistan, but the Soviet and regime policy has resulted in the displacement within Afghanistan of some 1 million people deprived of their usual support for food, health care and education. The Government recognise that it is important that we should do all that we can to help them to maintain the best possible existence in their own country, to prevent them fleeing to add to the statistics of helpless refugees in neighbouring states. There they would become more wretched, a burden on the international community and on even the most generous of host countries, and their flight would contribute further to the breakdown of the traditional cultural and structure of society in Afghanistan.

Soviet troop withdrawal and the restoration of the rights of the Afghan people remain the key to the problem. Any settlement must take into account the position of the resistance and the refugees, or it will never stick. We strongly support the United Nations Secretary-General's efforts to secure a political settlement on the basis of successive United Nations resolutions. Mr. Gorbachev has talked of early withdrawal, but the aggressive pursuit of the war and the Sovietisation of Afghanistan belie these statements. We appeal to the Soviet Union to translate these words into reality.

As the House knows, we have already supported various operations by the Afghan Support Committee and Afghanaid. We financed the 1984 report by Dr. D'Souza to which my hon. Friend referred, on the threat of famine and have subsequently provided £50,000 to Afghanaid to relieve famine in Afghanistan. I pay tribute to the skill and dedication of those in Afghanaid who conducted this difficult operation.

My hon. Friend talked about the future. He must recognise the great difficulty that can occur in giving direct assistance to those displaced persons in Afghanistan. We must be realistic, and I cannot at the moment give blanket assurances about the next stage. I will examine carefully proposals put to me by Afghanaid or by similar organisations. Our policy is to give assistance to destitute Afghan refugees and displaced persons wherever they might be, those who have been forced to leave their homes because of the fighting in Afghanistan.

As I said, it is difficult to give aid in a country that is dominated by a far from friendly power——

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Donald Thompson.]*

Mr. Raison: My hon. Friend talked about two aspects of the matter—the immediate relief operation and the need for longer-term development. As far as the needs of the relief operations are concerned, as he knows, we are studying carefully the reports of what has happened. We have monitored the accounts put forward to show how the £50,000 that we gave to Afghanaid, has been spent. I understand that the accounts were presented in Pushtu, but we have managed to translate them. It seems that the money has been spent in the ways that it was intended to be used. We will, however, think carefully about how we will respond next.

My hon. Friend will recognise that the long-term developments are particularly difficult. The normal conditions for long-term development aid are that it is on a Government to Government basis. It requires detailed and careful planning and it is normally a response to something put forward by the Government of the country involved.

None of these conditions apply to Afghanistan. There is some difference of dimension between supplying short-term relief supplies and in trying to become involved in the longer-term development processes. I cannot say at present that I will undertake to embark on long-term development programmes. If proposals are put to us we will consider them carefully. The real hope for long-term development must be a return to normality and to freedom in Afghanistan.

We strongly advise the stand of the Afghan refugees and of their neighbours in Pakistan. The plight of the 3 million refugees and the difficult position of Pakistan was brought home to my right hon. Friend, the Secretary of State for Foreign and Commonwealth Affairs during his recent visit. During his visit he announced a £4·8 million bilateral aid programme for Afghan refugees which marks an increase of 17 per cent. over last year. That demonstrates that we have not forgotten these people. That sum represents a significant increase in aid and a significant step on the Government's part to show that we realise that the problem is not one that can simply be tucked away and that we must continue to bear it in mind.

We also provide food through the European Community. Seven million pounds worth of food aid will be delivered in 1986 of which our share is £1·4 million. Since the Soviet invasion, we have given more than £32 million to these people. That money has been donated mostly through the United Nations High Commissioner for Refugees and also through organisations such as the Red Cross and various British charities.

We are also developing a new scheme for training refugees. We have already given substantial assistance to the Allama Iqbal Open University in Pakistan, particularly in the vocational and mass education field. We are planning—by translating the material into Pushtu—to extend the work of the University into the refugee camps. That will have the advantage that the facilities will be available to the refugees without displacing Pakistanis as would be the case with conventional educational institutions. In addition, as the House will know, we are now providing medical treatment for Afghans who have been wounded in the fighting.

I visited Pakistan two years ago. I went to Peshawar where I met some of the refugees from Afghanistan who told me of their troubles and I visited the hospital where they were being treated for their wounds. Anyone who visits that place will recognise the extent of the cruel struggle that is taking place in that area. Therefore, it is right that we should be talking about this again in the House this evening. I would only say that I respect what my hon. Friend has to say about these matters. I shall always listen carefully to him and consider carefully what we can do. The Government's record in helping the refugees has been a creditable one, but, given the nature of their plight, that is no more than should be the case and that is something that we must not forget.

Question put and agreed to.

Adjourned accordingly at five minutes past Ten o'clock.

House of Commons

Friday 2 May 1986

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Orders of the Day

Children and Young Persons (Amendment) Bill

As amended (in the Standing Committee), considered.

New Clause 1

WARDSHIP

'(1) At any time after the commencement of any proceedings to which this section applies a Juvenile Court may transfer such proceedings to the High Court in wardship on the grounds that:—

(a) it is in the interests of the welfare of the child; or

(b) it is in the interest of justice; or

(c) it would be appropriate for the case to be dealt with under the wider powers of the High Court in wardship.

(2) This section applies to:—

(a) any proceedings under the Children and Young Persons Act 1969; or

(b) any proceedings under the Child Care Act 1980; or

(c) any proceedings under section 1 of this Act.

(3) The power under subsection (1) may be exercised before or at any stage during the hearing and upon the application of any party or the court's own motion.'.—*[Ms. Harman.]*

Brought up, and read the First time.

9.34 am

Ms. Harriet Harman (Peckham): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following amendments: No. 25, in page 5, line 3, leave out clause 5.

No. 26, in clause 5, page 5, line 5, leave out from 'Court' to end of line 15 and insert

'on the grounds that proceedings in relation to the same child are already continuing in the High Court

(2) This section applies to—

(a) any of the proceedings mentioned in paragraph *(a)* to *(e)* of section 4(1) above;

(b) any proceedings under section 1 of this Act.'.

No. 28, in clause 5, page 5, line 23, leave out

'and who may re-transfer the proceedings to the Juvenile Court'.

Ms. Harman: Most of these amendments should have been dealt with in Committee. To get the Bill on the statute book, which we obviously want to do, we shall have to rush through these quite substantial amendments which come before us for the first time. Because of the Government's handling of the Bill, the Committee stage was wasted. In all courtesy to the hon. Member for Westbury (Mr. Walters), who introduced the Bill, the Government should have got their act together and revealed their hand earlier. If the Government had undertaken meaningful discussions with the hon. Member for Westbury, who has been entirely reasonable about the Bill from the outset, we could have had a lengthy and extremely useful Committee stage. Because the Government had not decided what they wanted to do, the Committee stage lasted less than half a day. So we are more or less having the Committee stage now.

The purpose of new clause 1, which deals with wardship, and the grouped amendments is to knock out clause 5 and insert a clause that would give any party to proceedings the right to apply to have a case heard in wardship. It is necessary to avoid the introduction of a further anomaly into child care legislation, arising with the right to transfer proceedings to the High Court. Currrently, many cases concerning children in care are dealt with in the High Court under the High Court's wardship jurisdiction. There are a number of reasons for that. The principal reason is the flexibility and wider powers that the court has in wardship. The most important point which the court has to consider is the best interests of the child, and in that respect it can make wide-ranging orders.

Clause 5 as it stands proposes that cases may be transferred to the High Court, but it does not specify that that should be done within the wardship jurisdiction. As the amended Bill stands, there is no indication how such cases should be dealt with. Therefore, the court will have no greater powers than a juvenile court. It is difficult to see why a case should go through the delaying process of transfer to the High Court if the court cannot exercise its wider jurisdiction and flexibility which makes wardship a useful proceeding.

Because of the decisions of the Judicial Committee of the Privy Council, from 1981 onwards, children and their relatives and friends have found it impossible to use the wardship jurisdiction where a child is in care unless the local authority concerned agrees. My proposed new clause would remedy the injustice faced by children, their families and other interested persons. If clause 5 were deleted and new clause 1 inserted, the power of transfer to the High Court—obviously it would be used only rarely—would be a useful addition.

We are talking about an important part of a very much wider mechanism in the spectrum of jurisdiction in child care law. The Government have handled the issue badly. It is wrong that we have to put all the measures in one clause dealing with one part of the whole spectrum of child care law. We should be considering all parts at the same time. We should be looking at all the jurisdictions of all the different courts with a view to instituting a family court with wide jurisdiction which takes over the duties of all the other courts that now exercise jurisdiction over family and matrimonial matters.

I hope that the new clause will bring about an improvement. I am disappointed that we have had to deal with it in such an unsatisfactory and piecemeal way. The blame lies at the Government's door. It is not too late for the Government to make a commitment to comprehensive legislation on child care. The child care law review imposed strict consultation timetables. Many organisations felt that the time limits were too short and had to abandon their other valuable work to prepare their comments to assist the Government. They were happy to do so because they felt that swift action would result. They are bitterly disappointed that there still appears to be no

[Ms. Harman]

commitment that child care law will be completely and comprehensively redrawn, let alone any commitment on the time for action on a family court.

Mr. Dennis Walters (Westbury): Like the hon. Member for Peckham (Ms. Harman), I very much hope that the Government will make a commitment to introduce comprehensive legislation in the next Session—or if not then, as soon as practicable. I fully sympathise with the aims of the new clause. It is precisely the type of proposal that I should have liked to be contained in clause 5 of my original Bill. However, I recognised that its provisions represented a considerable change which was unlikely to be accepted by the Government at that time. My clause 5 was not nearly as far-reaching as new clause 1, but it was made abundantly clear to me that the Government were not in a position to accept it. I therefore agreed with the Minister that clause 5 should be dropped. Although I applaud the new clause, I realise that it has little chance of success.

Mr. Ian Mikardo (Bow and Poplar): This group of amendments includes amendment No. 25, which proposes to leave out clause 5. My hon. Friend the Member for Barking (Ms. Richardson) and I tabled that amendment, not knowing that our hon. Friend the Member for Peckham (Ms. Harman) and the Under-Secretary of State for Health and Social Security—the hon. Member for Wycombe (Mr. Whitney)—intended, independently, to table the same amendment at the same time. The House will recognise that this amendment is a ship with a pretty formidable if somewhat variegated crew.

The Under-Secretary of State has tabled also two new clauses and no fewer than 14 amendments. I am bound to say a word of support about the comments of my hon. Friend the Member for Peckham. That is no way for the Government to treat a private Member's Bill. The Government are virtually hijacking the Bill, taking it out of the hands of the hon. Member for Westbury (Mr. Walters), and turning it into a Government Bill. That is grossly unfair to the hon. Gentleman. He was excited about winning, I think for the first time, a high place in the ballot. He was rightly congratulated. The hon. Gentleman obviously put a lot of thought and work into the legislation. But it has now, for all practical purposes, been snatched from his hands.

9.45 am

If the Government really wanted a Government Bill on child care, they should have introduced such a Bill, preferably one that fulfilled the promises that have been made for a long time. We see no signs that there will be a comprehensive Bill to clear up all the judicial problems and provide for family courts. We all know that, in the long run, family courts are the only sensible permanent solution. Over the years, the Government have been constantly ducking and putting off implementing that solution. I do not blame the Under-Secretary of State, because many of his predecessors did nothing. I feel for the hon. Member for Westbury. I believe that his feelings about his colleague the Under-Secretary of State are not all that friendly, because this takeover of his Bill is an act of daylight robbery.

I am always anxious, in dealing with the complex and often delicate and sensitive cases covered by the legislation, that in the interests of the child—it is the child about whom we care most—a decision should be made at the moment it is needed. All too often, that is a moment when the decision is urgently needed.

That point was put forcibly on Second Reading by the hon. Member for Surrey, South-West (Mrs. Bottomley). I hope that she will not mind my saying that she put the House and the Committee in her debt by bringing her many years of practical and professional experience to bear on our deliberations. She said:

"in child care cases, of all cases, a speedy decision is vital." —[*Official Report*, 31 January 1986; Vol. 90, c. 1212.]

I am sure that no hon. Member would dissent from that judgment which was strongly reinforced by some authoritative bodies whose views were quoted in Committee by my hon. Friend the Member for Peckham. She quoted from a document from the Law Society, which stated:

"The Bill's provisions will almost inevitably lead to additional delay in decisions being taken about the future of children in local authority care, with consequent distress for both the children and families involved."

My hon. Friend added:

"That is also the view of the Association of Metropolitan Authorities and of the Legal Action Group." — [*Official Report, Standing Committee C*, 17 March 1986; c. 8.]

Clause 5 and certain other clauses shunt a decision about a child care case—often an urgent decision—into the High Court. I am not a lawyer, but I know enough about the law to be able to say that it often takes a long time to get a case into the High Court. Once the case has got there, it often takes a long time to get it out again—that is to say, to get a finding.

The Minister expressed some anxiety about that in Standing Committee. In columns 18 and 19 of the report he said:

"I have some experience of the courts and can tell my hon. Friends that it often takes much longer to go to the High Court than to go back to a magistrates court for appropriate consideration to be given to a problem."—[*Official Report, Standing Committee C*, 19 March 1986; c. 18-19.]

There is also the matter of the cost of actions in the High Court. Who will pay for High Court hearings which are often long and always expensive? There is no provision in the Bill as drafted for legal aid. There is no point in legislating for parents or for anyone else to have statutory rights that they cannot afford to exercise. That merely creates frustration. I know I must not anticipate the debate on new clause 2—you would be angry with me, Mr. Speaker, if I tried to do that—and I must not anticipate the conclusion the House may come to on that clause. Perhaps I could say in half a sentence that even if it is carried, it provides legal aid only in the juvenile court, which is not very costly, but not in the High Court, which can cost an arm and a leg. For those reasons I attach great importance to amendment No. 25 and I hope the House will support it.

Ms. Jo Richardson (Barking): In response to my hon. Friend the Member for Peckham (Ms. Harman), the hon. Member for Westbury (Mr. Walters) said that he had some sympathy with what she said. I did not take part in the Second Reading debate and I was not on the Committee, but the thought that immediately came to my mind was: in that case, why did he not support her? The hon. Gentleman immediately supplied the answer, when he said that he thought my hon. Friend's new clause was too far-reaching, that his was a more modest approach, and that the new clause to replace clause 5 was a considerable

change. It is time that we thought about having such a change, so that we get the proper restructuring. That is the purpose of my hon. Friend's new clause. Clause 5 seeks to provide that care proceedings can be transferred to the High Court in certain circumstances. We all know that, but it does not provide any additional powers to deal with them, as the High Court would do in wardship.

Until we get a comprehensive restructuring of the court system that creates a unified family court able to allocate cases to the requisite level of the judiciary, according to the complexity and sensitivity of the case, this provision would create additional difficulties, delay and confusion, and, far from satisfying the intention of the sponsor of the Bill—to move forward a little more slowly—the Bill might make things much more complicated than they were before. I have read the Second Reading debate and the report of the Committee stage. Various references are made to family courts and to the Finer report. I came to the House in 1974 and my early years here seemed to be studded with references and campaigns about Finer because that report came out in the first few years of the Labour Government. It caused a great deal of discussion and its findings were a challenge to the concept of courts dealing with matrimonial problems.

Clause 5 attempts to fit judicial court cases into High Court procedures, but it does not provide the advantage of High Court's additonal powers of wardship. It is not clear, if the case were referred to the High Court, whether High Court procedures like the service of affidavits, directions, hearings, discovery and so on, would be followed. Perhaps the hon. Gentleman could clarify that, because I could not find any clarification in the Standing Committee report. It is something that we ought to know about. It is not clear on what grounds a court could decide that a case is of unusual difficulty or late, or whether the High Court could refuse to hear a case that it did not consider to be of unusual difficulty. That means there could be considerable delay and uncertainly for the child. As my hon. Friend the Member for Bow and Poplar (Mr. Mikardo) has said, we are all discussing the Bill with the child in mind.

Mr. Clement Freud (Cambridgeshire, North-East): Would the hon. Lady accept that, as a result of the inevitable delays that occur when a case goes to High Court, the situation of the child could easily change? For that reason, the Opposition have urged the Government not to tinker with Bills like this which would include family court procedures.

Ms. Richardson: The hon. Gentleman has made a valid and cogent point. As I was saying, it is the child that we must bear in mind and any change in the procedures brought in by Parliament must be seen in that context. Any changes would have an effect on a lot of children and we must take that into account. Any party to a court hearing that wished to delay the proceedings could raise arguments in the High Court about the venue and the jurisdiction as well as about the nature of the evidence and the difficult points of law.

I have put down two amendments to clause 5 which for convenience have been linked to the new clause that we are discussing. They are an alternative to deleting clause 5, although I thoroughly support the aims of my hon. Friend the Member for Peckham and follow her along that way. Perhaps I can briefly explain the purpose of amendments 26 and 28 which I have tabled. Clause 26 proposes to

"leave out from 'Court' to end of line 15 and insert 'on the grounds that proceedings in relation to the same child are already continuing in the High Court.

(2) This section applies to—

(a) any of the proceedings mentioned in paragraph *(a)* to *(e)* of section 4(1) above;

(b) any proceedings under section 1 of this Act.".

The amendment seeks to remove the ability to transfer care cases on the grounds that the case is of unusual difficulty or length or because a difficult question of law arises. I have had briefings from a number of different organisations, as I am sure other hon. Members will have had. It seems that people who are expert in these matters feel strongly that the powers to transfer cases on these grounds alone would create unnecessary delays in dealing with decisions affecting a child's future, although the clause provides no additional powers to the High Court to deal more effectively with them. Although people seem unconvinced that the clause as drafted would be of any benefit, I gather there would be less objection to the transfer of cases if this amendment, as an alternative and as a second bite at the cherry, were carried.

Amendment No. 28, in clause 5, page 5, line 23, delete the words:

"and who may re-transfer the proceedings to the Juvenile Court",

is an alternative way of dealing with the matter, and improves the Bill. It appears to be unrealistic to allow a case to be retransferred in that way, as it would only add to the delay in reaching a decision on the child's future, in a way that appears to be simply for the convenience of the court. Again, we come back to the point about whose interests are to be the prime interests in the consideration of such cases. Obviously, it is the child's interests, not the court's.

Each transfer appears to offer no additional powers to deal with the case. Delay in juvenile proceedings was identified as a serious problem, as hon. Members know, by the Select Committee on Social Services in its second report in 1984. It said so categorically. It seems that the provisions of the Bill would serve to increase rather than reduce delays in care proceedings and to use the Committee's words, "the evils attendant on" such delays do not appear to have been recognised.

I hope that new clause 1 will be accepted, along with the deletion of clause 5. However, if that does not happen, I hope that consideration will be given to the two amendments to which I have referred, which would at least effect some improvement.

10 am

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): I should like to speak in support of amendment No. 25, which stands in my name and the names of some Opposition Members. As the hon. Member for Bow and Poplar (Mr. Mikardo) said, that is an intriguing combination.

I have no wish to prolong unnecessarily the discussion on this part of the proceedings, or, indeed, the Bill as a whole. However, it is right that I should respond to some of the points that have been made, particularly by Opposition Members.

The hon. Member for Peckham (Ms. Harman) made the charge that the Government's position has been inconsistent throughout the handling of the Bill. That is totally unjustified. The Government's position has been made clear from Second Reading and throughout the Committee. In Committee, the hon. Lady and I shared the

[Mr. Ray Whitney]

same view about the vital part of the Bill of my hon. Friend the Member for Westbury (Mr. Walters), which concerns the proceedings and role that the magistrates play. However, while she and I voted in a particular direction on the Bill, none of her colleagues was present in Committee. That is one of the reasons why we are now tabling amendments, which we would have wished to avoid in handling such a Bill.

We welcome the interest that the hon. Member for Bow and Poplar has taken in the proceedings. That is an innovation. He claimed that we have hijacked my hon. Friend's Bill in an unacceptable way, but I find that difficult to accept. It is true that my hon. Friend was forbearing enough—or perhaps farsighted enough—to accept a significant change in clauses 1 and 2 of the original Bill. That was because we had fundamental misgivings about his proposals. The implication of the remarks made by the hon. Member for Bow and Poplar was that he wished we had gone along with proposals that were resisted by so many people in the professions concerned in the handling of child cases.

Ms. Harman: Why did the Minister not bring forward his amendment to delete clause 5 in Committee? Then there could have been a proper discussion. Nothing has happened since the Committee to change the situation. If the Minister had proposed the amendment that he has now tabled, we could have had a proper discussion in Committee. That is why I am suggesting that his strategy has been so shameful.

Mr. Whitney: I see no difficulties about having a discussion now. It flows from other discussions with my hon. Friend the Member for Westbury.

I do not wish to delay the House any longer than necessary, but I need to make one other point, which seems to have escaped the hon. Member for Peckham, about the Government's intentions. As the House knows extremely well, at the end of last year we launched our consultative document on the review and reform of child care law — a truly massive exercise, as the House understands. Therefore, we feel some nervousness and have some misgivings about legislation such as this. However, we do not use the piecemeal argument, saying, "If it goes in the right direction, let us have it."

The House will be aware that yesterday, in response to a parliamentary question, my right hon. Friend the Secretary of State made it clear that the Government, having absorbed about 200 responses to the working party report on the review of child care law, will now draw up their own proposals for child care law and day care. The Government intend to publish them in the autumn as a basis for legislation. It will be introduced as soon as parliamentary time can be found.

Mr. Ivan Lawrence (Burton): Will my hon. Friend give an undertaking that such legislation will be forthcoming within the lifetime of this Parliament?

Mr. Whitney: That brings in several other issues on which I am not at liberty to comment now. However, I hope that the House will accept that it is a major step forward that the Government have given an undertaking to introduce that legislation. The rate of that response is, in no small measure, a reaction to the pressures generated by my hon. Friend the Member for Westbury and the importance of the discussions that he has prompted as a result of his Bill. The proposals for a major piece of legislation, absorbing those responses to the report, will be published in the autumn.

Mr. Roger Sims (Chislehurst): What the Minister has just said about a family law review is welcome. Hand in hand with that goes the question of family courts, to which reference has been made. How long do we have to wait before we have the Government's proposals? We have had suggestions that they are coming for a year or more. Now we hear that they will come out in a week or two. Can we have any assurance that we will see those proposals?

Mr. Whitney: At this stage, I can say only that my hon. Friend's reference to a week or two is probably near the mark. I wish that I could say more than that at this stage, but I think that my hon. Friend is in the correct target area.

I hope that we can agree on the proposal to delete clause 5. The purpose of the clause is well understood by all hon. Members present. It introduced a novel procedure, because it would require proceedings to be transferred from what is essentially a criminal court exercising a summary procedure to a civil court with a formal and much more elaborate procedure. While it would be possible to resolve that procedural problem, a great deal would be required by way of rules to achieve that.

The serious disadvantage in what is proposed is that it would inevitably cause delay in dealing with child care cases beyond that which is now experienced, and which gives cause for concern. We are all worried about the delay to which the hon. Member for Cambridgeshire, North-East (Mr. Freud) referred. Delay would be inevitable in most cases because, until the case was ready for hearing, or even part heard, the parties would not know whether the case was one of unusual difficulty or length, or would give rise to an unusual or difficult question of law. The court would be able to transfer a case on its own motion only where the matter was part heard. Only then would it be possessed of the necessary information.

When the decision had been made to transfer, it would be necessary for the magistrates court to give notice to the High Court, on receipt of which the proper officer of the High Court would give notice to the parties, and after the defendants had acknowledged service of that notice, an appointment for directions would have to be arranged.

Mr. Freud: The Minister has described the litany of procedure. What will be done to monitor the changing circumstances of the child? I expect that cases could change radically between the beginning and end of legal proceedings if the High Court was invoked, because there are many stages in the legal process. A child is not a static human being.

Mr. Whitney: I entirely accept that point. That is why we wish to delete the clause. That issue will be addressed when we introduce our child care law reforms. There will be difficulties in the transfer of such cases, and I hope that, in view of our consultations and the responses that we have received, which include an examination of delay and changing circumstances, when we produce our legislative proposals we can deal satisfactorily with the inevitable problems.

The transfer of cases to the High Court could increase demands upon High Court judges and would be an

unjustified burden upon the legal aid fund, without any of the offsetting savings which we hope will be made in the package that should emerge from our child care law reforms.

Ms Harman: Should not the overriding criteria be the best interests of the child and the best judicial forum for assessing the interests of the child, not the requirements of the legal aid fund? Even if the Minister believes that clause 1 is unlikely to survive and, therefore, the transfer mentioned in clause 5 would not apply, would it not be useful to apply the transfer to the procedures set out in clause 4(1), paragraphs *(a)* to *(f)*?

Mr. Whitney: I wish that the hon. Lady would make her point only once. Of course, children are important, as is the reduction of child abuse cases to the fewest possible. I understand and, to a large extent, sympathise with the high-and-mighty attitude that money should be no object. However, having accepted that we are struggling to find a set of arrangements, be they legal or administrative, to reduce to the absolute minimum — to eliminate completely is not for this world—cases of child abuse, there is a duty on any Government to take account of resources. I hope that the hon. Lady, having played her card once, will rest on that trick.

Mr. Freud: It is absurd for the Minister to accuse the hon. Lady of repeating herself and doing so four times over. It is unhelpful to our proceedings.

Mr. Whitney: Perhaps I am practising for "Just a Minute"——

Mr. Freud: The Minister would be good at that.

Mr. Whitney: Yes, I think I might be better than some. I am happy to agree with the Opposition that clause 5 should be deleted from the Bill. I do not recommend the House to accept new clause 1, mostly on grounds of principle but partly on grounds of resources. The objectives that will be set out in our review of child care law will improve care proceedings in juvenile courts so that recourse to wardship is reduced, while acknowledging that it would be available in exceptional cases. Although I shall be accused of repetition, I must say that new clause 1 would add considerably to costs and to delays in court proceedings, which the House would abhor. I urge the House to accept amendment No. 25.

10.15 am

Question put, That the clause be read a Second time:—

The House divided: Ayes 14, Noes 22.

Division No. 168] **[10.15 am**

AYES

Cook, Frank *(Stockton North)*	Raynsford, Nick
Dixon, Donald	Richardson, Ms Jo
Dubs, Alfred	Roberts, Ernest *(Hackney N)*
Freud, Clement	Wigley, Dafydd
Hamilton, W. W. *(Fife Central)*	Williams, Rt Hon A.
Harman, Ms Harriet	
Lawrence, Ivan	Tellers for the Ayes:
Miller, Dr M. S. *(E Kilbride)*	Mrs. Gwyneth Dunwoody and
Pavitt, Laurie	Mr. Ian Mikardo.

NOES

Amess, David	Greenway, Harry
Braine, Rt Hon Sir Bernard	Hamilton, Hon A. *(Epsom)*
du Cann, Rt Hon Sir Edward	Hargreaves, Kenneth
Garel-Jones, Tristan	Hirst, Michael
Gow, Ian	Lennox-Boyd, Hon Mark
Newton, Tony	Walters, Dennis
Rhys Williams, Sir Brandon	Whitney, Raymond
Sims, Roger	Wilkinson, John
Spicer, Jim *(Dorset W)*	Wood, Timothy
Squire, Robin	
Temple-Morris, Peter	Tellers for the Noes:
Thorne, Neil *(Ilford S)*	Mr. Peter Lilley and
Townsend, Cyril D. *(B'heath)*	Mrs. Virginia Bottomley.

Question accordingly negatived.

New Clause 2

APPEALS

'(1) In subsection (12) of section 2 of the Children and Young Persons Act 1969 (right of relevant infant to appeal against order made in care proceedings) after the words "the relevant infant" there shall be inserted the words "or, in a case where a parent or guardian of his was a party to the care proceedings by virtue of an order under section 32A of this Act, the parent or guardian" and for the word "him" there shall be substituted the words "the relevant infant".

(2) In section 16(8) of that Act (appeals by the supervised person against certain supervision orders and dismissal of application to discharge such orders) after the words "the supervised person" there shall be inserted the words "or, in a case where a parent or guardian of his was a party to the proceedings on an application under the preceding section by virtue of an order under section 32A of this Act, the parent or guardian".

(3) After subsection (4) of section 21 of that Act (variation and discharge of care orders) there shall be inserted—

"(4A) In a case where a parent or guardian is a party to the proceedings on an application under subsection (2) of this section by virtue of an order under section 32A of this Act, the parent or guardian may appeal to the Crown Court against the making of a supervision order or the refusal of the court to discharge the care order.".

(4) In section 22(4) of that Act (power of High Court, on application of person to whom interim order relates, to discharge order) after the word "relates" there shall be inserted the words ", or, in a case where the order was made in proceedings to which a parent or guardian was a party by virtue of an order under section 32A of this Act, of the parent or guardian,".'.—*[Ms. Harman.]*

Brought up, and read the First time.

Ms. Harman: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take the following:

Government amendments Nos. 22 and 23.

Amendment No. 24, in clause 4, page 4, line 35, at end insert

'for a period of not less than three months ending not more than six weeks before the date of the application'.

Government amendment No. 29.

Ms. Harman: New clause 2 deals with legal aid, and is necessary to ensure that people who are made party to care proceedings are entitled to apply for legal aid. Clearly, without legal aid for parents or anyone else who may be made a party to the proceedings, the right to participate in those proceedings is absolutely hollow unless they can afford to provide legal representation. Obviously, many people cannot get legal representation unless they receive legal aid.

A good illustration of why people need legal aid in care proceedings and why they cannot appear in court in person is given in new clause 5, which the Minister has tabled. The first sentence is absolutely incoherent, and should be submitted for a prize for legal gobbledegook. There is no way that people can begin to understand discussions about

[Ms. Harman]

what is, perhaps, the most important feature of their lives —what is happening to their children— without legal representation.

The Minister made some backhanded remarks about a comment I made on legal aid when we discussed new clause 1. We are not simply making "money-no-object" points—we are talking about people's ability to enforce the legal rights which the House has seen fit to put on the statute book. The Government are always talking about law and order, but the law is absolutely meaningless and not worth the paper it is written on unless people can have representation to enforce those rights and to participate in proceedings which will profoundly affect their future.

At present there is a great problem with legal aid. Some firms are going out of business because of the restrictions being exercised on the legal aid system. Other firms, although still in business, are reducing the amount of legal aid work they will do in favour of increasing the amount of privately paid work. Therefore, the availability of legal representation for people on the legal aid scheme is being reduced seriously, and with it all the rights people could have enforced, had they had that legal representation.

There is also a problem facing law centres, and at present their future is in doubt. They are a further way by which people can obtain legal representation to enforce their rights and to be party to proceedings which will affect their future. Without them, some people could not participate meaningfully in court proceedings.

We have rather got used to the idea that the law centre movement is part of the legal scene, and is here to stay. However, there are only a few law centres, and there is by no means the comprehensive spread that there should be. Moreover, their future is in doubt because of a whole range of funding problems. It is highly regrettable that the Government have not seen fit to say that they will secure their future and extend their provision to other parts of the country.

Consequently, the new clause is important. It is not a question of money being no object. We are talking about basic justice and basic legal rights. The Minister raised the point about money when we discussed new clause 1, but it is more relevant to this new clause. However, let us see what the Government are prepared to find money for. It has been estimated that the attempt to abolish capital transfer tax and to return to some sort of voluntary estate duty will mean a saving for just one man—the Duke of Westminster — of about £600 million in tax on his estate. As the Government have just facilitated that, it ill behoves them to talk about being thrifty in the case of legal aid, which merely enables people to enforce their legal and basic rights.

10.30 am

I am not happy with Government amendments Nos. 22 and 23. Amendment No. 23 restricts those who could be parties to the proceedings to the parent or guardian. The Bill recognises that more people have a legitimate interest in being parties to a case than just the parent or guardian. In the Jasmine Beckford case, the foster parents could well have been a party to the case and could have considerably assisted the magistrates. The magistrates might not then have made the disastrous comments that were so heavily criticised by Louis Blom-Cooper and his inquiry team. The amendment means that foster parents or anyone else with a legitimate interest or involvement with the child could not be a party.

The Bill makes a considerable improvement to child care law in recognising the contribution that parties other than the parent or guardian can made to the proceedings. Obviously, the court has discretion and flexibility about who should be involved, so that those who do not have a legitimate involvement cannot be parties. I believe that it can be safely left to the court to exercise its discretion, using guidance on the criteria that should be taken into account.

I am not entirely happy with amendment No. 24, which stands in the name of my hon. Friend the Member for Barking (Ms. Richardson). It narrows the opportunity for foster parents to become involved in proceedings and to be made party to them. They could be made party to the proceedings only if they had cared for the child for a period of three months, ending

"not more than six weeks before the date of the application."

I cannot quite remember the dates now, but in the Jasmine Beckford case I think that the foster parents had not been looking after the child six weeks before. Consequently, I think that the amendment is unduly restrictive. I understand that its aim is to be consistent with other child care law. Obviously, that is important as we have a tangled enough web as it is. Indeed, we need a comprehensive review of child care law. However, imposing an absolute limit might exclude some people who have a contribution to make. Therefore, I hope that new clause 2 will be accepted, but that amendments Nos. 22, 23 and 24 will be rejected.

Mr. Harry Greenway (Ealing, North): I have considerable sympathy with the call for legal aid to be provided to parents faced with the problem of adoption proceedings for their children. All hon. Members will have had parents in their surgeries with similar problems. Members of Parliament and those who are not qualified in law find it difficult to give them helpful advice. Moreover, to my knowledge not as many lawyers are qualified in child care as in divorce law, commercial law, the law for fraud and so on. That is a counter-argument to that put forward by the hon. Member for Peckham (Ms. Harman).

Although I have general sympathy for the hon. Member for Peckham, I was unhappy about her approach when she said that the money could come from the changes made in the Budget. It was a little beneath her to talk of money coming from the estate of the Duke of Westminister. Although a flood of money has been released by the change in capital transfer tax, it was a one-off thing and does not support her argument.

The principle of legal aid for parents faced with adoption proceedings should stand or fall on its own. If the House feels that the principle is right, it should will the means. But I do not want to become involved in the rather cheap arguments that have been put forward. I have 23 years' experience of being a schoolmaster and seven years' experience as the head of a mixed school with more than 2,000 children. Parents who face adoption problems are often people with difficulties of their own. They are sometimes inadequate people, and they have a job to put a case together. That is not always true, but on the whole those people need to be able to talk their problems through

with someone who is qualified and who is in a position to help them. I rather fancy that suitably qualified lawyers are the best people to do that.

Parents involved in adoption proceedings are in a sensitive and emotional state, and often understandably find it difficult to make an objective case for themselves. After all, it is essential to be objective in legal proceedings because ultimately the decision will have to be taken objectively in the interest of the child's welfare. If parents are struggling and fighting — some of them do when they are involved in these matters—they are often not in a position to be subjective. Parents have come to my surgery begging to be allowed to see their own children. I find that heart-breaking—I do not want to load the debate emotionally — and I feel that the House and individual Members have an obligation to lean over backwards to assist those who are in that difficult position.

I have found in my long experience that parents tend to lean on anyone who will listen and who may have some means of giving sensible and useful advice. These third parties may include schoolmasters, headmasters, social workers or vicars. A multitude of sympathetic people can be brought into these matters. However, unless the pesson on whom a parent leans can pinpoint the law, describe how it stands and describe how it can be called in aid in the individual case, the parent will not receive the right sort of assistance that he or she needs and deserves.

I know of a school in a fairly deprived area where 10 per cent. of children are said to be involved in adoption proceedings. The problem is considerable and needs to be faced by the House. The care and welfare of the child must come first and if parents can be assisted to ensure that that happens, the House should make that assistance available.

Mr. Mikardo: Like the hon. Member for Ealing, North (Mr. Greenway), parents have come to my surgery — not many — to complain that they have not been allowed to see their child. The last parent to complain to me on that ground had treated the child abominably before it had been taken from him. He subsequently treated the child abominably when he had a chance to see it. All these matters must be dealt with on a case-by-case basis and in a way that relates to the particular circumstances.

I wish to say through you, Mr. Deputy Speaker, to the Under-Secretary of State that if he wants us to have a pleasant and effective discussion of the Bill, which is what the rest of us want, he will have to treat the House with rather more courtesy and respect than he did in the course of his previous speech, in which he was disgustingly patronising to my hon. Friend the Member for Peckham (Ms. Harman). He insulted the intelligence of the House in the reason that he gave for not tabling amendments in Committee. He said, "I did not table the amendments in Committee because no Opposition Members were present in Committee and we could not discuss them". Amendments that come before a Committee have to be tabled at least 48 hours before the Committee meets. Unless the Minister has taken on the mantle of Isaiah, Nostradamus or Old Moore, of almanack fame, he cannot know 48 hours before a Committee meets how many Members will attend it. His explanation was nonsensical.

My hon. Friend the Member for Peckham was right. If the Minister wanted to change the Bill in the way in which the Government are now changing it, and if he could have obtained the agreement of his hon. Friend the Member for Westbury (Mr. Walters), the sponsor of the Bill, so to do, he should have tabled amendments for the Committee to consider. That would have enabled a proper discussion to take place because the Committee members would have had reasonable time to study the amendments and to take advice on them. Instead, we saw the amendments only yesterday, and that is treating the House cavalierly.

I applaud the attempt of my hon. Friend the Member for Peckham to secure legal aid for those who are involved in juvenile court proceedings, but if there is to be High Court involvement it is there, more than in the juvenile court, that legal aid will be required. If it is not to be granted, however, we are merely giving statutory rights to parents in the knowledge that they will not be able to take advantage of them through lack of resources. That will frustrate parents and embitter them. We shall appear to give them a gift, but it will be so tightly wrapped in an impregnable box that it will be of no value to them.

10.45 am

Amendment No. 24 stands in my name and the name of my hon. Friend the Member for Barking (Ms. Richardson). The subsection gives rights of evidence to

"any person with whom the child is or has been boarded out".

That will be foster parents generally, and foster parents will know and understand the child if they have had it for a while, and recently. I did not table the amendment to make the Bill consistent with other legal provisions. It was an original thought and the amendment is designed to ensure that a foster parent who wants to give evidence shall be one who has reasonable knowledge of the child, and reasonably recent knowledge. As matters stand, someone could demand to give evidence who had had the child with them for a couple of days only two years ago. He or she could be entirely unacquainted with the present circumstances.

I accept that the figures which I have chosen—

"for a period of not less than three months ending not more than six weeks before the date of the application"—

may not be the best ones. I admit at once that they were plucked out of the air. If there are better figures, or figures which would be supported by those with greater knowledge of these matters than I have, there will be an opportunity in another place, if the principle is accepted, of inserting them. It is not unfair to have some restriction because evidence of a child's condition and attitudes is not of much value unless it is recent and based on reasonable experience with the child. Even if the amendment is not accepted, I hope that the sponsor will be disposed to say that he is willing to think about it and perhaps to consider what might be done when the Bill goes to another place.

Mr. Sims: The hon. Member for Peckham (Ms. Harman) has complained that amendment No. 23 is too narrow. I suspect that my hon. Friend the Minister will complain that the original clause 4 was too wide. That is the problem that we face. In the proceedings which we are discussing, there will be many who could have an interest in and knowledge of the child and something to contribute to the court proceedings.

I am not a lawyer and my experience is limited to sitting as a magistrate in the juvenile courts. My understanding is that, once someone is made a party to the proceedings, he or she has legal status and the court is obliged to hear them. That person — this is what worried the Government—will be entitled to legal aid. As the hon.

[Mr. Sims]

Member for Bow and Poplar (Mr. Mikardo) has said, the various categories that are set out in clause 4 are quite wide. They go wider than

"any person with whom the child is or has been boarded out".

Subsection (3)*(c)* states:

"any other person appearing to the court to have a proper interest in the welfare of the child."

That is an extremely wide provision.

If my hon. Friend the Under-Secretary of State is to ask the House to accept the far narrower definition of amendment No. 23, for the reasons that I anticipate he will give to us, may I ask him to look closely at the present position with regard to other persons appearing before the court in these proceedings. They do not necessarily have to be parties to the proceedings in a legal sense. However, there could be circumstances in which it would be highly desirable that people who do not fall within the normal legal categories should be heard by the magistrates court. For example, the lady next door, who is not a relative but who knows a good deal about what has been going on in that house for some years, perhaps ought to be heard by the court. That might also apply to the lady round the corner whom the child knows as "auntie" and with whom the child stays for much of the day while mummy is out at work. I realise the difficulty of giving to those people the status of parties to the proceedings in a legal sense, but the court would benefit from hearing what they have to say.

Ms. Harman: The hon. Gentleman is confusing the question of the court being able to hear evidence from somebody who lives next door and whether that person has sufficient concern, interest and involvement to be a party to the proceedings. Does he agree that he has slightly misled the House by saying that my view is that clause 4 has been drawn too wide? Will he accept that I do not think that it has been drawn too wide but that I think that it is too woolly? There should be a wide clause, but guidance should be given to the magistrates about how to exercise their discretion. The new clause has been tabled to include such a provision in the Bill. Will the hon. Gentleman accept that, although I believe that the Government's proposal is too narrow, I do not believe that clause 4 is too wide?

Mr. Sims: I apologise if I gave that impression. I said that the hon. Lady thought that it was too narrow and that my hon. Friend the Under-Secretary of State thought that it was too wide. I was seeking to say exactly what the hon. Lady has just said: that it is important that guidance should be given to the courts by means of rules, guidance, or circulars, to ensure that the interested parties, in the layman's expression, are able to appear in court.

My experience of sitting in these proceedings is that it might be an advantage to grant legal aid to people so that they may be represented by solicitors but that there are occasions when this might be a disadvantage and that it would be of help to the court to hear people informally and listen to the information that they are able to give to the court.

I understand why my hon. Friend the Under-Secretary of State will ask the House to accept amendment No. 23. However, I ask him to ensure that the courts are fully advised of the desirability in these proceedings of listening to anybody who, in the normal layman's expression, would have an interest in the outcome of the proceedings.

Mr. Whitney: Amendments Nos. 22, 23 and 29 would remove clause 4 on parties in care and related proceedings and substitute a new provision with three separate inserts in the legislation.

Subsection (1) adds to section 32A of the 1969 Act that a separate representation order in care proceedings carries with it party status for the parent or guardian. "Guardian" here means not legal guardian but the 1933 definition of "any person who in the opinion of the court has for the time being the charge of or control over the child".

Subsection (2) adds a new section to the 1969 Act providing for grandparents in circumstances specified in rules of court to be made parties by leave of the court, which can be a single justice.

Subsection (3) provides legal aid for parents, guardians and grandparents where made parties.

These are the differences from clause 4, to which I shall draw attention.

First, the amendment relates to care and related proceedings under the 1969 Act but not to the Child Care Act 1980 proceedings when parents are already parties. Secondly, the amendment relates to parents and guardians only if a separate representation order has been made because there is a conflict of interest with the child. Thirdly, the amendment allows party status to grandparents but not to any relative, any person with whom the child is or has been boarded out and any other person appearing to have a proper interest in the welfare of the child. However, the extended definition of guardian will bring in those relatives who have the control and care of the child.

Mr. Mikardo: One person who might have something worthwhile to contribute but who seems to have been left out of the picture altogether is the child's teacher. Why has the teacher been left out?

Mr. Whitney: That would be a matter for the court. There could be cases in which a teacher could play a role, but the contribution of the teacher is not automatically provided for.

The amendment leaves for rules of court the criteria for giving party status to grandparents.

Amendment No. 29 is a technical amendment to clarify the rule-making power. As foreshadowed in Committee, I have discussed the clause with my hon. Friend and I hope he will support the amendments I have now tabled. I appreciate that he is disappointed we cannot go further at this stage. We shall, of course, come to this whole area again in our own legislative proposals. At this point we have been able to conclude only two of the more important possibilities in this Bill. The first of the two is parents and guardians in care proceedings where there is a separate representation order. This is wider than it seems, because in this context "guardian" includes any person who had charge or control immediately before care proceedings started, or has the charge or control of the child for the time being, in the judgment of the court. This seems to me an urgent improvement. I was also much impressed by my hon. Friend's arguments about the contribution which in some circumstances grandparents can make to obtaining the best outcome for the child. We endorse that point and recognise that grandparents can often play a major role in the child's life.

As for new clause 2, we accept that legal aid should be granted to parties to the proceedings. However, the way forward proposed in amendments Nos. 22, 23 and 29 is the better way forward. Therefore, I hope that the hon. Member for Peckham (Ms. Harman) will withdraw new clause 2 and accept our amendments.

Mrs. Virginia Bottomley (Surrey, South-West): The suggestion, even the possibility, that teachers might become parties in care cases fills me with absolute horror. The suggestion by the hon. Member for Bow and Poplar (Mr. Mikardo) shows a misunderstanding of the complexity of our court proceedings. If one becomes a full party to the proceedings, it means that one can not only give evidence but cross-examine all the other witnesses. That highlights the misunderstanding about clause 4 and the need for people to give evidence.

Care proceedings are traumatic, emotional and difficult occasions. I feel very strongly that all those who have a contribution to make to a child's welfare and future should be able to give their opinion to the court and make representations, but that is a million miles away from granting full party standing to them. The idea that each and every one of them should have legal aid and be able to employ a lawyer—which would result in a wonderful job creation scheme for the legal profession, a matter about which my hon. and learned Friend the Member for Burton (Mr. Lawrence) may care to comment—fills me with horror. I agree with my hon. Friend the Member for Chislehurst (Mr. Sims), who often speaks in a similar vein and who has presided over many difficult care cases.

In the past, the standing of parents has been equivocal, to say the least. If the least that my hon. Friend the Member for Westbury (Mr. Walters) is able to achieve is to give formal standing to parents in care cases, it will be a great step forward. For the most part, the modifications to the Bill have been an improvement. I feel strongly that clause 4 is too wide. I said so on Second Reading, and I welcome the modification that has been made.

11 am

It is fair that grandparents should be given leave to be parties, although it would not be helpful or right for them automatically to have the full standing of parties. The review of child care law has been much discussed, and many hon. Members were pleased to hear the welcome news that there is to be concrete action and a timetable for legislation in at least the foreseeable future. It is better than anything that we have been able to hope for in the past. The review of child care law must make the distinction between the need of those who might want to make representations to feel that they are involved in the decision over the child and the need for them to have full party status.

Mr. Walters: The new clause is the result of discussions between me and some of my sponsors and the Government. I single out my hon. Friends the Members for Surrey, South-West (Mrs. Bottomley) and for Chislehurst (Mr. Sims) for their continuous and invaluable support throughout the discussions. I welcome the fact that the Government have been able to extend the right to be a party to parents and guardians and have accepted that, in appropriate circumstances, grandparents may become parties as well.

In my Bill I specified the circumstances in which grandparents might become parties — normally when they have an important contribution to make. I am a little concerned that the Government's proposals leave it entirely to the rules of court to do this. I would much appreciate a commitment from my hon. Friend the Minister that, when the Bill is enacted, the rules of court will not be framed in an unduly restrictive manner. If it is not possible for him to spell it out this morning, perhaps it can be made clear in another place.

I am delighted to have achieved this important improvement, and the flood of letters that I have received from grandparents all over the country recounting some sad and moving stories of the unhappy consequences of the present state of the law leaves me in no doubt about how welcome, right and beneficial this provision will be.

The new clause leaves unclear whether the definition of grandparent would extend to the grandparents through the father of an illegitimate child. By use of the word "relative" and its statutory definition in the Child Care Act 1980, my clause made it plain that the father and grandparents of an illegitimate child were also included. It is established that the reference to parents normally excludes the putative father. There is no definition of grandparents in any of the relevant statutes, and I hope that when the Bill goes to the other place this point will be clarified, and that the grandparents of the illegitimate child will also be included. In such cases, it is not infrequent that such grandparents are involved.

Whatever view is taken about the rights of the putative father, I can see no possible welfare grounds for distinguishing between the classes of grandparents. Therefore, I hope that this matter will be clarified in the other place.

Royal Assent

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

1. Gaming (Amendment) Act 1986
2. Statute Law (Repeals) Act 1986
3. Highways (Amendment) Act 1986
4. Yorkshire Water Authority Act 1986

Children and Young Persons (Amendment) Bill

Question again proposed, That the clause be read a Second time.

Ms. Richardson: This has been a most interesting debate. The hon. Member for Westbury (Mr. Walters) has raised an interesting point about the grandparents of an illegitimate child who are the parents of the putative father. That supports the theory that I think is shared by my hon. Friend the Member for Peckham (Ms. Harman) that, while we think it right that grandparents, if they so wish, can make an application, so can other people, and the court would deal with any frivolous applications.

Ms. Harman: Does my hon. Friend agree that it is sad and inappropriate that the hon. Member for Westbury (Mr. Walters), having raised this important point about the grandparents of the illegitimate child, should be talking about amendments that might have to be made in the other place to clarify the position? If the Bill had been dealt with

[Ms. Harman]

properly by the Government, those points would have been raised in Committee and then we would have been clearing it up now and making the situation satisfactory on Report. The hon. Member for Westbury does not sit in the other place. Therefore, does he support the point made earlier, that the Bill has been hijacked by the Government and taken out of his control?

Ms. Richardson: I am glad that my hon. Friend has raised that point. I was not on the Committee, being engaged in Committee on the Social Security Bill, but I have read the debate. It seems to me from the remarks that the hon. Member for Westbury has just made that it has just occurred to him that the Bill is being stitched together as we go along. Bits are being snipped out and other bits are being stitched in. That may be the tradition in legislation, but it is normally a process carried out in Committee. It is rather strange that, in effect, we are having a Committee on the Floor of the House, with new ideas being trailed, and this is not necessarily the right time to deal with them.

I support legal aid. I speak as a lay person. I have never been a magistrate, and I have great admiration for those who have devoted much of their spare time to that valuable work. I am not a lawyer like my hon. Friend the Member for Peckham—I am a lay person in every sense of the word. However, I have had complaints, not on child care, but on other subjects, about the difficulties that some people have in getting legal aid in magistrates courts. They are not necessarily refused legal aid, but they do not know about it and it is not pointed out to them.

A few years ago, I had a long and somewhat acrimonious discussion with the now retired clerk of my local magistrates court. I discovered that Barking magistrates court was towards the bottom of the league table of legal aid granted in courts. I tried to find out why. The clerk was frank and said that he wanted to save the Crown money. My reaction was that it was not for him to make that decision. If people qualify for legal aid they must be encouraged and shown how to claim it.

The amendment suggested by the Family Rights Group attempts to ensure that people made parties to care proceedings are entitled to apply for legal aid. The group says that its case work with parents prior to the introduction of legal aid for parents in care proceedings showed that a right to participate was an empty right unless parents were able to obtain legal representation.

I can see that the provision might create a field day for the legal profession, but not many people would apply. I can see the nub of the concern, but the problem is overplayed. Against the possibility of lining solicitors' pockets, we must set the rights of, and the responsibilities which we have towards, people making application to a court to be parties in care proceedings.

Mr. Chris Smith (Islington, South and Finsbury): It is crucial in such proceedings to ensure that those who are party have access to the best representation. Is it not therefore vital that the new clause be included in the Bill?

Ms. Richardson: I agree that the new clause is necessary. No one is in a worse position than the person who is not represented or who is represented by someone not of their choice and given at the last moment. I know that the proposal is costly, but it is a cost that we must bear. The rights of people must be made known. People should be able to engage the person with whom they feel most comfortable. In a court action, the person acting for the party must command trust. I support the new clause.

Mr. Whitney: The Government amendments, specifically amendment No. 23, make it clear that legal aid would be provided for parents, guardians and grandparents who are made parties in such cases. The word "guardian" means, not a legal guardian, but is as defined in the 1933 Act which states:

"any person who in the opinion of the court . . . has for the time being the charge of or control over the child."

I am grateful to my hon. Friend the Member for Westbury (Mr. Walters) for his remarks about how we were able to co-operate. We shall consider what he said, including his remarks about the illegitimate child. The rules of court will be outlined in the House of Lords. The consultation process, in particular with the rules committee, might take a little time. The matter is the Home Secretary's responsibility, but I shall pass on my hon. Friend's comments.

Question put and negatived.

New Clause 3

REVOCATION AND DISCHARGE PROCEEDINGS

'Either a parent or guardian or the child may apply under section 15(1) or section 21(2) of the Children and Young Persons Act 1969 for the discharge of a care or supervision order, or under section 5(4) for the revocation of a parental rights resolution.'.—*[Ms. Harman.]*

Brought up, and read the First time.

11.15 am

Ms. Harman: I beg to move, That the clause be read a Second time.

The clause deals with revocation and discharge proceedings. Earlier clauses make parents parties in all care and related proceedings. That is an important step. New clause 3 is designed to make it clear that not only can parents or guardians be parties to applications but that they can initiate revocation and discharge proceedings.

Parents face many problems because they are not necessarily parties to discharge proceedings. There is a technical right to initiate discharge proceedings but the legal position is currently complex. Following the decision in 1985 in the Avon county council case, it is possible that parents will not be able to proceed with an application to discharge if there is a guardian ad litem and where that guardian ad litem does not support the application by the parents for a discharge.

Parents have to go through legal contortions in fighting their way through an application for discharge. A system which deprives parents of the right to seek the return of their children but gives them rights to be parties only when the application is made by the local authority cannot be fair or just. That is why I have tabled the new clause. I hope that it will be accepted.

Mr. Whitney: I am advised that the practical effect of the new clause would be small because under section 70(2) of the 1969 Act an application can be made on behalf of a child by a parent or guardian as defined, but including someone who was guardian when the original order was made.

I urge the House not to press the new clause as it would not fit in with Government amendments 22 and 23 by

which party status is given to parents and guardians only when a separate representation order is made because of a conflict of interests with the child. When we present our own proposals for comprehensive legislation, I shall take account of the comments by the hon. Member for Peckham (Ms. Harman).

Ms. Harman: Does the Minister accept that section 70(2) of the 1969 Act was hedged around in the court decision in the Avon county council case? That means that section 70(2) no longer applies. The Minister assures us that in the far distant future we shall benefit from the child care law review, but now the situation remains unclear.

Mr. Whitney: I do not accept that it is wrong to wait while we complete the comprehensive process of revising legislation. I have already said that our concrete proposals will be made in the autumn. I am sure that it is right to take account of that and of section 70(2) of the 1969 Act as it now applies.

Question put and negatived.

New Clause 4

ACCESS

'(1) The following subsections shall be substituted for sections 12A, 12B and 12C of the Child Care Act 1980.

(2) The Court, pending a final determination or on making a care order in any of the proceedings referred to in subsection (3) of this section may, on the application of a parent, guardian or relative of the child, make an order requiring the local authority to give access to the child to the parent, guardian or relative.

(3) The proceedings to which subsection (2) above applies are:

(a) an application for a care order or an interim care order under sections 1 and 2(10) of the Children and Young Persons Act 1969;

(b) an application under section 2(12) of the Children and Young Persons Act 1969 for the discharge of a care order;

(c) an appeal under section 2(12) of the Children and Young Persons Act 1969;

(d) an appeal under section 21(4) of the Children and Young Persons Act 1969;

(e) a complaint made by a local authority to the Juvenile Court under section 3(5) and (6) of the Child Care Act 1980;

(f) a complaint made under section 5(4) of the Child Care Act 1980 requesting the determination of a resolution made under section 3 of that Act;

(g) an appeal to the High Court under section 6 of the Child Care Act 1980;

(h) proceedings in the Magistrates' Court in relation to a child or young person on an information charging him with an offence; and

(i) an appeal to the Crown Court against an order made by a magistrates' court in relation to a child or young person found guilty of an offence.

(4) Where a child is in the care of a local authority under an enactment the parent, guardian or relative of that child may apply to the magistrates' court for an order requiring the local authority to give access to the child to the parent, guardian or relative.

(5) An application under subsection (4) shall be made by way of a complaint to an appropriate Juvenile Court.

(6) An access order shall be an order requiring the authority to allow the child's parent, guardian or relative access to the child subject to such conditions as the order may specify with regard to commencement, frequency, duration or place of access or to any other matter for which it appears to the court that provision ought to be made in connection with the requirement to allow access.

(7) A Juvenile Court is an appropriate Juvenile Court for the purposes of the Part of the Act if it has jurisdiction in the area of the authority who has the care of the child.

(8) "Relative" in subsections (2) and (4) is a relative within the meaning of section 87 of the Child Care Act 1980.'.— *[Ms. Harman.]*

Brought up, and read the First time.

Ms. Harman: I beg to move, That the clause be read a Second time.

The new clause recognises the critical importance of access in rehabilitation. It is agreed that, wherever it is possible and safe to do so, a child should be returned to live with its parents and that the period spent in care should be as short as possible.

The contact that the child maintains with the parents while it is in care and the access allowed to the parents are critical to rehabilitation. If parents lose touch with the child because they do not have proper access, rehabilitation can be simply a paper exercise, because the bonds between parent and child may have been broken.

The new clause provides that a parent, guardian or relative may apply for any matter involving access to be decided by the courts. When making access orders, courts could impose specific conditions on the access.

Hon. Members may think that the clause is too wide, but it gives courts extensive powers to impose conditions when granting access. It says that courts may impose conditions on the

"frequency, duration or place of access"

and on any other matters. If a court were worried about the common law husband or boy friend of the mother, it could order that access should not take place in the presence of the man. It might also order that the child should not be taken on a visit to see that person.

Mrs. Virginia Bottomley: Does not the hon. Member see a contradiction between her view that the court should be given these powers on access and her vote against clause 1 in Committee? Clause 1 gave the courts small powers covering simply the return home. Decisions about access would be multiplied endlessly compared with that initial decision.

Ms. Harman: There was wide agreement in the child care law review that access decisions should be made by the courts. The new clause is in line with the general spirit of the Bill and with the recommendations of the review.

At present, only parents may apply for access to children in care. The Bill recognises the importance of other relatives and people who are interested in the child's life, as does the new clause, which extends the range of people who may apply for access.

At present, courts can make orders for access only when it has been stopped by the local authority. No doubt hon. Members have met parents in their surgeries and know of cases where local authorities have not stopped access, but have imposed conditions that render access unsatisfactory. The new clause would allow parents to apply to a court and to say, "Although the local authority has not denied us access, the terms on which it has granted it are so unsatisfactory as to make it virtually impossible." The court could then agree with the conditions imposed by the local authority, scrap them, or impose new conditions.

The child care law review recommended that all disputes over access should be decided by the courts. We should prefer the forum in which access was decided to be an experienced, well-trained and consistent judiciary under a family court system. That would make the new clause a much more important step. I believe that it is important, but at present it is limited.

[Ms. Harman]

The European Commission of Human Rights has recently found the Government to be in breach of the convention that protects family life in, I think, five cases where parents have been denied access to their children in local authority care. The new clause would open up the situation, but the orders and conditions that the courts could impose would prevent it from getting out of control.

A major anxiety about children in care and their families is that insufficient work is done to enable children to return home. They must be able to see and to keep in touch with their parents as much as possible. Therefore, it would be right to allow a parent or relative to challenge a local authority's decision. If a child is very young or is to be in care for some time, access is important in rehabilitation, but there may never be rehabilitation and it is also important to ensure that there is close scrutiny of the conditions under which parents are allowed to see their children.

Mr. Walters: The new clause, which would extend the rights of parents or relatives to apply for access orders, is outside the scope of anything in the Bill.

I have some sympathy with the aims of the new clause, but I cannot resist the observation, already tellingly made by my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley), that it would considerably increase the involvement of magistrates courts in the management of children in care, and the hon. Member for Peckham (Ms. Harman) firmly and, in my view, regrettably resisted that move in relation to my proposals in clause 1.

Mr. Mikardo: Subsection (5) of the new clause places within the purview of the juvenile courts the decision on a matter on which decisions are not always easy. It induces me to make some observations about that subsection and about other references in the Bill to juvenile courts.

I have to be careful that nothing I say could be interpreted as being derogatory of juvenile courts. I have a daughter who is a magistrate and who sits in a juvenile court in the north of England and I would not want to say anything that might import tension into what has hitherto been a loving and relaxed family. I know that she and her colleagues spent a considerable time reading and attending seminars to prepare themselves for their role.

11.30 am

We must bear in mind that it is a long time since the children of lay magistrates were young and a long time since those magistrates had day-to-day contact with children. My daughter would be the first to admit that, notwithstanding the study involved, the qualifications of a lay magistrate to make difficult judgments on child care cases, including access cases, on average — there are exceptions — are well below the qualifications of a trained, professional certificated social worker. The judgment of such a social worker should not, therefore, be cast aside.

Ms. Harman: Does my hon. Friend agree that the greater involvement which would be provided to the courts under the new clause is realistic, because, by definition, the parents and the local authority would be on opposite sides? Therefore, the magistrate would have to choose between contending cases. Does my hon. Friend recognise that clause 1, as it was first brought before the House, provided that the parents and the local authority would be, by definition, on the same side and, therefore, the scrutiny would not be realistic? Does my hon. Friend recognise that that was one of the reasons why we opposed clause 1?

Mr. Mikardo: I understand that. I do not seek to make more of the argument than it justifies or to make too much of the position. I know that lay magistrates place importance on the opinions expressed to them by social workers. A magistrate should not be over-influenced by what may well be an understandable and human fellow feeling for a parent and lightly discard—I use that word carefully—the views of the professional officer who is trained for the job and has probably studied the child closely over a long period.

Notwithstanding the disclaimer of the hon. Member for Westbury (Mr. Walters)—I do not cast any doubt on his integrity—it is clear that the introduction of the Bill at this time was inspired, at least in part, by a small number of recent cases of gross abuse of a child by one or both of his parents—cases which have horrified us all. I refer particularly to the Jasmine Beckford case. To the overwhelming majority of people, and especially parents, such cases are not merely horrifying; they are incomprehensible. Normal people cannot understand a parent behaving in that incredible way. They find it hard to believe that such a monstrous thing could happen. Our strong reaction is to overlook the fact that these abnormal cases represent only a tiny fraction of the many thousands of child care cases that are handled every day of the week by social workers. No one hears about those cases because they are brought to a satisfactory conclusion.

I appreciated the remarks of the hon. Member for Surrey, South-West (Mrs. Bottomley) on Second Reading —she took a crack at me earlier—when she said:

> "The history of child care law has, in my view, been too frequently an over-reaction to appalling incidents."

She continued:

> "It is very easy at a time of emotional strain and difficulty, especially when there is a great deal of press and public interest, to look for scapegoats."—[*Official Report*, 31 January 1986; Vol. 90, c. 1211.]

She cited the Jasmine Beckford case. She was absolutely right. We must remember that, in the Jasmine Beckford case, it was the court, not the social worker, that made an error which in the end, unhappily, turned out to be fatal.

Mr. Walters: In the Jasmine Beckford case, the magistrates, having made the order, commented that they would like the child to be returned to the home as soon as practicable. In retrospect, that was a grave mistake and a great pity. The decision to return the child was entirely that of the social workers.

Mr. Mikardo: That is not as I read the case and as some pretty authoritative people have interpreted it. Many people think that the social services department of the borough council involved in that case was made a scapegoat in the way that the hon. Member for Surrey, South-West said.

Ms. Harman: Is my hon. Friend aware that the inquiry chaired by Louis Blom-Cooper felt that, although the social workers said in evidence that they had not placed undue weight on the remarks of the magistrates, the remarks of the magistrates had been critical in leading to the decision? In fact, the report stated that the magistrates should be publicly upbraided.

Mr. Lawrence: Rubbish.

Ms. Harman: The hon. and learned Gentleman says, "Rubbish." I am simply bringing to the attention of my hon. Friend the Member for Bow and Poplar (Mr. Mikardo) something of which he is probably aware—that the Blom-Cooper inquiry felt that the error of the magistrates was significant and, combined with the error of the social workers, disastrous.

Mr. Mikardo: My hon. Friend should not be surprised that the hon. and learned Gentleman said, "Rubbish." Honourable and learned Gentlemen never agree with their learned friends about anything under the sun. Obviously, they do not like Mr. Blom-Cooper. However, we do not have to become involved in high-level legal quarrels.

I refer to the intervention of my hon. Friend and that of the hon. Member for Westbury. The least one can say is that responsibility in that case must be shared. The professional people were disciplined and their careers put in jeopardy. To that extent, they were made scapegoats for a decision that was not entirely theirs. That is the point which I took the hon. Member for Surrey, South-West to be making. She returned to the point, with good effect, in Standing Committee. She said:

"Having been a psychiatric social worker for 10 years, I feel strongly about the value of the profession, the importance of people's judgments, their skills, the need for further training and the respect which they should have from the public. I have felt incensed in many cases where things have gone wrong that the social worker was all too easily the scapegoat."

The hon. Lady was strongly supported by the Under-Secretary of State for Health and Social Security—the hon. Member for Wycombe (Mr. Whitney)—who said:

"The implication—indeed, the practice—of what is now proposed would be to ask the magistrates to get involved in detail of child placement and in making provisions which would take this whole subject into a different area. I suggest that the experience we have would not necessarily lead to the conclusion that this would provide the better answers in child care that we are all seeking."

Later in the sitting, the hon. Gentleman returned to the subject when he said:

"the local authority will . . . take the professional decisions on case management, such as the placement of the child. Because of its composition and procedure, the court is not an appropriate forum for reviewing such professional decisions."

Later he stated:

"Our social services inspectorate, in consultation with the field agencies, will offer a more comprehensive and appropriate way of dealing with an issue than a bench of magistrates."

That is putting it more forcefully than the hon. Member for Westbury (Mr. Walters) or I would.

The Under-Secretary of State was not finished with the point, because he said:

"I suggest that a careful examination of the cases which have gone wrong, whether the Jasmine Beckford case or others, does not lead me to the conclusion that to bring the magistrates back into the process at this stage . . . would improve the possibilities of achieving better management in child care cases. Rather, it would lead to delays. It would introduce another court element which inevitably would have a degree of confrontation about it." — [*Official Report, Standing Committee C*, 19 March 1986; c. 4, 6, 14-15.]

We should bear this major consideration in mind not only in relation to the new clause, especially subsection (5), but throughout our deliberations.

Mr. Chris Smith: I support the new clause tabled by my hon. Friend the Member for Peckham (Ms. Harman) for two major reasons. First, we must all recognise, as my hon. Friends the Members for Peckham and for Bow and Poplar (Mr. Mikardo) have done, that the issue of access is crucial, not simply for the mere fact of access but because access is a preparation for any future change in the relationship between a parent or guardian and the child. If a person who may, in due course, again be given the care of the child does not have access for some months and if the change in care status happens cold, the chances that a successful relationship will develop and hold will be much fewer than if access were available. Access is important not simply for the well-being of the child and for the peace of mind of its relatives or parents but because it prepares people for what might happen later. That is an extremely important point.

11.45 am

Secondly, I am sympathetic to the new clause because it seeks to enable not only parents but other relatives to apply for access. Hon. Members have commented on the importance of grandparents. One example in my constituency immediately springs to mind because in the past week I have been attempting to assist those involved. A grandparent whose daughter died just before Christmas is developing an extremely close relationship with her daughter's child. The father has disappeared from the scene. The relationship that is developing, in the absence of parents, is mirrored by many similar relationships in Britain. In such circumstances, surely it is right that relatives other than parents should be able to apply for access.

Mrs. Virginia Bottomley: Is the hon. Gentleman aware that the legislation of my hon. Friend the Member for Westbury (Mr. Walters) has passed the stage where it was agreed that grandparents with the leave of the court would be parties and would, therefore, have the right to be heard? That is a substantial achievement.

Mr. Smith: I am, of course, aware of that fact. I was simply using the example of a case in my constituency to emphasise that not only parents but other relatives have an interest in the welfare of the child and in building up a good relationship with him. I am delighted about the improved status of grandparents which has been achieved by the hon. Member for Westbury (Mr. Walters). I would not wish to imply that I was not delighted about that.

I make one caveat about the new clause. I imply no criticism of my hon. Friend the Member for Peckham, because she has to work within the existing legal framework. It is difficult and daunting for many people to approach any sort of court in the present legal system to apply for access or to make any other request concerning their relationship with their child.

I should like to make one other point. I may be straying a little from the new clause but, Mr. Deputy Speaker, I hope that you will allow me to press the point. I hope that the efforts by my hon. Friend the Member for Torfaen (Mr. Abse) and other hon. Members to try to establish a completely different system for court consideration of such matters will have greater success than they appear to have had hitherto. The more we can do to make court and legal proceedings less daunting and less difficult for parents, grandparents and other relatives the better. Given the legal system under which we have to operate, this new clause is a sensible provision and will enlarge the scope for those involved in the welfare of children and enable them to seek access. I support the new clause.

Mr. Whitney: I agree with hon. Members who have spoken about the importance of access in child care cases.

[Mr. Whitney]

That is why in the Health and Social Services and Social Security Adjudications Act 1983, or SSASSA, as we call it in my trade, we introduced a new arrangement under which parents, guardians or custodians could appeal against termination or refusal of access to a child who was subject to a care order. In December 1983, we published a statutory code of practice under the provisions of that Act.

The work of the social services inspectorate is an important part of the DHSS operation. It has recently been concentrating on this area and has completed an inspection. We recognise the importance of access and are taking practical steps to ensure that it is improved. Our now much-trailered proposals on the reform of child care law will, as the hon. Member for Peckham (Ms. Harman) suggested, cover this area.

The hon. Lady's clause goes much further than the suggestions in our review document, where a total package is proposed. That package differs considerably from the scope of the present clause which has serious and unacceptable implications. For example, it would allow a wide range of relatives to apply for access. It would bring in a new procedure that would apply to voluntary care and was drafted in the expectation that an order would delineate in advance all the main parameters of the arrangements. It suffers from all the main disadvantages of the original clauses 1 and 2 of the Bill. My hon. Friends the Members for Westbury (Mr. Walters) and for Surrey, South-West (Mrs. Bottomley) have already said that it would necessitate the detailed involvement of the court. I hope that the hon. Lady will accept that we recognise this area as important.

Ms. Harman: Does not the Minister think that it is totally unsatisfactory that, when a number of new clauses are brought before the House and he acknowledges that they raise important points and will be dealt with when the legislation arising out of the child care law reivew comes before the House, he fails to give us a date for that? He recognises the importance of the issues but says that for technical reasons he will not at this time accept the new clause but will wait until some far distant time in the future. That is entirely unsatisfactory and unacceptable.

Mr. Whitney: I do not accept that. The hon. Lady normally accepts that one of the dangers in this area is piecemeal legislation. We do not object to what my hon. Friend's Bill seeks to achieve, but having set in train the process of the massive review of the child care legislation it would not make sense to pick and choose out of the whole corpus of review material. I shall be charged again with repetition by the hon. Member for Bow and Poplar (Mr. Mikardo). I said that these proposals will be published in the autumn as a basis for legislation, but because of the nature of parliamentary arrangements I cannot give a date for that legislation. I hope that the hon. Lady will find it in her heart to be generous enough to accept that that is a firm undertaking. As I have already said, the clause has serious drawbacks. However, we accept the importance of access and the importance of improving arrangements for it, and to the extent that those improvements can be widely agreed we look forward to making recommendations in our own Bill.

Ms. Richardson: This has been an interesting debate. As hon. Members were speaking I felt that we were all thinking of examples of relatives or constituents who had faced these problems. I certainly had that feeling when my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) was speaking. This new clause reflects the recommendation of the child care law review and I am a bit surprised that its acceptance is being resisted when such an august body thought it worth pursuing. This was recommendation 193 and, although I have not read the whole of the review, the fact that it is recommendation 193 leads me to believe that a lot of thought must have gone into putting together so many recommendations. That distinguished body has looked at the subject seriously and the House ought to take its recommendations seriously.

Mr. Whitney: The hon. Lady spoke about recommendation 193. This a complex package that is being instituted, and there are serious dangers in taking little bits and pieces when it is a package that is at issue.

Ms. Richardson: That brings me to the point that was made many times in the debate. We are adding bits on because in a Bill of this sort we have no alternative. If we had a proper comprehensive Bill, which is what I hope we will eventually get, we would not have this problem and would not have to look around for what we see as gaps or tears in the fabric of the patchwork and then try to fill them in. I accept the Minister's point that recommendation 193 is only one recommendation, but I was trying to underline its importance and saying that that was why we sought to put the new clause into effect.

Mr. Alfred Dubs (Battersea): I apologise to the House for not being in the Chamber during the early part of the debate.

This new clause seems to be moving in the right direction. For a number of years I served on a local authority social services committee, and I remember the difficulties that we faced when we considered precisely the terms of access in cases where children might be at risk and where the officers of the social services department were reluctant to expose the children to risk. We had difficult decisions to make and seldom went against an officer's decision, although occasionally we did. I always had serious misgivings about whether we were doing the right thing. In fairness, local authority social services departments get it right almost all of the time, but it is a tragedy when now and again they do not, because that is what hits the headlines.

I should like to give three examples, from constituency experience, of where the new clause would be relevant and appropriate, and where one parent or relative may have a real sense of injustice if the new clause is not put into effect. The first concerns a case where a child is in care, and where certain access conditions have been arranged, but they have been arranged in the knowledge that the parents are split up—that the marriage has broken down —and one of the parents does not have an adequate home. In this case, I have been approached by the father, who says that his access conditions have not been generous because, when the decision was made, he did not have an adequate home environment that the children could visit occasionally for the weekend. The father is anxious to improve his home to make it better than a bedsitter so that the children could go there. However, if the local authority is not sensitive to that and the father gets better accommodation, he has no guarantee that the limited

access given to him on the basis of his bedsitter accommodation will be changed by the local authority to take account of the improved housing conditions.

12 noon

I know from my experience that the limited access that may result from housing conditions causes much distress to a separated parent. A separated parent may feel that, even if the housing conditions improve, he may not automatically get better access, which he would have obtained if he had had a proper flat when the decision was made. That is a distressing example. I hope that it does not happen too often.

The second example concerns other relatives who wish to have access. A grandmother who, I believe, was of Jamaican origin was very distressed that she was not allowed to have access to her grandchild, although the father had access. She felt shut out of a relationship that was traditional to her background and culture, and felt extremely upset that there was no way that she could challenge the decision. The father had access and the mother, who was the grandmother's daughter, was a long-term patient in hospital. The grandmother felt that her traditional family responsibilities could not be exercised. She wanted better opportunities to do so, but that was not possible.

I mentioned the third group of people — fathers — obliquely in my first example. I am not one who says that fathers alone have a sense of grievance about this, but on occasions fathers have complained bitterly to me that they have had only limited access to children in care following the breakdown of the marriage.

I cannot help thinking that the new clause would give a better opportunity to those three groups of people — those in housing difficulties, other relatives, and fathers who feel that their wish to have more access and establish a closer relationship with the child in care is frustrated because the local authority is not always sensitive to such pressure. I cannot help thinking that the Minister's arguments against the new clause, while I understand them, do not carry the weight that one would normally expect when a sensible suggestion is made. I do not fully understand why he took such a hard line against a modest but sensible proposal. After all, the courts would still have to consider the matter and could still take all the facts into account. It is not a matter of opening the door to unlimited access by people who might be thought to be not totally desirable by the social services department that has care of the child. It is a matter of the courts being a second line of appeal, as it were, for people who have a sense of grievance and injustice. I hope that the Minister will think again. The new clause is moving in the right direction.

Question put and negatived.

New Clause 5

REGULATIONS AS TO ACCOMMODATION AT HOME OF CHILDREN IN CARE

'(1) After section 22 of the Child Care Act 1980 there shall be inserted—

"Regulations as to accommodation with parents etc.

22A.—(1) The Secretary of State may by regulations make provision as to the accommodation under the charge and control of a parent, guardian, relative or friend of children who are in the care of a local authority.

(2) Without prejudice to the generality of subsection (1) above, regulations under this section may—

(a) make provision as to the making by a local authority of a decision to accommodate children under the charge and control of a parent, guardian, relative or friend and, in particular, as to the persons who must be consulted before such a decision is made and the persons to whom notification of any such decision must be given; and

(b) impose requirements on a local authority as to the supervision of medical examination of children in such accommodaton or their removal from such accommodation in such circumstances as may be specified in the regulations.".

(2) In section 85 of that Act (regulations and orders) in subsection (4) after the word "21A" there shall be inserted the words "22, 22A".

(3) In section 43(5) of the Matrimonial Causes Act 1973 (which provides that the exercise by the local authority of their powers under sections 18, 21 and 22 of the Child Care Act 1980 shall be subject to any directions given by the court) for the words "and 22" there shall be substituted the words ", 22 and 22A".'.

—[Mr. Whitney.]

Brought up, and read the First time.

Mr. Whitney: I beg to move, That the clause be read a Second Time.

Mr. Deputy Speaker: With this it will be convenient to take the following:

New clause 7 — *Parent's application for care and control*—

'.—(1) The parent, guardian or custodian of a child in care under an order as specified in subsection (2) of this section may apply to the Juvenile Court for an order that the child be placed in their care and control.

(2) Subsection (1) shall apply to children in care under:

(a) a care order made in the Juvenile Court; or

(b) a resolution under section 3 of the Child Care Act 1980; or

(c) an order under section 2(1) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 or an order under section 10(1) of the Domestic Proceedings and Magistrates' Courts Act 1978; or

(d) an order under section 2(2)*(b)* of the Guardianship Act 1973; or

(e) an order under section 17(1)*(b)* of the Children Act 1975 or section 26(1)*(b)* of the Adoption Act 1976; or

(f) an order under section 34(5) or section 36(2) or (3)*(a)* of the Children Act 1975.

(3) This section does not apply to a child in the care of a local authority in consequence of an order made in the High Court.

(4) Subsections (2) to (8) and (10) to (13) of section 1 (as amended) shall apply to this section as they apply to section 1.

(5) The parties to an application under this section shall be the applicant, the local authority and the child and such persons, if any, as the court thinks fit having regard to the welfare of the child and the interests of justice.'.

Amendment No. 1, in page 1, line 5, leave out clause 1.

No. 2, in clause 1, page 2, line 4 leave out from '(2)' to end of line 5.

No. 3, in page 2, line 7 after 'fit', insert

'and as the relevant social services department certify as practicable'.

No. 4, in page 2, line 14 at end insert

'or the parents or the child.'.

No. 5, in page 2, line 17 leave out from first 'with' to end of line 20, and insert—

'The local authority shall have a duty to remove a child where there is a breach of a condition only if the juvenile court so ordered when making the condition. In any other case the local authority should seek the directions of the Juvenile Court.'.

No. 6, in page 2, line 19, leave out from 'removed' to end of line 20.

No. 7, in page 2, line 23, leave out

'and shall give special attention to the safety of the child'.

[Mr. Deputy Speaker]

No. 8, in page 2, line 26, leave out 'respondents shall be', and insert

'respondent shall be the child and the court shall have power to join as parties'.

No. 9, in page 2, line 26, leave out from 'be' to end of line 28 and insert

'the child and the parents and such other persons (if any) as the court thinks fit having regard for the welfare of the child and in the interests of justice'.

No. 10, in page 2, line 36, leave out subsection (11).

No. 11, in page 2, line 42, leave out 'not exceeding seven days'.

No. 12, in page 2, line 43, leave out 'seven' and insert 'thirty'.

No. 13, in page 3, line 7, leave out clause 2.

No. 14, in clause 2, page 3, line 17, leave out from second 'if' to 'and' in line 22, and insert

'the court is satisfied that—

(a) the child has been, or another child in the same household has been, subjected to serious physical injury or sexual abuse,'.

No. 15, in page 3, line 24, leave out 'the relevant local authority' and insert 'any of the parties'.

No. 16, in page 3, line 26, at end insert—

'(3) An appeal from any direction of a Juvenile Court made under subsection (1)(ii) above shall lie to a Judge of the High Court Family Division and such appeal shall be by way of a fresh hearing of evidence.'.

No. 30, in clause 7, page 5, line 29, leave out subsections (1) and (2).

No. 31, in page 5, line 33, at end insert—

'(2A) Section *[Regulations as to accommodation at home of children in care]* above shall come into force on such date as the Secretary of State may by order made by statutory instrument appoint.'.

Mr. Whitney: I may have to delay the House a little on this group of amendments because it is a substantive change, as my hon. Friend the Member for Westbury (Mr. Walters) will be the first to agree. It is the essence of the debate that we have had not only this morning but in Committee and on Second Reading.

There is no doubt about the objective that we all share. Child abuse represents an abhorrent challenge to society. Our search is for practical steps to prevent it as far as possible and to protect children. Equally, we all accept that it is an insufficient response, in terms of the welfare of the child, simply to ensure that an abused child is kept safe by never returning him to his parents. If that were an adequate response, the responsibility of child care agencies would be much more straightforward.

The reality is that in many cases the needs and wishes of the child will best be met by a return to the natural parents or parent and the advantages of restoring and re-establishing those natural relationships will be seen as justifying such a step, even though the possibility of risk to the child cannot be entirely eliminated. So the agencies responsible for child care cannot simply pursue a safety-at-all-costs policy. They have to be prepared — in the interests of the child and in the right circumstances—to make balanced decisions, weighing carefully and professionally all the evidence and opinion available to them, which may necessarily involve some measure of risk. The debate that we shall have about new clause 5 and on the amendments to delete clauses 1 and 2 is essentially about how those decisions can and should best be made in the interests of the children concerned, not whether they should be made at all.

It will help our debate if I begin by referring to clauses 1 and 2. Those two clauses have taken up most of the time of the House both on Second Reading and in Committee. I know that my hon. Friend the Member for Westbury has regarded them as the central feature of his Bill. The clauses were supported in Committee, but concerns were expressed about whether the role envisaged for the courts was appropriate, about the practical effects on children in care, and about whether it would in practice achieve its primary purpose of protecting children who might be abused if returned home on trial.

Since the Committee my hon. Friend has been kind enough to have several discussions with me and my right hon. Friend the Secretary of State for Social Services. In those discussions we have been able to go into our reservations about his clauses and also let him know of the results of the wide-ranging consultations we have had since the Committee stage with bodies representing local authority, social work, legal and voluntary child care interests to ascertain their views on the proposals and on the Bill as amended in Committee. I shall not give details of those reservations today or elaborate at length on the comments from interested organisations — for reasons that I hope to make clear a little later. But I must summarise again the main reservations that we have, as I believe it important, when we are all anxious to do what is right in the interests of children, that it should be clear why the Government do not feel able to support a measure which was so clearly intended to benefit children.

Our reasons, in brief, are these. The first relates to delay. The imposition of a requirement on the local authority to go back to court, in the circumstances specified in the Bill, before returning a child in its care home on trial will inevitably lead to lengthy delays before cases can be heard. That is especially so as the Bill now provides for the court to be able to appoint a guardian ad litem for the child, and the demand for guardians in care proceedings is already leading to delays. Delay in decision making for the children in question can be particularly damaging and have long-term consequences, reducing prospects for successful return home of the child or other settled placement.

Secondly, we have concerns that the very making of a direction under clause 2 could discourage local authorities from attempting rehabilitation and lead to an undesirable categorisation of children in care. Alternatively, they may seek prematurely to discharge a care order without a prior period home on trial.

Thirdly, the imposition of conditions by the court which would apply until altered by the court would restrict the local authority's ability to respond flexibly and professionally to the child's and the family's needs and to optimise the use of its resources to help all the children in its care.

In addition to those practical objections, we have reservations about the principle of court involvement in the decisions. Courts must, of course, make and discharge care orders. They involve the transfer of legal rights between parents and local authorities and are often strongly disputed. Such decisions cannot be left to local authorities to take without there being a possibility of challenge and the case taken to court for a decision. The decision by the local authority to return a child home on

trial while subject to a care order is different in character, although not necessarily less important from a child welfare angle, because there is no transfer of legal rights —the local authority remains responsible in law for the child as its legal parent and, unlike most care order proceedings, there is no dispute to be resolved between parents and local authority, so no need for a third party to settle the matter.

The argument that the court authorised the removal from home and that, therefore, the court is an appropriate forum to authorise the return is a misunderstanding of the rationale of care proceedings. Such decisions are more appropriate for the local authority, as part of its responsibility under the law to safeguard and promote the welfare of the child, than for the courts.

Following what I have said, there can be no certainty that involving the courts in sanctioning return home on trial will prevent such children from subsequently being abused. We would never know whether the clauses had their desired effects. We would know in how many cases the courts refused to sanction return home, but not what might have happened had they allowed the child to return. However, we can be more certain that the delays and restrictions which the clauses would impose on the good professional management of cases would damage the interests of many children in care, which I know is the opposite of what my hon. Friend wishes to achieve. It is clear from the consultations that we have undertaken since the Committee stage that our reservations about clauses 1 and 2 are widely shared by a broad spectrum of organisations.

Of course, many organisations advanced as part of their cases the belief that it would be wrong to have further piecemeal legislation adding yet more complexity to what is already recognised as an area of law where the need is for greater consistency and clarity. Many said that it would be especially undesirable to do so at a time when the Government are known to be considering a comprehensive major reform of the law, following the extensive review that we initiated at the end of last year. But there was no evidence from the consultations we have undertaken that the organisations concerned would like provisions on the lines of those in clauses 1 and 2 to be incorporated into the comprehensive legislation that we plan to introduce. Indeed, the reverse is the case. The consensus is that the clauses would not necessarily achieve the objectives the sponsors of the Bill wish, but would be potentially damaging to the interests of many children in care along the lines that I have described.

In our discussions with my hon. Friend, he acknowledged and took note of the views of the Government and of the bodies that we have consulted. On the understanding that the new clause to provide the Secretary of State with a regulation-making power is added to the Bill, I understand that he is now willing not to oppose the amendments to delete clauses 1 and 2. In a moment, I shall discuss the substance and purpose of the new clause, but first I wish to place on record my sincere appreciation of my hon. Friend's willingness to listen with an open mind to the views that have been put to him and his willingness at this late stage to accede to the argument that an alternative approach should be followed, despite his strong personal commitment to the idea of an independent check through the courts.

The alternative approach to which I referred starts from the premise that the right way to promote the welfare of abused children is, in broad terms, through improving the performance of the local authorities which are statutorily charged with that task. There can be no satisfactory external substitute for the involvement of experienced staff acting within a well-considered framework of policies directed towards and centred on the welfare of the child.

We shall soon publish a draft guide for local agencies on working together in dealing with child abuse, and the report of inspection by the social services inspectorate of assessment by social workers of children who have been at risk of abuse and the supervision of social workers handling child abuse cases. That inspection focused on work with children placed home on trial. Both documents in their different ways will, we hope, help local authorities to improve practices and procedures where a child is returned home on trial, in respect of the decision itself and the subsequent arrangements for the care and well-being of the child at home, including health, growth, and development. Both documents reinforce the need for professionals working with the child and family to remain child-centred, and always to have the welfare of the child as their first consideration, as the law requires.

12.15 pm

Mr. Lawrence: Were there no regulations, restrictions, guidance or a framework for supervision before the Jasmine Beckford case?

Mr. Whitney: Of course there were, and there was a great deal of experience, but the experience is developing and lessons are being learnt. We may argue about this, but the Jasmine Beckford case in no way supported the suggestion that magistrates get the answers right and social workers get them wrong. Mistakes can be made in any area. We are anxious to strengthen the professionals working in this area, although neither I nor any member of the Government would suggest that we have found perfection. We must continually strive to co-operate and educate and to ensure that the best practice, which is very good, is spread and becomes the norm. That must be the way forward.

I hope that my hon. and learned Friend will be reassured if I say that the Government do not believe that there is no place for the further involvement of the law in these matters. My right hon. Friend the Secretary of State for Social Services announced that following extensive consultations on their child care law review the Government intend to introduce a comprehensive Bill on child care law as soon as parliamentary time allows. That Bill is likely to include some changes specifically aimed at increasing the powers of local authorities and the courts to protect children who may be at risk.

The Government broadly share the views of those who have argued that, pending the introduction of comprehensive legislation, there should be no more piecemeal changes in what is already a complex and confusing legal framework, but the opportunity provided by this Bill gives us scope for making limited changes where they can sensibly be made ahead of a major Bill. The new clause to which I shall now speak falls into that category.

The new clause would give the Secretary of State power to make regulations in respect of the discharge of the responsibilities by local authorities for children in their care where a return home on trial is contemplated. The lack of such a power to make regulations in this area is clearly anomalous as powers already exist, and are

[Mr. Whitney]

exercised, to regulate arrangements made by local authorities for other placements for children in care—in children's homes or boarded out with foster parents. The regulation power proposed by the clause will cover not only placements at home with parents, but placements with other relatives and friends not covered by the boarding-out regulations. It would apply in respect of all children in care regardless of the reasons for their entry into care.

Subsection (2)*(a)* would enable requirements to be set governing the way in which decisions are taken to return a child home on trial. That would enable requirements to be laid down, for example, to ensure that the local authority always obtained the views of the health authority where it had been concerned with the child, and that other interested persons — for example, foster parents and concerned relatives — were formally notified of the intention to return a child home and could have an opportunity to comment before any decision was put into effect. This subsection would be wide enough also to provide for some involvement of local authority members in the decision-making process, should it be thought desirable. I stress that the Government have reached no view about that at this stage.

Subsection (2)*(b)* would enable the regulations to cover matters such as the arrangements for the supervision by the authority of the children concerned and for securing regular monitoring of their health as well as their social well-being.

The detailed content of the regulations would, in the usual way, be the subject of consultation with local authority and other interests before they were made. It would be important to strike the right balance between providing for the desirable degree of legal requirement to support and promote good practice in all cases, and being over-prescriptive in ways which would hamper the local authority's ability to act flexibly and responsibly to the requirements of the individual circumstances. I hope that our consultations will help to get this balance right. However, I am sure that there is a sound prospect here of providing what I described earlier as a valuable statutory underpinning of good professional practice, and of reducing the possibility of standards of decision-making and practice falling below acceptable levels in any individual cases.

The Government accordingly believe that regulations to govern return home on trial can play a positive and useful role in improving the prospects both of improved child protection and positive work for rehabilitation. In the Government's view, this is the right way ahead, rather than seeking an increased role for the courts in local authority arrangements of individual cases.

I speak in favour of amendments Nos. 1 and 13, which leave out the existing clauses 1 and 2 respectively, and of amendments Nos. 30 and 31, which provide for the new clause to come into force by order made by statutory instrument. I do not wish to take up the time of the House by discussion of new clause 7, which seems to suffer from the same objections as clauses 1 and 2, or the other amendments bracketed with it which concern the existing clauses 1 and 2, which I hope the House will decide to drop. I commend new clause 5 to the House.

Mr. Walters: Any hon. Member who has followed the need for legislation is anxious to see the introduction of speedy comprehensive legislation. The Minister referred to it and said that it would come soon. I believe what he says, and hope that it will come very soon. We shall follow the progress with much interest.

I greatly regret that the Minister's new clause will negate and replace the original clause 1, although the scope of that clause was considerably redefined and restricted in Committee. I still believe, as do many hon. Members from all parts of the House, that the reintroduction of the magistrates court to review in certain limited and specific cases, and only when the magistrates making the original care order had so decreed, the decision taken by a local authority to return a child in care to the home from which it had been removed by court order on grounds of cruelty, neglect and moral danger, would have had a significant and beneficial effect. It would have introduced an experienced body of people, detached from the case under consideration, to review a decision taken by a group of people closely associated and involved, and, on certain occasions, too closely involved, both with the child and all members of its family.

I remain convinced that such a review by a judicial body detached from the in-house atmosphere of the decision taken by social workers would have been salutary. Moreover, in a small but significant number of cases, it would have provided an important additional safeguard for the child, although I accept that in some other cases, perhaps more numerous, it might have slowed the process of the return of the child.

In Committee my hon. Friend the Minister and the hon. Member for Peckham (Ms. Harman) were the only two Members present to vote against the clause. However, despite the sympathetic hearing given to me and some of my hon. Friends by the Minister and Secretary of State, we failed in our efforts to persuade his Department.

I also had to take account of the fact that, although I received widespread popular backing for the measure, the wholehearted support and valuable assistance of the Family Law Bar Association, and, in private, the support of a number of senior judges, the Law Society and several other organisations concerned with child welfare did not accept the strength and validity of our argument about magistrates courts. Perhaps I may say how much the Bill owes to the enormous work and help given by the Family Law Bar Association, particularly by Mr. Robert Johnson, QC and Mr. James Holman.

There is a certain illogicality in accepting that magistrates should make the original court order which places a child in care, and the need recently announced by the Lord Chancellor for expanding training for magistrates dealing with care orders, but not accepting their competence to deal with the limited number of cases to which I have referred. Perhaps the daughter of the hon. Member for Bow and Poplar (Mr. Mikardo) will agree with that. Logical or not, that was the position that my supporters and I had to face. Therefore, we agreed that it would be sensible in the circumstances to accept the Government's amendments, thus preserving other valuable proposals in the Bill.

Although more limited and different in character, the proposals in the Government's new clause provide useful additions to the present state of the law which will considerably strengthen the protection of children at risk within the existing parameters.

Although the clause introduced by the Government differs substantially from the proposals which I envisaged when drafting the original clause, I am wholly satisfied that a considerable improvement will have been achieved as a result of its introduction. Therefore, I welcome it.

Mr. Richard Livsey (Brecon and Radnor): I speak as a lay person on the Bill, but I wish to make a number of points.

First, I congratulate the hon. Member for Westbury (Mr. Walters) on the hard and sincere work which he has done on the Bill and on his attitude towards it, which was illustrated by his speech. I can hardly wait for the family courts which the Minister has promised us. They are a major step forward, and I hope that the Minister's deeds will be as good as his words because those courts are the essential missing link.

I am particularly glad that grandparents and others in the family will come within the Bill's provisions. I believe that the new clause will give force to making provision for accommodation for children. After all, they are our primary concern. But there is also provision for parents, guardians and friends to be involved in proper consultation and supervision.

12.30 pm

We are discussing this issue because authorities often inadvertently neglect their responsibilities. I would hesitate to say that we are talking about only a few cases. There are probably more than we know about, and many cases probably exist under the surface and do not come to light. If new clause 5 means improved supervision, and that we can reach some of those cases under the surface, we will have made a substantial step forward.

The guidelines are being laid down, and the Secretary of State will impose requirements on local authorities to ensure that they follow them. If that too means the more effective supervision of children, I welcome that step and recognise it as an improvement to the Bill.

Mr. Lawrence: I rise to oppose the new clause and its attendant amendments, and to voice my strong objection to the Government's effective decimation of an eminently sensible, necessary and widely supported Bill, which I have had the privilege of sponsoring. It is widely supported not only in the House but in the country.

I do not blame my hon. Friend the Member for Westbury (Mr. Walters) for accepting the situation. If he had not done so, the entire Bill would have been lost, and saving something good is better than losing everything good. Those of us who are concerned about child welfare and the need to stop Jasmine Beckford-type cases recurring greatly appreciate the fact that my hon. Friend the Member for Westbury has chosen this subject for his Bill from among many other important subjects for legislation. He has, moreover, pursued the Bill with great skill and determination.

But I do blame the Government for what is, in effect, a craven surrender to the pressure of the social workers' lobby. As a result, a measure will be rejected that might otherwise have slightly but intelligently extended the rule of law. Both these effects are as unlikely manifestations of the Government of my right hon. Friend the Prime Minister as it is possible to imagine.

Mr. Whitney: Does my hon. and learned Friend believe that the Law Society has been recruited by what he describes as the social workers' lobby? Can he explain the role of the magistrates in the Jasmine Beckford case? Was he happy with their role then, and does he believe that it justifies his case now?

Mr. Lawrence: I shall mention the magistrates shortly. However, my hon. Friend the Minister is quite right—I bracket the Law Society with the Government for their craven surrender to the pressures of the social workers' lobby.

Ms. Harman: In his list of those craven people who have surrendered to the social workers' lobby, does the hon. and learned Gentleman include the Association of County Councils, the Association of Metropolitan Authorities, the Justices Clerks' Society, the Magistrates Association, the Children's Legal Centre, the Law Society, the Association of Directors of Social Services and numerous other organisations? Have they, too, suddenly and most uncharacteristically been led by the nose by social workers?

Mr. Lawrence: The social welfare workers' organisations are very persuasive. They have considerable influence over local authorities, because they are advised by social services officers. Social services officers have close and necessary liasion on a day-to-day basis with social workers. It should come as no surprise to the hon. Lady that a few people who feel strongly about an issue and who are in close day-to-day contact with those who have to take the wider decisions can influence them. We all know that that happens, and it has clearly happened in this case.

I object to what the Government are doing for four reasons. First, what they are doing is contrary to the wishes of the majority of our constituents—the very people who sent us to Parliament. They trust the courts but they do not always trust social workers. They admire and value the dedication of social workers, as we all do, but they do not always trust them to operate without adequate supervision and control. They do not trust them to act without proper control because they read about cases such as that of Jasmine Beckford. There are rules and regulations, a framework for action and a structure for adequate supervision and yet, left to the devices of the social workers, these poor babies and children are abused and their lives destroyed.

That is because the system as it exists is inadequately supervised and controlled. That may be because social workers are under extreme pressure through the size of their caseload — some people are not able to make proper judgments when they are under supreme pressure. Or it may be because they become friendly with, close to, sympathetic to and committed to the families concerned. I do not blame them for that, for anyone would do so in any circumstances. However, it means that the system as it has hitherto operated has been shown to be inadequate, and gravely and tragically inadequate in some instances.

The people support the idea that there is a need for the court to supervise social workers' actions. That is not because the court left to itself would know best. As the hon. Member for Bow and Poplar (Mr. Mikardo) said, the court would not have the necessary experience, despite all the training programmes, to make decisions on its own. However, the courts would make decisions on the advice of social workers, tested by others who have

[Mr. Lawrence]

representations to make, and it would act as an objective filter, a protection or a final test, before potentially harmful and risky decisions were taken.

I believe that that is what the people understand to be the function of the magistrates court in child welfare cases. I believe that the people wanted a Bill to take account of that. That is why I think that the Government are going contrary to the people's wishes.

Secondly, what the Government are doing is contrary to the wishes of the House, which on 31 January granted a Second Reading to a Bill which contained the very provision that is now being snuffed out. The very essence of the original Bill was to give the magistrates court which made the care order the power to decide whether the child, the subject of the care order, should be returned to parents whose behaviour has resulted in the state's protection to the child being given in the first place.

When the Government first showed signs of beginning to crumble at the behest of the care organisations and the social welfare workers' lobby in Committee—and the Law Society, for which I hold no brief, financial or otherwise—my hon. Friend the Member for Westbury offered a compromise — always look for the compromise. My hon. Friend offered a sensible compromise that had the effect that cases would be referred to the magistrates court if the magistrate who made the original care order stipulated that that should happen before the child was allowed home. The good sense of that compromise was that it ensured that in the most worrying cases magistrates could reserve to themselves the right to reconsider the case.

The Government rejected even that compromise. As a result, they had to suffer two indignities. The first indignity was that of being defeated on a vote by their own supporters, who were reflecting the will of the House on Second Reading. The second indignity was having as their only supporter the hon. Member for Peckham (Ms. Harman)—as bizarre a union between my hon. Friend the Minister and the hon. Lady as it is possible to conceive of in this astonishing place. By overruling the Committee's decision today, my hon. Friend the Under-Secretary of State is clearly going against the wishes of the House.

My third objection to the Government's emasculation of the Bill is that they are concentrating almost total power, subject only to some relatively small although perhaps important improvements that my hon. Friend is to make, in the hands of the social workers. The Government have done this, despite the fact that in a few but nevertheless important cases social workers have been found wanting. That is why, alone, I believe among Government Back-Benchers, I went into the Lobby in support of new clause 1 because it gave to the courts the power to consider all matters with a little more care and thoroughness.

If the social worker lobby had accepted its errors and taken full responsibility to purge its lapses by a self-regulating reform of the system, perhaps one could have had more confidence in it. However, in the Jasmine Beckford case, some of the social workers tried to blame what they did on the juvenile court that had made the care order. In his hardly completely objective or unbiased report, Mr. Louis Blom-Cooper said that they were misled by the chairman of the court having said that it was hoped that the child would be returned—

Mrs. Virginia Bottomley: Will my hon. and learned Friend give way?

Mr. Lawrence: Perhaps my hon. Friend will allow me to finish this point. If the people that we are about to trust with unfettered power and judgment cannot recognise that a statement from the chairman of a bench was no more than a gesture of long-term hope and optimism, the court having taken the child away from its parents, it cannot fill us with much confidence about the judgment of social workers.

It is manifestly clear that on that occasion the Willesden juvenile court said that the child must go into care, that the social workers would give the matter their urgent, continuing attention and that one day it was hoped that things would be better and the child would be able to return home. That is not the same as saying that the child must be returned at the earliest possible moment, perhaps to be put at risk, without considering whether the parents were fitted enough to have the child back, since they had been responsible for the damage to the child that resulted in the care order. For social workers, or anybody speaking for them, to say that it was not really their fault because the court had given a strong indication that at the earliest possible moment Jasmine Beckford should be returned to her home was a distortion of any moderate and objective reading of the situation.

The social worker organisation is wonderful, but it needs to be controlled, like any other organisation that is closely connected with the wrongdoing section of our society. The same applies to a probation officer when he gives evidence in court. However many armed robberies there may have been, or however many serious assaults may have been committed, a very responsible probation officer can usually be found to say, "Poor fellow, he had a bad childhood and he has a bad past. He is trying to put it all behind him, but he lost his temper. The proper sentence is to put him under care, where we can keep an eye on him." We understand why probation officers sometimes come to that conclusion, but it brings home to those of us who are involved in the law the necessity for another body to make an objective judgment over and above the opinion of a witness that is so committed to the individual concerned that their judgment may for the time being be clouded as far as the wider interests of society or the particular interests of the child are concerned. After all, social workers cannot talk to very young children. They cannot say to the baby of one or two years, "Would you like to go back to your parents?" They hear only one side of the story, and it is very difficult to assume that always, in every case, even the best-meaning social worker will not make a misjudgment.

12.45 pm

Of course social workers do not like to have their empire interfered with—nobody likes that. That is one of the forces of behaviour with which we incessantly come to grips in this place. That is all the more reason why we should be careful before we accord to them the absolute powers as this emasculated Bill now more or less does. Social workers want to keep their power—the question is whether it is wise to let them.

My final objection to what the Government are doing is that their stated justifications seem to be without much

substance. It is said that the social workers are more professional than the lay magistrates in child care. That is true, and if the Bill gave to the courts the power to examine, check and filter before deciding to return the child to the parents' care, with no part played by the social worker, I should not support it. However, we are talking about the court acting on the advice of the social worker and after testing that advice against other people's representation, and the court applying its objective experience and good sense to the problem.

It was said in a letter to *The Times* of 19 March 1986 by Mr. Blom-Cooper, who conducted the panel of inquiry into the Jasmine Beckford case:

> "In our view, the experience of Jasmine Beckford's death —and some others—is that magistrates in juvenile courts lack the necessary professionalism to be able to make the difficult judgments which have to balance the risk of future abuse against the need to reunite families."

If it is not too technical for magistrates to decide whether a child should be taken away in the first place, why is it too technical for magistrates to be able to decide whether the child should be returned to the parents? My hon. Friend the Minister said that that point is a misunderstanding of the mysteries of the child care world and what it is about. That is manifest nonsense—it is gobbledegook to protect empires. There is no substance in the criticisms that magistrates are technically incapable of making the second part of the decision once they are capable of making the first part.

It is then said that the Bill that was given a Second Reading would mean delays before a child properly returnable to his parents could be allowed so to do. However, if there are delays it will be because it is better to be careful, thorough and safe than to be sorry. It may be that there would be delays, although there are shorter delays in the magistrates courts than in the High Court, and that the magistrates courts delays can be speeded up. A priority could be given to cases of reconsideration of a care order. It is not necessary that such a case should go to the end of every list, and that one should have to wait for two, three or four months before the matter is reconsidered, but it is conceded that there will be delays. If those delays lead to thorough and careful reconsideration they will be well worth having.

It is said by some that the Bill with its original clauses 1 and 2 is a piecemeal change in the law and therefore bad. I agree that reforming the law in a piecemeal way is not ideal. Even the Minister agreed with that. Some of the Bill's opponents say that it is better to wait for comprehensive reform of the child welfare law than to tinker. If they wait for comprehensive change, they have a long wait coming. I asked the Minister earlier whether he could guarantee that such legislation would be introduced within the lifetime of this Parliament. He could not give that guarantee. Still less can he guarantee that such comprehensive changes will come in the lifetime of the next Parliament, or of the Parliament after that.

We have been waiting for years for family courts. We have been waiting for years for comprehensive legislation. Since we must wait for years and years for the comprehensive, we must do the piecemeal. We never object to that. Most of the Government's legislation is piecemeal. The argument that it is better not to have the piecemeal but to wait indefinitely for the comprehensive might end in the deaths of more Jasmine Beckfords throughout the country. That is wholly and utterly undesirable.

The Government's action in effectively killing the substance of the Bill has saddened me because it has been done with little or no justification. I forbear from dividing the House only because that would take up valuable time which my hon. Friend the Member for Davyhulme (Mr. Churchill) might need for his important and widely supported Bill and because I have a feeling that not sufficient hon. Members are here to ensure that the Bill survives if we divide against it.

I hope that the Government will have second thoughts and that if they do not have second thoughts of their own volition the noble Lords in another place will have second thoughts for them. If they do, a measure that has the support, not only of the House of Commons on Second Reading, but of the people in the country, a sensible, wise and intelligent improvement in the law will be restored and a measure that has the support of the whole House of Commons will go on to the statute book. I hope that the original measure is not yet wholly dead.

Mr. Mikardo: The hon. and learned Member for Burton (Mr. Lawrence) has a well-deserved reputation as a doughty fighter in the House, in the courts and in other forums. Today he engaged—it was quite a performance —in two separate civil wars. He engaged in a civil war between hon. Members on the Government Benches and in a civil war between various eminent people and various branches of the legal profession. I do not wish to interfere in any of those quarrels, certainly not in the quarrel between the stratospheric lawyers. I am a mere mortal, groping around in the foothills. Who am I to pass judgment upon the legal immortals sitting at the top of Mount Olympus?

I was puzzled by one part of the hon. and learned Member's speech. He began and ended by telling us what the people of the country want. I wondered what his authority was for saying that. I wondered whether he conducted a referendum and how he took the census. We all tend to judge subjectively from what we hear in our constituencies and at our surgeries.

I have heard a lot of criticism of social workers in relation to child care cases. However, I have heard many more of my constituents complaining about the behaviour of the courts. In both cases, no doubt, their views were affected by subjective considerations. So I reckon that I do not know what the people want, and that the hon. and learned Gentleman does not know either. It was uncharacteristically pretentious for him to pretend that he does.

Unlike the hon. and learned Member for Burton, I believe that the new clause improves the Bill. It still has some defects, but it will be better for the inclusion of the clause. If I had any reservations about voting for the Third Reading of the original Bill, I have few, if any, about voting for the amended version.

I agree with almost everything that the Minister said, but one passage worried me. I am not sure that I heard him aright, because he was galloping along at a fair old pace. He reminded me of a colt running its first race in a five furlong maiden on hard going. However, if I did not misunderstand the Minister, he cast doubt on whether any say in these matters should be given to the elected

[Mr. Mikardo]

members of a local authority who serve on the social services committee. If the Minister said that, I disagree with him.

I said earlier that I have great regard for the overwhelming majority of social workers and directors of social services, but we must not get away from the principle that all local authority officers, like all officers of Government Departments, must be subject to the supervision and control of the elected representatives of the people. Otherwise, we shall slip out of being a democracy and into being a bureacracy.

Eighteen amendments have been selected for debate with the new clause. My hon. Friend the Member for Barking (Ms. Richardson) and I are responsible for seven of those amendments, but if the first—to delete clause 1—is accepted, the other six will fall, so I shall not waste the time of the House by referring to them, except to say that the fact that it was possible reasonably to table so many amendments to a single clause demonstrates that the drafting of that clause was defective. I join the Minister in saying farewell to it without pangs of regret.

Mrs. Virginia Bottomley: It is a pleasure to follow the hon. Member for Bow and Poplar (Mr. Mikardo). I have much more sympathy for his judgment on these matters than for his judgment on the views expressed by my hon. Friend the Member for Davyhulme (Mr. Churchill). I should like to feel that the hon. Gentleman's judgments on those two issues are not related.

I have great sympathy with the arguments of my hon. and learned Friend the Member for Burton (Mr. Lawrence) who put the case for those of us who felt strongly in Committee that clause 1 should remain in the Bill. However, I take issue with what my hon. and learned Friend said about the responsibilities of social workers and the way in which they conducted themselves.

The British Association of Social Workers was among the first to come forward with a detailed and rigorous code of practice for social workers in child abuse cases. It included not pious words, but ways of managing and enforcing the practice set out in the code.

1 pm

Some of us felt extremely strongly about the court that had had a part to play in the difficult decision to return to his home the child who had already been subjected to injury, abuse or moral danger in his home. We felt that the matter should go back before the court for approval. We did so for a number of reasons. I acknowledge that we failed to convince not only the Government but the many well-meaning voluntary organisations which play a part in influencing public opinion. Perhaps we must take some responsibility for not having worked harder to explain our reasons and thinking behind the steps we took.

I accept the concern about delays. I agree with my hon. and learned Friend the Member for Burton that, if there is a will, there is a way, and that the problem can be overcome. I am concerned about the cut-off period of seven days. A child can be returned home up until seven days without returning to court. It has been put to me that the increase takes place gradually. A child who has been going home regularly for two, three or four days may decide that he wants to stay for seven days. In that event, the court has to give approval. I recognise that parents have weight in that respect. Approval would have to be obtained from the court if older children at boarding school want to go home during the holidays. I can see the sense in that.

I find it difficult to understand why the Government were unable to agree to the court setting conditions for the return home. In the review of child care law, great weight was put on the desirability of enhancing a supervision order so that requirements set down by the court can be made in the supervision order. For example, the supervisor should be informed of the child's address, the supervisor should have access to the child, the child should be medically examined, the child should comply with the supervisor's directions to attend at specified places for specified activities, the child should receive medical and psychiatric treatment where necessary, and the child should comply with directions on education.

That recommendation of the child care law review would allow great intervention of the court in the future treatment of a child. It has been suggested that half a loaf is better than no loaf at all and that, if we can move some way at this stage, perhaps when we come forward with comprehensive proposals there will be greater scope for encouraging the court's intervention.

There is another area in which I feel the court makes a valuable contribution. Too much is made of the Beckford case in the sense that there were faults on all sides. Of course, the magistrate should never have said, "We hope that you will be reunited," or whatever. That was straightforward bad practice. I am pleased that the Lord Chancellor is setting up a training scheme for juvenile court magistrates. It has been made abundantly clear that the magistrates' advice was unwanted and unuseful.

One cannot help but say that the social worker involved in the case failed to see the child on her own. One cannot fulfil one's parental obligations as the representative of a local authority if one fails to see the child for whom one is discouraging those responsibilities alone.

I believe that it would be of value to have an independent hearing prior to the child returning home. I accept that we have to find different ways of achieving that. It would be an independent element hearing all the evidence and information. I shall make a few comments on the way in which that can be achieved.

Mr. Lawrence: My hon. Friend has put her finger on the real value of a court. The first question that a court would have asked in the Jasmine Beckford case was, "When did you last see the child at the home?" The answer would have been, "I have not seen the child at the home." It is inconceivable that the court would then have allowed Jasmine Beckford to go home to her parents until the matter had been looked into further. My hon. Friend has put her finger on a wonderful example of the value of the judicial process as a test.

Mrs. Bottomley: If my hon. and learned Friend will bear with me, my understanding is that the child had been seen before she returned home. The incident occurred when the child was at home under the care order. If it were a condition that the child attended a medical examination, that would ensure that the child was seen. A court hearing would have the value of ensuring that there was a thorough reappraisal of the history of the case, the factors concerned and the personalities involved.

We are being encouraged to move down the line of regulations. I believe that there is a need for an

independent element. It is abundantly clear that a case or review conference cannot be chaired by a person with management responsibility for the person implementing the decision. It cannot be chaired by the supervisor of the social worker concerned. A person with direct management responsibility for the key worker would not be able to separate himself from resource issues and many other local variables.

A person with a supervisory responsibility for the work involved would be subject to exactly the same procedure identified by my hon. and learned Friend the Member for Burton—great emotional identification with the family, which could sometimes cloud his judgment. We have all identified the fact that that emotional identification with and feeling for the family is one of the best tools for helping the family to improve and get over its difficulties. We should not regard it as distinctly unprofessional.

I am extremely wary about any suggestion that the independent element on the review should be an elected representative of the local authority. I am deeply concerned about recent reports of too much political interference of the most destructive sort in social work practice. We all know about cases in which racial issues have become involved, global aspirations about racial values applied and social workers questioned about particular cases. That is not helpful.

The only aspect which we are not covering in any way is what the parents make of the events and their responsibilities and whether they feel that they have been given a fair hearing. If I had an overall critcism of the voluntary organisations which have responded to the Bill, it would be that they seem to have little understanding of the perplexity of many parents about the way in which decisions are made behind closed doors by do-gooders who, in the parents' view, have already made up their minds. A court hearing on this vital decision would, first, make the parents realise that all the issues had been considered fully and fairly and, secondly, spell out to the parents their responsibilities and the seriousness of the matter.

I hope that my hon. Friend the Under-Secretary of State, in bringing forward the regulations, will consider the way in which parents will be formally addressed—whether there is to be a formal meeting in the local authority's offices, whether there is to be a document setting out the details in writing and whether an official will have the job of emphasising the seriousness of the matter. In some senses, such a formal meeting would have the weight of a court hearing with the parents. It would be similar to police cautioning in the juvenile bureau. Some ceremony would be attached to the procedures. I believe that that would be helpful.

We are being encouraged to follow what one would have to call boarding-in regulations. We shall have to see how they, together with the review of child care law, develop concrete proposals. I regret that the Bill has not been able to move in the direction that we had hoped. I also recognise that that is apparently because we failed to convince a great number of others who are as anxious as ourselves to see that child care practice and provision for abused children should be improved.

Ms. Richardson: I want to speak only to new clause 7 which is down in my name. As my hon. Friend the Member for Bow and Poplar (Mr. Mikardo) has said, the amendments that we have down will become redundant if, as we expect, clause 1 goes. New clause 7 has a slightly different principle, but the Minister dismissed it in his closing sentence when he said that it was subject to some of the same objections as clause 1. Perhaps it is, but I confess to being a lay person and I do not know whether it is or not.

New clause 7 was drafted by the Family Rights Group which saw it as an extension of the principle contained in clause 1. The existing clause 1 gives the court the power to decide whether or not a child should be placed at home on trial. It is just and logical that the court should exercise this power following applications from families as well as from local authorities.

A common problem faced by children in families is that the local authority does not do the work which would enable the child in care to return home. Although children and parents can apply to discharge orders, the courts are understandably reluctant to discharge an order unless a child is already living at home and the process of rehabilition has been shown to work. If a care order is discharged before any rehabilitation work is started, the child will go home without any preparation and there will be little support or supervision.

The child care law review working party was also aware of this problem, as I am sure the Minister knows. As a result, it recommended that a juvenile court should be able to make orders for phased rehabilitation. We think that new clause 7 is in line with that recommendation. Although I shall not press it, I should like to place it on record that it is intended as a helpful addition to the previous clause 1 of the Bill which, we expect, will now go in favour of the Minister's new clause.

Mr. Sims: I spoke strongly on Second Reading and in Committee in support of clauses 1 and 2 and I do not propose to repeat what I said on those occasions. In any event, the arguments have been well deployed by my hon. Friend the Member for Westbury (Mr. Walters) and by my hon. and learned Friend the Member for Burton (Mr. Lawrence). It is a pity that the clauses are to be dropped. They would have offered additional protection to the child and to the social worker. That is an aspect that has not been considered.

It is a pity that a number of the organisations to which my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley) has referred seem to have misunderstood or misinterpreted that which my hon. Friend and his colleagues were trying to do in clauses 1 and 2. Of course, one cannot entirely ignore the strength of the recommendations that they made. I was more impressed by some of their representations than by the case advanced by my hon. Friend the Minister. I am bound to say that his arguments against the clauses did not hold up. I argued against him in Committee and will not repeat my arguments here. He says they introduce the principle of court involvement in these decisions. That is exactly what they do and exactly what we are arguing there should be. Again, I do not need to repeat all the arguments because we have heard them all in this debate. There is perhaps a philosophical difference between us about how cases of this sort should be heard.

My hon. and learned Friend the Member for Burton spoke of the Bill being decimated. I would go further and say that the heart is being torn from it. I admire and commend the gracious manner in which my hon. Friend the Member for Westbury has taken the way in which the

[Mr. Sims]

Bill has been treated. The heart having been torn from it, the transplant is modest, but at least it is better than losing the Bill altogether. The proposals that have been made are an improvement on the present situation. While I accept them, I do not do so with great enthusiasm.

1.15 pm

Ms. Harman: It is right that clause 1 should be deleted and that new clause 5 should be inserted. That will improve the Bill. None the less, I am unhappy about the situation in which we are discussing new clause 5. The measure is small when one considers the comprehensive framework of child care law. My criticism is that we are discussing it rather than the comprehensive review. However, that is not a criticism of the hon. Member for Westbury (Mr. Walters), by any stretch of the imagination, but it is a criticism of the Government. It is not the fault of the hon. Member for Westbury that he has not introduced legislation giving effect to the child care law review. As a private Member, he is not able to do so. But it is wrong that we should be discussing only the returning home of a child or regulations on accommodation at home of a child in care. We are not allowed to decide on access, revocation or discharge of orders. That has to wait. If the Government had had the political will, they could have brought comprehensive child care legislation before the House, but they simply lack the political will to do so.

I fear very much that nothing we have heard from the Minister gives us any reason to hope that we shall get a child care law review in the lifetime of this Parliament. That will be a great disappointment to all those who want to see a comprehensive improvement. It will also be a great disappointment to all the organisations and people who have worked so hard to achieve a consensus to enable the Government to bring forward a comprehensive Bill. The piecemeal criticism is not a criticism of the hon. Member for Westbury or his Bill, but it is a criticism of the Government.

I am also disappointed that we are discussing new clause 5 and the deletion of clause 1 in the context of the old juvenile court system that we now have, not in the context of family courts. If we had a system of family courts, I do not think that there would be objections to greater involvement of the courts in the decision whether to send a child home. But let us look at what the so-called scrutiny of the courts as currently constituted would have meant under clause 1 when considering whether to send a child home.

First, we know that there would be delays. There already are delays. The Magistrates Association and the Justices Clerks Society are absolutely certain that, without radical changes, an addition to their jurisdiction in that way would cause delay. We heard in Committee and on Second Reading of the real problems that delay can cause. It is not just a technical matter, but concerns the breakdown of relationships during the period when the child is in care.

There is also a problem of continuity. Extra bits of jurisdiction would be given to the juvenile court in relation to family matters, and there might be a different bench each time one comes before the court. One must also consider the lack of experience of a juvenile court because as the jurisdiction of those courts is currently constituted they cover a whole range of matters. However well-intentioned they are and however great their aptitude, they will not gain the experience that will help them to give sensible scrutiny.

People have said, "If juvenile courts are experienced enough to decide to take a child into care and to decide on conditions of access, why are they not experienced enough to decide that a child should be returned home to his parents?" But when a child is taken into care or a parent applies to vary the terms on which access was granted, there are two sides to the case, so the magistrates are still operating in an adversarial system and will have brought before them the two sides of the case between which they must decide.

The trouble with clause 1 is that it deals with cases in which both parties agree. The local authority wants the child to go home, or it would not have applied to the court, and the parents want the child to come home, or it would be pointless for the local authority to bring the matter before the court. The court should consider those cases only if it can exercise an inquisitorial role. If not, all that will happen is that everyone argues on the same side and the court can only rubber-stamp the decision. The hon. and learned Member for Burton asked, "How can social workers make a sensible decision if they have heard only one side of the case?" How can magistrates in a juvenile court make a decision worth all the delay involved if they, too, will hear only one side of the case? They will hear only the local authority and the parents agreeing.

If we had the system that exists in Scotland and that is proposed under the family court, with a mixture of the adversarial and the inquisitorial approach, and with court welfare officers to go behind the unanimity of the evidence presented to the court, such extra scrutiny would be worth the delay and bureaucracy involved. But otherwise the decision would be a sham which would cause delay, confuse the lines of responsibility and provide no better scrutiny.

I regret that the new clause was not introduced in Committee. Had it been, we could have amended it so that it made sense. We have a rough idea of what it means from its title, which is

> "Regulations as to accommodation at home of children in care."

We also have a rough idea of its meaning from the Minister's explanation. But I defy anyone to understand what this means:

> "The Secretary of State may by regulations make provision as to the accommodation under the charge and control of a parent, guardian, relative or friend of children who are in the care of a local authority."

It is legal gobbledegook. Perhaps "charge and control" and other matters are mentioned in other parts of child care law, but that is no excuse for introducing an extremely complicated and muddled new clause to deal with a simple concept. Efforts should be made to ensure that new measures can be understood in their own right and that we need not call upon the services of, for example, the hon. and learned Member for Burton before we can understand what we are discussing.

The hon. Member for Westbury and the hon. and learned Member for Burton talked about public support for the Bill. The hon. Member for Westbury said that it had widespread public support. I agree that there is widespread public support for something to be done about the law and that there is widespread anxiety about what has happened recently to children in care. But that does not mean that

there is widespread support for the means by which the Bill tries to achieve those aims. We should acknowledge the feeling that the Government should recognise the widespread pressure for a comprehensive child care law Bill and for the introduction of family courts. I agree that that public opinion exists and that the Government should respond to it by doing what they have failed to do so far —they should guarantee to introduce within the lifetime of this Parliament a child care law review and the implementation of family courts. We would like to see both effected together because some changes in child care law cannot be supported properly without changing the forum in which they are discussed.

The hon. and learned Member for Burton talked about many organisations being led by the nose by the social workers' lobby. That is absolute garbage. The Law Society and social workers have often disagreed. The Law Society and the Legal Action Group have often disagreed. Indeed, I am sure that they disagree more than they agree. The Association of Directors of Social Services finds it easy to disagree with the Association of County Councils, as is its right, and the ACC often disagrees with the Association of Metropolitan Authorities. It is rare to find the Justices Clerks Society and the Magistrates Association agreeing with the children's legal centre.

The fact remains that all those organisations, representing everyone in the field except for the Family Law Bar Association, reached a concensus that clause 1 was wrong and would do more harm than good. It is ridiculous to suggest that somehow they have been swept up in a tide of emotion. They have all separately considered it from their point of view and reached the same conclusion. The hon. and learned Gentleman should accept that, instead of suggesting that they have all abdicated their responsibility and been led by the nose.

I think I heard the Minister suggest that the Government would produce a pamphlet on working together on child abuse directed at encouraging agencies to work together to deal with child abuse. Obviously, agencies must co-operate to ensure that a problem which is recognised in one part of the system does not go unrecognised in another part which might lead to a wrong decision. Obviously, there must be co-operation and planning on an inter-agency basis.

I venture to suggest that health visitors, social workers and teachers in Southwark will probably regard a booklet on working together on child abuse with some degree of cynicism. The ability to work together on a sensible basis requires that one does one's job properly and liaises with other organisations. At present the pressures on the Health Service mean that people leave hospital much sooner than would be the case if they convalesced there. That has increased enormously the pressure on health visitors. The deteriorating housing conditions caused by cuts in capital spending and rate support grant to local authorities, and increasing joblessness, which has increased poverty, has increased pressure on both social workers and health visitors.

A key element in the inability of social workers to respond properly to increased pressures and demands has related to social services spending. The increase in spending on social services was only 0·5 per cent. in the last financial year. Even the Department of the Environment recognises that, just to stand still, there must be an annual increase of 2·5 per cent.

If the ability of health visitors, teachers and social workers to do their job is undermined by a lack of increased spending with which to meet the growing and very real demands on their services, they will not want to be told that the problem can be solved by a booklet on working together on child abuse. Many of them would see that as yet another cynical public relations exercise on the part of a Government, who could really do something about child abuse. For example, they could introduce a comprehensive Bill on child care law or reform the court system by introducing a family court, yet they have singularly failed to do so. They could ensure that the Health Service, housing, and social services have adequate resources. I look forward with interest to the booklet, but I should also like the Government to take some real action. Instead of using the Bill as an important spur to action over an issue about which there is immense public concern, they have used it and the booklet as an excuse for inaction.

1.30 pm

Mr. Whitney: The hon. Member for Peckham (Ms. Harman) has taken the opportunity to make her usual plethora of groundless and baseless accusations against the Government and our record of achievement. She has suggested that we do not spend enough on the Health Service. But if a 24 per cent. increase in spending on health is not enough, she must explain what would be enough, and by how much she would be willing to increase taxation. She has also suggested that local authorities do not spend enough. Yet spending is at record levels. Spending on the personal social services is also at a record level.

Ms. Harman: Will the Minister give way?

Mr. Whitney: I shall not give way, as the hon. Lady had quite a fair go. She complained that nothing was being done about child care law. However, last October we launched a monumental consultation exercise. We have announced that the proposals will be published as a basis for legislation, and publication will be in the autumn. As the original consultation document was launched in October, we have moved very quickly, and I hope that the hon. Lady will have the grace to accept that.

Ms. Harman: Does the Minister accept that the amount of money going into housing via the local authority, which is the main housing authority in Southwark, has fallen drastically as a result of the Government's policies? Moreover, does he agree that the amount spent on the Health Service in Southwark, in the shape of Camberwell district authority and the Lewisham and North Southwark district health authority, has also fallen drastically? Does the hon. Gentleman accept that?

Mr. Whitney *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I hope that we can now return to the subject of children in care.

Mr. Whitney: I apologise for being led astray by the hon. Member for Peckham, but when she has seen the impact of the Resource Allocation Working Party and the amount of money devoted to the provision of her constituents in Southwark, I hope that she will understand how favoured they are. But it is typical that yet again the hon. Lady thinks that the answer is to take more and more money from the taxpayer. The answer in most of these

[Mr. Whitney]

areas must be to improve performance and procedures, and that is the object of the new clause. I am confident that that aim will be achieved.

I am grateful for the comments—or at least most of them — of my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley). I recognise that the content of the consultation process should ensure that the procedures that finally emerge in the regulations take account of the issues that she raised. The home-on-trial scheme, for example, is an important step and should be recognised as such. That is an area in which we are determined to continue to improve practice. My hon. Friend the Member for Westbury (Mr. Walters) made a difficult decision when he decided to co-operate with the Government and agree to a very different provision being inserted in the Bill, but I believe that the new clause will be a useful step forward.

I shall clarify my position on local authority members and whatever role they may play. The hon. Member for Bow and Poplar (Mr. Mikardo) suggested that I spoke rather quickly when I last intervened, and I plead guilty to the charge. I was trying to give other hon. Members the chance to participate in the debate. The subsection that the Government have proposed would be wide enough to provide for some involvement of local authority members in the decision-taking process should this be thought desirable. I hope that that clarification will place me on the side of my hon. Friend the Member for Surrey, South-West. I must stress that the Government have not yet reached a view on the involvement of local authority members.

Mr. Mikardo: The Minister has used the phrase "should this be thought desirable." Thought by whom to be desirable?

Mr. Whitney: As I explained in my earlier intervention, the framing of the regulations will be preceded by consultation. I am sure that must be right in this difficult area.

I do not want to detain the House for long because I believe that all the ground has been covered, much of it on Second Reading. However, I must refer to the speech of my hon. and learned Friend the Member for Burton (Mr. Lawrence), who was rightly described by the hon. Member for Bow and Poplar as a doughty fighter. What we had this morning from my hon. and learned Friend was more in the nature of an intervention by a knight errant or a Don Quixote because he appeared to be tilting at windmills. He has conjured a phantasma out of the air——

Mr. Lawrence *rose*——

Mr. Whitney: —a phantasma that the Government are cowering against an attack by the serried ranks of mobilised social workers. It appears that others are cowering as well as the Government, including the Law Society, the Association of County Councils, the directors of social services, the Association of Metropolitan Authorities, the Justices' Clerks Society and the Magistrates' Association. That is the windmill at which my hon. and learned Friend, Don Quixote from Burton, seems to be tilting.

Mr. Lawrence: I thought for a moment that my hon. Friend was calling the Government a phantasma. I would reject that description immediately.

Mr. Whitney: I am most grateful. We are now clear between us where the phantasma is established. I hope that my hon. and learned Friend will accept that he is wrong.

I must say in somewhat more serious terms to my hon. Friend the Member for Chislehurst (Mr. Sims) that I reject his argument that the associations — I shall not go through the list again—did not understand the original proposals. That is not a very tenable position. It is going a little far to suggest that the Law Society and the Government, no less, should not understand the proposals. I was tempted to take up the argument about magistrates but I shall not do so.

It should be accepted that we all share certain objectives. My hon. Friend the Member for Chislehurst spoke of a philosophical difference between us, but I do not believe there is. Perhaps the difference between us turns on practicalities in determining how best we can ensure that terrible mistakes are not made. Mistakes will be made from time to time. In the Jasmine Beckford case, terrible mistakes were made by many people, including the magistrates.

The Government believe that the way forward is to continue to improve the way in which cases are dealt with. I know that my hon. Friend the Member for Surrey, South-West is well aware of that and recognises that that is the way forward. We reject the piecemeal approach when it is in the wrong direction. We do not believe that to go back to the court at this stage in a particular case is the correct way to approach the matter. The airy-fairy dismissive approach, "There may be the odd delay, but does that really matter?" is unjust not only to the particular case that is under consideration but because of the effect that it would have on all child care cases.

We have ranged widely on a number of occasions over these issues. I hope very much that the House will accept new clause 5.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 6

APPEALS

'(1) In subsection (12) of section 2 of the Children and Young Persons Act 1969 (right of relevant infant to appeal against order made in care proceedings) after the words "the relevant infant" there shall be inserted the words "or, in a case where a parent or guardian of his was a party to the care proceedings by virtue of an order under section 32A of this Act, the parent or guardian" and for the word "him" there shall be substituted the words "the relevant infant".

(2) In section 16(8) of that Act (appeals by the supervised person against supervision orders and dismissal of application to discharge such orders) after the words "the supervised person" there shall be inserted the words "or, in a case where a parent or guardian of his was a party to the proceedings on an application under the preceding section by virtue of an order under section 32A of this Act, the parent or guardian".

(3) After subsection (4) of section 21 of that Act (variation and discharge of care orders) there shall be inserted—

"(4A) In a case where a parent or guardian is a party to the proceedings on an application under subsection (2) of this section by virtue of an order under section 32A of this Act, the parent or guardian may appeal to the Crown Court against the making of a supervision order or the refusal of the court to discharge the care order.".

(4) In section 22(4) of that Act (power of High Court, on application of person to whom interim order relates, to discharge order) after the word "relates" there shall be inserted the words ",or, in a case where the order was made in proceedings to which

a parent or guardian was a party by virtue of an order under section 32A of this Act, of the parent or guardian,".'.—*[Mr. Whitney.]*

Brought up, and read the First time.

Mr. Whitney: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 17, in page 3, line 27, leave out clause 3.

No 18, in clause 3, page 3, line 38, leave out subsection (2) and insert—

'(2) The following subsection shall be substituted for section 16(8) of the Children and Young Persons Act 1969—

"16.—(8) Any party to the proceedings may appeal to a Judge of the High Court Family Division against—

(a) any order made under the preceding section except an order containing only provisions to which the supervised person consented in pursuance of the preceding section;

(b) the dismissal of an application under that section to discharge a supervision order".

(3) The following subsection shall be substituted for section 21(4) of the Children and Young Persons Act 1969—

"21.—(4) Any party to the proceedings may appeal to a Judge of the High Court Family Division against an order under subsection (1) of this section or a supervision order made in pursuance of subsection (2) of this section or the granting or dismissal of an application under the said subsection (2).".'

No. 19, in page 3, line 38, leave out 'Section 6' and insert 'sections 6 and 12(5)'.

No. 20, in page 4, line 6, leave out subsection (4).

No. 32, in clause 7, page 5, line 34, leave out '3' and insert '*[Appeals]*'.

Mr. Whitney: This new clause amends the Children and Young Persons Act 1969 to allow a parent or guardian who was a party to care and related proceedings by virtue of amendments Nos. 22 and 23 to have a right of appeal to the Crown court.

Subsection (4) also amends the 1969 Act to allow a parent or guardian who was a party to the proceedings in which an interim order was made to apply to the High Court to have that interim order discharged. In this clause the term "guardian" means not legal guardian but refers to the definition in the Children and Young Persons Act 1933 of any person who in the opinion of the court has for the time being the charge of or control of the child.

In Committee I said that clause 3 presented considerable difficulties. The implications of the clause would bring with it unacceptable resource costs in extra High Court judges and legal aid, but I hoped to bring forward amendments which my hon. Friend would support. I had in mind appeal rights for local authorities and for parents when a separate representation order has been made, in each case to the Crown court as at present. In the event, in agreement with my hon. Friend who had hoped we could at this stage agree to transfer to the High Court, I have limited the increased appeal rights to parents. This will close an unfortunate gap which has emerged in recent cases when the appointment of a guardian ad litem after a separate representation order deprived the parents of the opportunity to appeal on behalf of the child. The House will agree that there is an exceptional case for parents where they are made parties to be able to appeal on their own behalf in such cases. There was a case, quite widely known as the "brittle bones" case, raised in the House by my hon. Friend the Member for Sherwood (Mr. Stewart). In other cases they can still appeal on behalf of the child.

I am also speaking to amendments Nos. 17, to leave out clause 3, and 32 which covers commencement of the new clause 6. Amendments 18, 19 and 20 would fall if the House accepts amendment No. 17, and I have no further comment on them.

Ms. Richardson: Is the Minister able to assure me either that my points have been taken into account or that they will be looked at, since he plans to introduce other amendments?

Mr. Whitney: I understand that they will be unnecessary if amendment No. 17 and new clause 6 is agreed to.

Mr. Walters: The original clause 3 had two distinct aims: first, to enlarge the category of appellants and, secondly, to transfer the appeal from the Crown court to the family division of the High Court. I greatly regret that, despite the recommendation by the review on child care law, the Government have not found it possible to accept this second and important aim. The involvement of the Crown court in care proceedings is anomalous and widely deplored. While no assurance has been given to me, I very much hope that this will continue only for a short while longer, and that, when we have the promised major review of child care law, it will include an end to appeals to the Crown court.

1.45 pm

In the meantime, I am reluctant to be associated with any increase in appeals to the Crown court. As at the moment parents have no appeal, nor can they, unlike the local authority, take advantage or wardship, I am in support of this modest enlargement of the category of appellants proposed by the amendment.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 1

PERMISSION FOR THE RETURN OF CERTAIN CHILDREN IN CARE ETC.

Amendment made: No. 1, in page 1, line 5, leave out clause 1.—*[Mr. Whitney.]*

Clause 2

APPLICATION OF SECTION 1

Amendment made: No. 13, in page 3, line 7, leave out clause 2.—*[Mr. Whitney.]*

Clause 3

APPEALS IN CARE ETC. CASES

Amendment made: No. 17, page 3, line 27, leave out clause 3.—*[Mr. Whitney.]*

Clause 4

PARTIES TO CARE ETC. PROCEEDINGS

Amendments made: No. 22, in page 4, line 9, leave out 'Without prejudice to' and insert 'In'.

No. 23, in page 4, line 10, leave out from '1969' to end of line 2 on page 5 and insert '(conflict of interest between parent and child or young person) after subsection (4) there shall be inserted—

Applications by grandparents to be parties to proceedings

"(4A) Where an order is made under this section in respect of a parent or guardian in relation to any proceedings he shall by virtue of the order be made a party to the proceedings."

(2) After section 32B of that Act there shall be inserted—

32C. — (1) Where in any such proceedings as are mentioned in section 32A(1) of this Act any grandparent of the child or young person in respect of whom the proceedings are brought makes an application to the court under this section, the court may, in such circumstances as may be specified in rules of court, give leave for the grandparent to be made a party to the proceedings.

(2) Rules of court shall make provision as to the circumstances in which the court may give leave under subsection (1) above.

(3) In this section "the court" includes a single justice.".

(3) For the first sentence of subsection (6A) of section 28 of the Legal Aid Act 1974 (power to order legal aid be given to parent or guardian in respect of whom an order has been made under section 32A of the said Act of 1969) there shall be substituted—

"Where a court—

(a) makes an order under section 32A of the Children and Young Persons Act 1969 by virtue of which a parent or guardian is made a party to any proceedings; or

(b) gives leave for a grandparent to be made party to any proceedings under section 32C of that Act,

it may order that the parent or guardian or, as the case may be, grandparent shall be given legal aid for the purpose of those proceedings.".'.—*[Mr. Whitney.]*

Clause 5

POWER TO TRANSFER CARE ETC. PROCEEDINGS

Amendment made: No. 25, in page 5, line 3, leave out Clause 5.—*[Mr. Whitney.]*

Clause 6

RULES OF COURT

Amendment made: No. 29, in page 5, line 27, at end insert—

'(2) Without prejudice to the generality of subsection (1) above rules of court may make provision with respect to the procedure in any proceedings to which a parent or guardian becomes a party by virtue of an order under section 32A of the Children and Young Persons Act 1969 or a grandparent becomes a party under section 32C of that Act'.—*[Mr. Whitney.]*

Clause 7

COMMENCEMENT

Amendments made: No. 30, in page 5, line 29, leave out subsections (1) and (2).

No. 31, in page 5, line 33, at end insert—

'(2A) Section *[Regulations as to accommodation at home of children in care]* above shall come into force on such date as the Secretary of State may by order made by statutory instrument appoint.'.

No. 32, in page 5, line 34, leave out '3' and insert *'[Appeals]'*.—*[Mr. Whitney.]*

Mr. Whitney: I beg to move amendment No. 33, in page 5, line 34, leave out '4 and 5', and insert 'and 4 above shall'

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 34.

Mr. Whitney: These are both technical amendments, which provide for the means by which the clause on appeal should come into force. It is intended that the measure will come in as soon as possible.

Question put and agreed to.

Amendment made: No. 34, in page 5, line 35, after 'order', insert 'made by statutory instrument'.—*[Mr. Whitney.]*

Mr. Whitney: I beg to move amendment No. 35, in page 5, line 37, leave out subsection (4).

This amendment removes the provision that all sections of the Bill shall come into force within one year of the Bill being passed. I assure the House that there is no lack of intent on the part of the Government. We wish to bring in the provisions of the Bill as soon as possible, but it would be wrong to insist that the Government should do all that is necessary within the inflexible provisions of the clause. We shall continue our best endeavours.

Mr. Walters: I am grateful for that assurance because I regret the presence of the amendment, which is designed to remove a long-stop provision for the implementation of the Bill. I introduced the long-stop period of one year in Committee after due discussion with officials in the Department as to a reasonable period for implementing these proposals.

I have referred, as have several other hon. Members, to the deplorable fact that parts of the Children Act 1975 were not implemented until 1985. As I have agreed to accept major compromises, I very much regret that the Government do not accept that what is now enacted should be brought into force as soon as it reasonably can be.

The proposed amendment can only raise fears about the Government's intentions. I am a little reassured by what the Minister says but I should be grateful to him if he repeated his assurance as clearly as possible. I hope that he can assure us that the Government genuinely intend to implement the relatively modest package, which they have now accepted, as soon as possible.

Mr. Mikardo: I should have thought that the Minister could have given us something better. I understand that he cannot fix a firm date and that this is only a long stop. The Minister says that the legislation will be implemented as soon as possible. He should be able to give us some idea of when he expects the measure to come into force. Saying that it will be as soon as practicable is like asking, "How long is a piece of string?" The Minister owes it to the hon. Member for Westbury (Mr. Walters) to be a little more specific.

Ms. Richardson: I understand that the Law Society is a little bothered by the 12-month proposal because it foresees difficulties in putting all the procedures in place. It is not against the proposals, but it envisages problems. It will not be easy to set an absolute time. That is why I tabled a similar amendment. To set a 12-month limit is perhaps too rigid, although we hope that the Bill will be implemented as soon as possible.

Mr. Whitney: I am glad of the opportunity to enlarge upon my earlier remarks. I was seeking to truncate the

debate for other reasons. I take note of the remarks made by my hon. Friend the Member for Westbury (Mr. Walters) and by the hon. Member for Bow and Poplar (Mr. Mikardo).

The Government certainly intend to bring the measure into effect as soon as practicable, but it would be wrong and would mislead the House if I said that we could accept an inflexible date. To do that would be rare, if not unprecedented. No Administration would accept such a provision. We must make allowance for unforeseen difficulties and changes in circumstances. I note the awful warning from my hon. Friend the Member for Westbury. We have no intention of following that pattern.

The hon. Member for Barking (Ms. Richardson) referred to the Law Society. Adequate time must be allowed not only for regulations and rules to be drafted, but for consultation in the usual way before the instruments are laid and for local authority and court staff to undertake training, where appropriate. The professions concerned will also need time to assimilate the effects of the reforms and changes in procedure before they come into effect. I assure the House, and in particular my hon. Friend the Member for Westbury, that we shall make every effort to deal with the rules and advice for local authorities as quickly as possible.

Amendment agreed to.

Clause 8

TRANSITIONAL PROVISIONS

Mr. Whitney: I beg to move amendment No. 36, in page 6, line 1, leave out subsections (1) and (2) and insert—

'No provision of this Act shall have effect in relation to any proceedings which were commenced before the commencement of that provision.'.

This amendment removes the transitional provisions in clause 8 which applied clause 3—appeals—to any order made in proceedings on or after commencement of the Bill even though the proceeding or hearing might have begun before the Bill came into force, and also applied clause 4—party status—and clause 5—transfer of proceedings—to proceedings which might already have begun. It substitutes a clause that any provision in the Bill should apply only to proceedings beginning after that provision came into force.

If the provisions of the Bill were to apply to proceedings already in progress when the Bill came into force there could be confusion and problems if, for instance, a grandparent applied to be joined as a party part way through a hearing. The amendment is intended to prevent any such problems arising by limiting the Bill to cases which begin after the date of commencement.

Amendment agreed to.

Order for Third Reading read.

1.55 pm

Mr. Walters: I beg to move, That the Bill be now read the Third time.

We have had a long Report stage and I shall not detain the House. Introducing the Bill has been a fascinating experience and it has involved an enormous amount of hard work. I thank my sponsors, from both sides of the House, for their help and support.

Taking the Bill through the House has been more difficult than I had expected, and I have not achieved as much as I had hoped. I believe that valuable proposals have been lost on the way, but, given the fact that we live in an imperfect world, I am satisfied that useful measures have been introduced and that a worthy piece of legislation will be placed on the statute book.

1.56 pm

Mr. Mikardo: I intervene briefly to congratulate the hon. Member for Westbury (Mr. Walters) on having carried the Bill this far and, if I may anticipate events, on getting Third Reading for the Bill, which will be sent off to another place where I am sure that it will be looked at as carefully as it has been here.

As I said earlier, the hon. Member for Westbury has been shabbily treated by the Government in having his Bill hijacked and turned into a de facto Government Bill, but I hope that his initiative in introducing the Bill has contributed something to hastening Government action on comprehensive legislation.

I broke a lance earlier with the hon. and learned Member for Burton (Mr. Lawrence), but I agree with him about the imprecise and unsatisfactory nature of the Minister's comments on the timing of the legislation. Under challenge from the hon. and learned Member, the Minister, like a frightened horse, shied away from giving any assurance that legislation would be brought forward in the lifetime of this Parliament.

People have been appealing for comprehensive family courts legislation for a long time. I do not blame the Minister alone. Many of his predecessors, including some Labour Ministers, are also to blame. It has been a long and sad concatenation of procrastination and it is time that it was brought to an end. If the initiative of the hon. Member for Westbury has exerted a little pressure to that end, on that ground, if on no other, he deserves the thanks of the House.

1.58 pm

Mr. Sims: I congratulate my hon. Friend the Member for Westbury (Mr. Walters) on the progress that he has made in circumstances that have proved to be more difficult than he had expected. I share his disappointment that the Bill will not be leaving the House in the form that he and I would wish.

However, I hope that my hon. Friend will not underestimate what he has achieved. The new provisions on child care are an improvement and will be widely welcomed, and he has also precipitated discussion inside and outside the House on an important issue. I suspect that that would not have happened if my hon. Friend had not introduced his Bill.

The hon. Member for Bow and Poplar (Mr. Mikardo) said that he hoped to put pressure on the Government in other respects. There is little doubt that that has been done. It is a measure of the success of my hon. Friend the Member for Westbury that the Government's response will be recorded not only in today's *Hansard* but in yesterday's *Hansard*. In reply to a question on child care, the Secretary of State for Social Services implied that, because of pressure from my hon. Friend and others, the Government felt that we should know exactly where they stood on the question of child care and family courts. The Government's announcement is a recognition of the high profile that my hon. Friend has given to the matter.

In his reply yesterday, my right hon. Friend the Secretary of State made it clear that proposals on child care

[Mr. Sims]

would be forthcoming in the autumn. He was less forthcoming about the family court proposals, other than to say that they would be made soon. My right hon. Friend did not challenge the suggestion that the proposals would be introduced in the next week or so. We have heard such promises so often that I shall believe that when I see it. In his reply, the Secretary of State said:

"Some of those commenting on the review of child care law have said that no changes to child care law should take place in advance of a family court. The Government do not accept this need to be so and continued to see advantage in not delaying desirable improvements in child care law pending possible introduction of a family court." — [*Official Report*, 1 May 1986; Vol. 96, c. *472*.]

We are not asking the Government to delay improvements to child care law; we are asking them to accelerate the introduction of a family court. There is no reason why the two measures should not go ahead. They have been considered for some time. If the family court proposals are introduced shortly, it should be possible to consider them along with a proposed White Paper in the autumn and for the legislation on both to be considered together. One knows the difficulty of achieving co-ordination between Government Departments, but that should not be beyond the wit of man, if the political will is present in the Government.

I am sorry that the Bill will not leave the House in the form that we had hoped—I hesitate to use the aphorism about half a loaf because I think that we are getting no more than a slice—but the time that we have spent on it has been time well spent.

2.2 pm

Mr. Ken Hargreaves (Hyndburn): I congratulate my hon. Friend the Member for Westbury (Mr. Walters) on his success in getting the Bill through to Third Reading. It must be a satisfying achievement—one which I shall not experience with my Bill. I congratulate my hon. Friend on the work that he has done.

2.3 pm

Ms. Harman: I, too, congratulate the hon. Member for Westbury (Mr. Walters). As soon as I had had an opportunity to study the Bill carefully and to consult those who were involved outside the House, unlike the Parliamentary Under-Secretary of State for Health and Social Security, I made it plain to the hon. Member for Westbury what my attitude and the Opposition's attitude would be. I am not being mealy-mouthed in saying that the hon. Gentleman used the opportunity of coming high in the ballot to focus the attention of the House on the considerable concern about the pressing issue of children in care. Unwittingly, he has carefully exposed the Government for their inaction in not bringing forward child care law legislation and legislation for the implementation of a family court.

At the outset, I was concerned about clause 1. It was important to draw the problem to the public's attention. Following the Jasmine Beckford inquiry report, and after the heated hysteria generated by some elements of the press had died down, it was important for the matter to be considered fully by the House, and on a wider basis. The hon. Member for Westbury has put the debate on child law back on to an even better keel. That of itself created a better climate in which to discuss the issues and to try to resolve the problems. That is very important.

It is worth looking briefly at the background against which children are taken into care. It is important to ensure that children are taken into care only when it is absolutely necessary and that families are broken up only when it is absolutely unavoidable. I should like to consider the background against which the reluctant decision is made by magistrates and social workers alike to take a child into care, and the necessity for that decision.

It is ironic that, although we rightly and collectively condemn mistreatment of children and are horrified, outraged and angered by parents who mistreat their children, and although we collectively feel a sense of shame at belonging to a society which includes people who abuse and even kill their children, all too often our collective sense of shame does not extend to a collective desire to support families with small children.

All too often, the spiral of problems which ends in child abuse is tied up with lack of proper public services, with bad housing and with inadequate income. That does not excuse child abuse and it is not the whole story. Despite having low incomes, bad housing and suffering a complex network of problems, many people manage to be caring, loving and good parents. Lack of day nursery places, day care facilities and decent housing and inadequate income can be the straw that breaks the camel's back and the spark that leads to child abuse in vulnerable families.

We should collectively not only have a sense of outrage but recognise that the children in families where battering takes place are the children not only of that family but of society as a whole. We all have a collective responsibility for them. It is shameful that, compared with the rest of Europe, Britain has the lowest provision of nursery classes and places for children under five. That is typical of the division of attitude between people on the continent and people in Britain. The culture of Europe is much more welcoming to and accepting of children. It recognises that they are part of the community as well as, most importantly, part of their families.

Research has shown that the children in care are the children of the poor. The Government are responsible because of the increasing number of families hit and blighted by joblessness. The problems will be exacerbated by the Social Security Bill, which will result in more families in poverty and therefore more families vulnerable to having a child taken into care. Judging by the Government's figures in the technical annex to the White Paper on social security, 100,000 low-paid families and 100,000 families in which a family member is unemployed will lose out under the legislation. Those low-paid families and unemployed families will be worse off. About 30,000 low-paid families and 10,000 families in which a member of the family is unemployed will be worse off by £5 a week or more.

Mr. Deputy Speaker: Order. The hon. Lady seems to be widening the debate in an unacceptable way. She should confine her remarks to the contents of the Bill.

Ms. Harman: I hope that I have shown the link between poverty and reception of children into care, and between poverty and family breakdown. Perhaps I can leave it there. We offer our congratulations to the hon. Member for Westbury on taking the opportunity to use his place in the private Members' ballot to bring before us an important issue.

2.10 pm

Mr. Whitney: Before I come to the points that I want to make, I have to say that it is a pity that throughout these difficult proceedings on a complex and sensitive matter we have been treated in almost every intervention by the hon. Member for Peckham (Ms. Harman) to her standard litany of promoting her party's distorted views on the present situation. If she is interested in the problems of poverty, unemployment, homelessness and deprivation, she should think hard about how those problems would be exacerbated if her party's policies were implemented. The policies advocated by her right hon. Friends would cost an additional £24 billion. How much social deprivation would there be then?

I should also like to join in congratulating my hon. Friend the Member for Westbury (Mr. Walters) on using his good fortune in the ballot to promote a Bill of such importance about a matter that is of great interest to everyone. Whatever views we have about the practicalities and the steps that would be needed, none of us underestimates the great amount of work that requires to be done to prevent child abuse. It presents a challenge to the whole of society and that is why my Department is active in this whole area. Much of the work is of a practical nature and consists of liaison between the social services inspectorate, local authorities and social services departments. The work is not headline-grabbing but nevertheless a great deal of work is being done. I can assure hon. Members that we shall continue to strive to see that the best practice in Britain, which is exceptionally good, becomes as near as possible universal.

In addition to the practical aspects, the law has a role to play. The law is not yet right and that is precisely why we launched a consultation exercise last October and we look forward to producing proposals in the autumn which will form the basis for further comprehensive legislation. I recognise the deep disappointment felt by my hon. Friend about the change in the Bill, but I hope he and our hon. Friends will accept that the Bill as it now stands will do a great deal of good and will be of benefit in this difficult area.

The new regulation-making power about "home on trial" will help to strengthen the existing arrangements for child protection, especially when it is linked to the other steps that we are taking to assist local authorities in their child abuse work, about which I have already spoken.

The new provision allowing parents to have party status where an order for separate representation of the child is made will, if the Bill becomes law, remedy what many people see as a real injustice to parents. Their present inability to appeal against a child care order is a defect and I am glad that we have the opportunity in this Bill to put it right. The measures we have achieved on the status of grandparents will be greatly appreciated by my hon. Friends. Despite their disappointment about clauses 1 and 2, I hope that my hon. Friend and his sponsors will accept that the great efforts they have put into the Bill have had a worthy outcome.

As my hon. Friend the Member for Chislehurst (Mr. Sims) said, I acknowledge that the wide national debate that has been generated has been a factor in our rapid digestion of the response to our working party report. There have been 200 detailed responses in this complicated area. Thus my right hon. Friend the Secretary of State was able to make the announcement to the House yesterday about his proposals in the autumn.

Therefore, I am sure that my hon. Friend the Member for Westbury (Mr. Walters) can look with great satisfaction on what he has achieved. I congratulate him on his Bill.

2.15 pm

Mrs. Virginia Bottomley: I should like to add my wholehearted support and congratulations to my hon. Friend the Member for Westbury (Mr. Walters) on moving us a significant and important stage forward in the protection of children at risk.

I have been provoked to speak in defence of my hon. Friend the Minister by a naive and simplistic remark by the hon. Member for Peckham (Ms. Harman). Since 1979 there have been dramatic increases in resources for health and personal social services. But much more at the heart of the matter is the fact that, to protect children in care, social workers need professional autonomy, not political interference. I urge the hon. Lady to look in her own back yard for political interference in professional work.

With regard to the Bill, the need to rectify the position of parents and grandparents has been long overdue. I am aware of the interest in that matter of my hon. Friend the Member for Cambridge (Mr. Rhodes James).

I congratulate my hon. Friend the Minister on the fact that there has been a sincere, thorough and thoughtful examination of improvements in and the promotion of good practice. Guidelines have been issued by his Department. I join him in his remarks about the work of the inspectorate. At some stages, some of us have wondered whether we were going fast enough, and whether the introduction of a court hearing would help to move things forward. That is borne out by the figures. Every child abuse death is a death too many and a tragic waste. The evidence is that the number of children who are seriously injured or killed has been coming down in recent years. I am sure that that has been achieved through concerted action and the maintenance of good practice. We look to the Minister to move on as fast as possible in comprehensive child care law reviews and the development of good practice.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Health Service Joint Consultative Committees (Access to Information) Bill

As amended (in the Standing Committee), considered.

2.17 pm

Mr. Frank Cook (Stockton, North): On a point of order, Mr. Deputy Speaker. It is not my wish to delay proceedings in the House unduly, but I must seek your guidance and protection, as a custodian of the procedures of the House and guardian of the rights of Back Benchers, on a matter concerning the denial of access to information that I consider to be essential to the performance of my role as an elected representative.

I refer specifically to information relating to the report of the Advisory Committee on Irradiated and Novel Foods, which was published on 10 April, and requires the response of the Department by the end of July. I consider that information essential to the formulation of any response. The report itself gives little information and lacks scientific reference. I approached the Library before noon on Thursday 24 April and asked it to provide me with some facts relating to the report. People in the Library set about the business of trying to get that information. After persistent telephone calls each day since then, speaking with the private secretary to the Minister with responsibility for this matter, I find that I am denied that information. This week we have heard justifiable criticism of the lack of information about the possible exposure to radiation of British subjects.

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman is unreasonably taking up private Members' time. His statement that the Library has not been supplied with information that he has tried to obtain from the Minister is not a matter for the Chair. The Chair is not responsible for Ministers' replies or non-replies.

Mr. Cook: Further to that point of order, Mr. Deputy Speaker. I simply wish to say that we complain about the denial of information, yet we are guilty of denying ourselves information. If you do not have the right to rule on this——

Mr. Deputy Speaker: Order. The hon. Gentleman cannot argue in this way when we have private Members' business before the House. I have ruled that this is not a matter for the Chair.

Clause 2

ACCESS TO MEETINGS AND DOCUMENTS OF JOINT COMMITTEES

Mr. Chris Smith (Islington, South and Finsbury): I beg to move amendment No. 1, in page 3, line 5, after 'person', insert

', except by way of example for a general case without any identifying name or address included'.

I shall be brief, because I hope that the Bill will receive its Third Reading during the remaining 10 minutes.

The amendment would be useful in enabling a joint consultative committee to discuss in public a general point that might refer specifically to individual medical circumstances without disclosing the name and address of the individual. It would ease matters and marginally improve the Bill. It is a small point, but I hope that the Bill's promoter and the Minister will accept it.

Mr. Robin Squire (Hornchurch): The hon. Member for Islington, South and Finsbury (Mr. Smith) will understand if my speech is even shorter than his. I have not had much time to consider the full implications of the amendment, but, speaking only for myself, and subject to the views of my hon. Friend the Minister, the amendment seems to make sense. However, the hon. Gentleman will understand if I say that I would not wish to jeopardise the measure if there proved to be a handicap to absorbing his suggestion.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): I am advised that the amendment is unnecessary because the clause specifically refers to information about individuals and is clearly intended to preserve their privacy. I hope that the hon. Member for Islington, South and Finsbury (Mr. Smith) will withdraw the amendment.

Dr. John Marek (Wrexham): The Opposition would have welcomed the amendment, but, in view of the Minister's assurance that its aims are already contained in the Bill, I shall listen with interest to the comments of my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith).

Mr. Chris Smith: After that brief but helpful debate, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

ACCESS TO INFORMATION RELATING TO MEMBERS OF JOINT COMMITTEES ETC.

Mr. Ian Mikardo (Bow and Poplar): I beg to move amendment No. 3, in page 3, line 40, at end insert—

'(4) On any occasion on which the Secretary of State is made aware that a joint committee has failed to carry any of the provisions of subsections (1), (2) and (3) above he shall forthwith publicly issue a directive to that joint committee requiring it to carry out that provision or those provisions as the case may be.'.

Clause 3(1) states that a joint committee shall have an obligation to do one thing; subsection (2) states that it shall have an obligation to do something else; and subsection (3) states that a joint committee shall have an obligation to do yet another thing. However, the clause does not say what will happen if a joint committee does not do those things. There is no point in having a clause which places duties on bodies if there is no sanction against the non-fulfilment of those duties.

Of course, it is not easy to impose sanctions on a joint committee. Fines would simply remove money that it must use for other purposes. The only sanction that I could envisage was to say that if they do not do what they are supposed to do, the Secretary of State must tell them to do it. What is wrong with that?

Mr. Whitney: The amendment is not only defective but unnecessary. Clause 3 lays clear duties on joint committees and on constituent authorities. If a joint committee or constituent authority neglects to carry out those duties, any member of the public can draw attention to the omission and, in the last resort, although it is hardly

likely to come to this, may have recourse to the courts. It is difficult to see what the amendment would achieve that is not already achieved by clause 3.

Mr. Mikardo: I cannot see it in the Bill, but if there is a remedy through the courts for someone who is aggrieved, of course I accept that the amendment is unnecessary. I shall engrave the Minister's words on tablets of stone to make sure that something happens as a result of them. To give me time to do that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

2.24 pm

Mr. Squire: I beg to move, That the Bill be now read the Third time.

My comments will be brief. I pay tribute to my hon. Friend the Member for Peterborough (Dr. Mawhinney) who initiated the process before he was elevated, so to speak, to a higher place on the Government Benches. I thank the community rights project and the Freedom of Information Campaign in general for their assistance. I thank hon. Members on both sides who have supported the Bill and have ensured that it passes to the statute book today. The Bill provides a small increase in access to information, and we should all be grateful for that.

2.25 pm

Dr. Marek: I warmly congratulate the hon. Member for Peterborough (Dr. Mawhinney) who originally selected this subject for a Bill, having had the good fortune to be drawn high enough in the ballot. Fortunately for him, he joined the Government, so he could not proceed with the Bill. On behalf of the Opposition, I also congratulate the hon. Member for Hornchurch (Mr. Squire) who has looked after the Bill, and has brought it through Committee and a rather shortened Report stage.

The Bill will add significantly to information available to the public. Any member of the public will be able to find out the members of the joint committees in his local area and what they are discussing. It is a small piece of legislation, which well deserves to be on the statute book. Once again, I congratulate the hon. Member for Hornchurch on bringing the Bill to Third Reading.

2.26 pm

Mr. Whitney: I join in the congratulations to my hon. Friend the Member for Hornchurch (Mr. Squire) and my hon. Friend the Member for Peterborough (Dr. Mawhinney), who is now the Under-Secretary of State for Northern Ireland and who first had the foresight to introduce the Bill. I acknowledge the help received from the hon. Members for Birkenhead (Mr. Field) and for Southwark and Bermondsey (Mr. Hughes).

The Government certainly support the concept of a greater degree of public awareness of the committees and their functions, and that is one of the essential achievements of the Bill. I hope that it will produce a greater awareness of information and a greater and better degree of all-round performance of the organisations. Therefore, the Government wholeheartedly support the Bill and renew their congratulations to our hon. Friends.

2.27 pm

Mr. Mikardo: I, too, in just a moment or two, wish to express my appreciation of the Bill. It makes one more little dent — and we must keep denting away — in the obstinate carapace of secrecy in our public life. There are much wider, more serious areas of secrecy than that which is the subject of the Bill. I do not say that to denigrate the Bill or its sponsors. Indeed, those wider areas could not possibly be tackled in private Members' legislation. The hon. Member for Peterborough (Dr. Mawhinney) was wise to confine his Bill to an area which, while maintaining the important principle of openness in the conduct of public affairs, was sufficiently restricted to ensure that the Bill had a reasonable chance of reaching the statute book, as this one, happily, will do.

I hope that the Bill will set a precedent, and that all hon. Members who care about open government—one cannot care about democracy without caring about open government — will take a leaf out of the hon. Gentleman's book. If they draw a high place in the ballot next Session, I hope that they will find other similar areas of public life which are at present shrouded in secrecy and about which citizens cannot find out what is going on, and amend them. I am happy to give my full support to the Third Reading.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Obscene Publications (Protection of Children, etc.) (Amendment) Bill

Order read for resuming adjourned debate on amendment proposed [25 April] on consideration of the Bill, as amended (in the Standing Committee).

Clause 2

SPECIAL TEST OF OBSCENITY IN RELATION TO PERSONS UNDER THE AGE OF 18

Which amendment was: No. 12, in page 3, line 17, to leave out '18' and insert '16' instead thereof.—*[Mr. Dubs.]*

Question again proposed, That the amendment be made.

Mr. Ian Mikardo (Bow and Poplar): When I was rudely interrupted——

Mrs. Virginia Bottomley (Surrey, South-West): Is my hon. Friend aware that my hon. Friend the Member for Davyhulme (Mr. Churchill) has already agreed to all the amendments?

Mr. Mikardo: It might have helped if the hon. Member for Davyhulme (Mr. Churchill) had been here to tell us that. But I could not resist giving way to the hon. Lady when she called me her hon. Friend——

It being half-past Two o'clock, the debate stood adjourned.

Mr. Deputy Speaker (Mr. Harold Walker): Debate to be resumed what day? No day named.

Mr. Christopher Murphy (Welwyn Hatfield): On a point of order, Mr. Deputy Speaker. Before we reach the next item on the Order Paper, the Animal Welfare (Royal Commission) Bill, can you advise me whether its Second Reading can be moved, as the Queen's Consent has not yet been signified?

Mr. Deputy Speaker: The hon. Gentleman can move the Second Reading, but we had better wait to see whether the Queen's Consent is signified.

Private Members' Bills

ANIMAL WELFARE (ROYAL COMMISSION) BILL

Order for Second Reading read.

Mr. Murphy: I beg to move.

Mr. Deputy Speaker: Queen's Consent?

Mr. Murphy: That is a very good question.

Hon. Members: Object.

Second Reading deferred till Friday 4 July

UNBORN CHILDREN (PROTECTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 June

STANDING CHARGES (ABOLITION) BILL

Order for Second Reading read.

Mr. Jeremy Corbyn (Islington, North): With permission——

Hon. Members: Object.

Mr. Deputy Speaker: Objection taken. Second Reading what day?

Mr. Corbyn: On a point of order, Mr. Deputy Speaker. I was not objecting to the Bill. I was moving——

Mr. Deputy Speaker: Order. The objection was recorded from elsewhere in the House.

Mr. Corbyn: I did not hear it, Mr. Deputy Speaker. Can you say where it came from?

Mr. Deputy Speaker: The objection was taken from elsewhere in the House. Can the hon. Gentleman, on behalf of the hon. Member in charge of the Bill, name an alternative date?

Mr. Corbyn: Yes, indeed—Friday 4 July.

Second Reading deferred till Friday 4 July

ABOLITION OF CROWN IMMUNITY BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Bill not printed. Second Reading what day? No day named.

NOISE ABATEMENT BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Objection taken. Second Reading what day?

Mr. Don Dixon (Jarrow): On a point of order, Mr. Deputy Speaker. I have introduced the Bill because I suffer from industrial deafness. The Bill seeks to end abuses, so that people will be able to hear properly. I did not hear the hon. Member who objected. Would it be possible, Mr. Deputy Speaker, for the hon. Member who objected to stand up, so that we can identify that half-baked individual?

Mr. Deputy Speaker: I distinctly heard an objection made in some part of the House.

Mr. Dixon: I did not hear it.

Mr. Deputy Speaker: The hon. Gentleman is surely not that deaf. I also suffer from industrial deafness, but I can hear him.

Mr. Dixon *rose*——

Mr. Deputy Speaker: Order. I am trying to explain the difficulty that the Chair is always in. The procedure followed today is no different from that followed regularly on Fridays since I have been a Member of Parliament. That is a matter——

Mr. Dixon *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman must contain himself. I was about to point out that the position of the Chair is no different from the position that it is always in when a Question is put that evokes a response. Hon. Members do not rise in their places to say Aye or Noe. If I followed the logic of the hon. Gentleman's argument, the Chair would have to ask hon. Members to stand in their places whenever the Question was put. That has never, to my recollection, been our practice.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I can take only one point of order at a time. We have merely followed the normal practice today.

Mr. Corbyn: Further to the point of order raised by my hon. Friend the Member for Jarrow (Mr. Dixon), Mr. Deputy Speaker. I do not doubt that you heard "Object" from somewhere in the Chamber. I am concerned, however, because I cannot see the lips of some hon. Members who are hidden by the Clerks' Table, who appear to sink deeper into the Benches as the afternoon passes.

Secondly, Mr. Deputy Speaker, would you accept that it would be perfectly possible for someone—a stranger or an intruder—to shout, "Object," and for there to be an echo that would even mislead you, Mr. Deputy Speaker? It would be much better and it would clear up any possible doubt or misunderstanding if the hon. Member who objects——

Mr. Deputy Speaker: Order. I have the hon. Gentleman's point, which is one that we have heard before. I think that he should have a little more faith in the judgment of the Chair than to think that I might inadvertently pick up as a genuine response an interjection that was made expressly outside the House.

It would help the Chair enormously if Members who wished to object were clearly to identify themselves by rising in their places, but the Chair has no power to require an hon. Member to do so. It has no more power to require that to happen on an occasion such as this than it has, for example, when there is a mid-week Second Reading, when voices are heard on both sides of the House, those interjections being made usually from a sedentary position. It would be unrealistic for the Chair to expect those hon. Members to rise in their places. The Chair is in a difficulty on such occasions and all that I can do is appeal to the House, as I have done previously, that those hon. Members who wish to take objection should do so loudly and clearly and should not be ashamed to identify themselves.

Mr. Corbyn *rose*——

Mr. Deputy Speaker: Surely there is nothing more to the point of order.

Mr. Corbyn: I did not wish in any sense to impugn your judgment on this issue, Mr. Deputy Speaker. I am sure that it is correct. However, I think that justice should be seen to be done as well as being heard to be done. I draw your attention to early-day motion 814, Mr. Deputy Speaker, which attempts to protect Mr. Speaker from possible misunderstandings in this respect.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman for his protection.

Mr. Ian Mikardo (Bow and Poplar): Would it be helpful, Mr. Deputy Speaker, if you suggested to the Whip on the Government Front Bench that he should get himself a cassette? That would save him a great deal of trouble.

Mr. Dixon: I was not trying to be funny, Mr. Deputy Speaker, when I intervened earlier, and I did not require any lectures on my hearing. I was explaining that I did not hear the objection. Surely it is only fair that Members who introduce Bills should have the right to hear and see those who object to them.

Mr. Deputy Speaker: I can only repeat that I heard an objection expressed in the House.

Second Reading what day?

Mr. Dixon: Friday 13 July. I might have more luck on that day.

Mr. Deputy Speaker: Friday 13 June — *[Interruption.]* — 11 July. The hon. Gentleman has a disability which I share with him.

Second Reading deferred till Friday 11 July.

RIGHT TO CO-OPERATE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 4 July.

MEDICAL ACT 1983 (AMDT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? On the instruction of the Member in charge of the Bill, Friday 16 May.

FORESTRY BILL

Read a Second time.

Bill committed to a Standing Committee pursuant to Standing Order No. 40 (Committal of Bills).

RENEWABLE ENERGY SOURCES (PROMOTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 May.

TOBACCO PRODUCTS (SPORTS SPONSORSHIP) BILL

Order read for resuming adjourned debate on Second Reading [21 February].

Hon. Members: Object.

Debate further adjourned till Friday 6 June.

BUSINESS OF THE HOUSE

Motion made and Question put,

That, at the sitting on Tuesday 6th May, a Motion in the name of the Prime Minister for the Adjournment of the House shall, if not previously concluded, lapse at Seven o'clock.—*[Mr. Malone.]*

Hon. Members: Object.

PRIVILEGES

Motion made and Question put,

That Mr. David Steel be discharged from the Committee of Privileges and Mr. A. J. Beith be added to the Committee.—*[Mr. Malone.]*

Hon. Members: Object.

Mogul Foods Ltd.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Malone.]*

2.38 pm

Mr. Michael Hancock (Portsmouth, South): I have been trying for some months to draw the attention of the House to the case of one of my constituents. It is a case where a £75,000 loan, guaranteed under the small firms loan guarantee scheme, was spirited away from my constituent's bank account on the very day that it was credited to that account and paid over to another firm that promptly went into liquidation, with the result that £75,000 seemingly vanished into thin air, or possibly crossed the Channel to Jersey, with none of it ever being used for the purpose for which it was intended.

The Secretary of State has told us that, of over 16,000 loans granted under the guarantee scheme, "several thousand" have been lost in one way or another. In my constituent's case it seems likely that the way in which it was lost was by deliberate fraud. If the same applies to most of the other vanished loans, this amounts to a national scandal, of which the House should be made aware and about which the Government should be prepared to take action.

My constituent, who comes from India, had set up a company, registered under the name of Mogul Foods Ltd., to market canned foods intended especially for immigrants to this country from the Indian sub-continent. Broadly speaking, it was a business to market canned curry. The actual canning was done by contract. There was a surplus of canning capacity in Cornwall, where he was operating, so there was no point in acquiring a canning plant. However, he needed capital to enhance his marketing and distribution capabilities. That was the purpose for which he applied for a loan, and "marketing and distribution" was the official purpose for which the loan was granted.

The loan of £75,000 was approved by the Department of Trade and Industry, which authorised the National Westminster bank to make the money available. According to the bank statement, the money was credited to Mogul's account with the National Westminster bank at its Eastcheap branch in the City of London on 5 August 1982. On the same day, two cheques—one for £71,000 and the other for £6,032—payable to a firm called Backchurch Storage Ltd., which subsequently went into liquidation, were debited to Mogul's account. The larger cheque was in part payment for the lease of a canning plant and its equipment, most of which had been previously sold by Backchurch to another firm called Clarwill Leasing Company which, like Backchurch, was apparently a subsidiary of another company called Lusty Group.

The payment to Backchurch was made without the knowledge of my constituent, Mr. Varma, who was at the time—and still is—chairman and majority shareholder of Mogul Foods. The cheques were signed by a Mr. Richard Sale, who was both secretary of Mogul and a director of Backchurch. The bank's authority for making this payment has been questioned. In its own justification, the bank has produced a mandate which purports to bear Mr. Varma's signature authorising the signing of cheques by Mr. Sale and one other of a list of signatories. I say "purports", because Mr. Varma strongly disputes the authenticity of this mandate.

That leads me to the rather curious part played by the National Westminster bank in these transactions. I am not accusing the bank of fraud, but it looks as though it made a mistake in honouring the cheques signed by Mr. Sale, in view of the fact that the money was not being used for the purpose for which the loan was granted. Since then it appears to have been very busy covering up and attempting to justify this mistake. In doing so, it has made a number of self-contradictory statements. All that I need say here is that, before this case was drawn to my attention, it had been looked at by the hon. Member for Surrey, North-West (Mr. Grylls) in his capacity as chairman of the Small Business Bureau. In its letter to the hon. Member for Surrey, North-West, the bank's solicitors made three apparently trivial misstatements of fact that could hardly have been the result of carelessness.

I cannot say what the bank's purpose was. It gave the date on which the loan was credited to Mogul's account as 28 July 1982, and the date when the two cheques totalling £77,032 were debited was the same—28 July 1982. It would only have had to glance at Mogul's bank statement, a copy of which I have here, to see that 5 August was the date of both transactions. The solicitor's letter also stated that the purpose for which the loan had been granted was "manufacture and distribution." The form I have here from the Department of Trade and Industry, dated 7 June 1982, says again, quite unambiguously, that the purpose of the loan facility was

"capital injection to new business for marketing and distributing curried products."

In the second letter, Lord Boardman stated that he did not consider that the difference between the two purposes materially altered the bank's position. That was not the attitude of the National Westminster bank manager, who, according to correspondence in my possession, was worried that he had allowed the transaction to go through and went to considerable lengths to manufacture documentary justification after the event.

Before he approached me, my constitutent, Mr. Varma, had approached the City of London fraud squad, which reported that the Director of Public Prosecutions was unable to prosecute because of lack of evidence. I have recently written to the fraud squad again, asking whether the evidence that I have now is enough for it to proceed. I have clear documentary evidence to show that the equipment of the canning factory which Backchurch sold to Mogul Foods was not its to sell, as it had sold it the year before to the Clarwill Leasing and Discounting Company Ltd., which, like Backchurch, was a subsidiary of the Lusty Group, and which, also like Backchurch, subsequently went into liquidation.

I have this week had a reply from the police to my letter of 6 March 1986, in which I asked them to examine my evidence, which is not new but which they appear to have overlooked. Officers of the fraud squad have again interviewed Mr. Varma, apparently as a consequence of my letter. Since then he has had a letter from the assistant director of public prosecutions saying that further consideration has been given to the new evidence. The letter ends not by saying that the evidence is insufficient but with the odd statement

"that the prosecution would not be appropriate".

My letter from the Commissioner of Police for the City of London strangely uses the same words. Mr. Varma tells me that the police officers told him that both the bank and its solicitors agreed that there had been a fraud, but both refused to assist the police in uncovering it.

This would not be a matter of national importance and not a matter to deserve the attention of this House if it were an isolated instance of fraud or an isolated instance of a bank's apparent irresponsibility. The fact that so many of these loans have ended by the lending bank having to invoke the guarantee and reclaim the loan from the Department of Trade and Industry strongly suggests that, sadly, the case of my constituent is not unique.

In correspondence with me and in statements to the House, the Secretary of State has taken the view that once a loan has been approved his responsibility is finished. From then on what happens to the money is a matter for the banks. The banks have taken the view that the actual use of the money is not their concern. Their responsibility remains to their shareholders. If the loan cannot be repaid, they can always reclaim most of it from the Department of Trade and Industry.

I have no intention of knocking the idea of the small firms guarantee loan scheme. On the contrary, part of my purpose in raising this matter today is to suggest that the Secretary of State should authorise a new loan to Mogul Foods, which has been left stranded without working capital by what has happened. There is certainly the possibility that the loans granted under the scheme are regarded by certain crooked financiers as easy game, as funds which, with a little bit of ingenuity, can be milked and diverted and perhaps end up in Jersey. A few subsidiaries can be set up, which sell off non-existent assets and then go into liquidation. The Secretary of State should examine the possibility that this is what is happening with a substantial proportion of other loans. We should ensure, where fraud seems likely, that they are properly investigated and the perpetrators prosecuted.

I draw to the attention of the House that written replies to me show that the sums so far invested in the small loans scheme amount to £150 million. There is a case to be answered. I hope that the House will seriously consider this case so that investigations can be carried out and the problems of Mogul Foods be properly sorted out. I hope that prosecutions will take place and that the way in which the small firms loan guarantee scheme is handled can be properly investigated.

2.50 pm

The Parliamentary Under-Secretary of State for Employment (Mr. David Trippier): The hon. Member for Portsmouth, South (Mr. Hancock) has raised a matter of great concern to one of his constituents, Mr. Varma. In 1982 Mogul Foods Ltd. obtained a loan of £75,000 for the development of its business from the National Westminster bank. That loan was facilitated by an 80 per cent. guarantee to the bank from the Department of Trade and Industry under the small firms loan guarantee scheme. In 1983 Mogul Foods Ltd. was unable to meet its obligations to the bank under the loan agreement and the bank accordingly called on the Department to honour its guarantee, which it did.

As hon. Members will be aware, my Department, the Department of Employment, is now responsible for the administration of the loan guarantee scheme, and it is therefore appropriate for me to reply to the points raised by the hon. Member. For convenience I shall refer to

[Mr. David Trippier]

whichever Department was responsible for the administration of the scheme at the time. That is confusing because the sponsorship has moved from the Department of Trade and Industry to my Department. Whoever has been the Minister responsible for small firms has been the sponsoring Minister for the loan guarantee scheme.

The hon. Gentleman has pursued this matter with vigour and persistence on behalf of his constituent. I recognise that his intentions are commendable. I shall try to give him as detailed a reply as possible. I shall concentrate on those aspects of the case which directly involve the Department. I hope that the House will accept that we have dealt with the case properly and in good faith, within the limits of our powers and the available information.

Anyone who has read the correspondence arising from the case, which goes back over four years, will understand that the affair has caused a great deal of distress to Mr. Varma and his family. His hopes for his business have been dashed, his personal investment has been lost and a great deal of expense, time and anxiety has been incurred in pursuing the matter.

On a personal level, one is bound to feel sympathy for someone in Mr. Varma's position. Mr. Varma has made many serious allegations against various persons, some of which the hon. Gentleman referred to today. I emphasise that none of the allegations has been tested in the courts, in civil or criminal proceedings. As a result of the new information that has been drawn to my attention by the hon. Gentleman, that might now happen. It would certainly be interesting. Those against whom allegations have been made do not have the opportunity to put their side of the story and they are not represented here today. The House must bear that in mind.

Mr. Varma has been repeatedly advised that his grievances can be resolved only in the courts through a prosecution. I understand that Mr. Varma has brought his evidence to the attention of the police. We shall see what transpires as a result of the new evidence. So far, there have been no charges.

Mr. Hancock: On the accuracy or otherwise of the evidence, I should be interested to know whether the Minister could say whether his Department has attempted to contact the other people involved in the supposed fraud and, if so, what his Department's response was to discussions with the personalities involved.

Mr. Trippier: I shall endeavour to illustrate our position. The Department's responsibility is to deal with the bank, which was the lender in the first instance. I have no doubt that the bank has tried to contact the other individuals to whom the hon. Gentleman referred, but that is not a matter for my Department. We are interested in whether the loan was within the parameters—which are fairly broad—of the loan guarantee scheme under the existing rules.

It is not our responsibility to appraise applications when they are first brought to our attention. The hon. Gentleman would not seriously expect it to be. I do not want civil servants or Ministers to do the appraising. We leave that to the banks because they have the discipline and training necessary. That was the understanding when the scheme was introduced and I am content with that.

The hon. Gentleman referred to inaccuracies in letters from the National Westminster bank. It is unfortunate that such errors should confuse an already complicated matter, but I find it difficult to believe that the mistakes were deliberate. It is obvious that such mistakes would serve no purpose for the bank and would be easily detected.

Under the loan guarantee scheme, the Department provided at that time a guarantee of 80 per cent. on loans up to a maximum of £75,000. To ensure that the guaranteed loans were not just a soft option, borrowers were required to pay a premium to the Department of 3 per cent. on the guaranteed proportion of the loan. Guaranteed loans were available for most purposes and for most types of business, with some exceptions. The terms of the scheme have been modified from time to time, but the terms that I have described are those that were particularly relevant at the time.

Before outlining the facts concerning Mogul Foods, I must emphasise certain aspects of the scheme. From their inception, guaranteed loans have been loans by the banks and not by the Government. It is wrong to suggest that Government money is paid to the borrower. Government money is paid to the bank only if a claim is made on the guarantee. Moreover, there is only a partial guarantee. The bank shares the risk in the event of a default.

Decisions on the commercial aspects of lending are taken entirely by the banks. They decide whether a loan proposal is commercially viable, taking into account all the circumstances, including, of course, the availability of the guarantee. While the hon. Gentleman was right to say that the precise use made of the money applied for was changed, I told him in a parliamentary answer that the bank was responsible for notifying the Department of any change.

Mr. Hancock: I draw the Minister's attention to a letter from Lord Boardman, the chairman of National Westminster bank, who wrote:

"The Bank does not accept that Mr. Varma or Mogul Foods Limited have any grounds for complaint against the Bank."

Is the Minister saying that the banks have no obligation for the money and nor do the Government? Where is the responsibility for the way in which this public money is used?

Mr. Trippier: The responsibility is with the individuals who were parties to and signed the original application form. Perhaps that was the cause of Mr. Varma's undoing. When the application was submitted, it was clear that the other people named by the hon. Gentleman were directors of the company.

Any case that Mr. Varma has is against the other directors. He readily concedes that point in correspondence with me and I also have a copy of the letter that Lord Boardman sent to the hon. Gentleman. I believe that Lord Boardman is absolutely right.

In preparation for the debate, I had to check whether the bank had notified the Department that there was a change of use for the money being made available. That notification was sent to us and I have it in my file.

As I said, the Department forms no commercial judgment on the aspects of any project, but merely examines whether the application is eligible under the scheme. There is no doubt that this application was eligible and even the changed purposes fell within the scope.

The bank has to decide whether to seek repayment of the debt by means of liquidation, realisation of security or legal action. After any costs have been met, the proceeds of such action are split between the bank and the Department. The Department does not directly pursue the recovery of debts. That would be impracticable.

I assure the hon. Gentleman that in the three years during which I have been the sponsoring Minister of the scheme, I have never received correspondence such as that I have had with Mr. Varma. The hon. Gentleman said that he thought that such problems might be widespread, but I reject that view. A considerable number of loans have been made under the scheme, totalling £540 million, and claims on the guarantee have been relatively small, at about 20 per cent. That bears a favourable comparison with similar schemes on the continent and in the United States. We have never encountered such an issue previously, but I am satisfied that the bank acted within the rules and regulations of the scheme.

The scheme is extremely economical. A unit of about 10 people operate within the Department. As I have said, they issue guarantees on loans over the £500 million mark and settle claims of more than £100 million. That is an arbitrary figure, because obviously people who have borrowed money would still make a claim at some future stage. Those 10 people deal also with any complaints which arise, including—I am sure the hon. Member for Portsmouth, South will agree — protracted correspondence from Mr. Varma over a long period.

It is evident that the Department needs to consider only two issues in any particular case. First, is there a valid guarantee? Secondly, is there a valid claim? The Department will setlle any bona fide claim on a valid guarantee. The circumstances giving rise to a claim are normally quite irrelevant to the Department and it would be impractical to investigate them. Provided the borrower has defaulted on his obligations to the lender, whatever the reason, the lender will have a valid claim under the guarantee. Fraud or theft by the borrower, or by some third party, would not invalidate the claim. The only circumstances in which the Department would hesitate to honour a guarantee would be where it appeared that a claim might not be made in good faith, where, for instance, the bank had been a party to a fraud. Fortunately, that is a hypothetical case which has never arisen.

I turn again to the case of Mogul Foods Ltd. Fortunately, I can be brief, as the aspects of the case that concern the Department are quite limited. My information is derived from the documents relating to the guaranteed loan and from Mr. Varma's letters to the Department. In March 1982, Mogul Foods Ltd. prepared an application for the guaranteed loan. That was signed by Mr. Varma. The directors of the company were listed as Mr. Varma, Mr. Clive Hollands and Mr. Richard Sale. After processing the application, National Westminster bank forwarded it to the Department on 19 May 1982. The stated purpose of the loan was accurately described by the hon. Gentleman—

"Capital injection to new business for marketing and distributing curried products".

The Department checked that the application met the criteria for eligibility and issued a guarantee to the bank on 7 June 1982. Around the end of July, the bank credited Mogul Foods Ltd. with a £75,000 loan. It is not disputed that around the same time substantial payments were made by Mogul Foods Ltd to a company in the Lusty group called Backchurch Storage Ltd. However, Mr. Varma disputes several aspects of those payments. He argues, first, that the payments were not properly authorised by Mogul Foods Ltd. and that the bank was negligent in making the payments from Mogul's account. On this point, I must say that, in a letter to the Department in December 1982, Mr. Varma admitted that his fellow directors had full authority to sign cheques. It follows that the cheques for the disputed payments which were signed by Mr. Richard Sale were properly authorised. It is difficult to see how the bank can be fairly accused of negligence.

Secondly, Mr. Varma argues that he was unaware of these payments at the time. If true—I am not judge and jury—that is a criticism of his fellow directors. What seems clear is that at some stage Mr. Varma signed a contract on behalf of Mogul under which Mogul agreed to buy a factory and machinery from Backchurch Storage Ltd. Mr. Varma claims that this contract was signed later in the year, although it bears the date 30 July, and that he did not understand its contents. It is not my responsibility to form a view on that claim.

Thirdly, Mr. Varma argues that the assets acquired by Mogul were of little value and that the money was, in effect, misappropriated by the Lusty group, with which Mr. Sale was connected. Again, I do not sit as judge and jury on this, but I note that Mr. Varma's relationship with the Lusty group went back at least to March 1982 and that he appeared, at that time, to be satisfied with the manufacturing facilities which were part of the disputed contract.

At some stage after these transactions the bank manager became concerned that the loan facility had been used up so quickly. He sought an explanation from Mr. Sale and was told that the company had decided to purchase the manufacturing facilities rather than to hire them. He considered that this involved a change in the use of the loan and in October 1982 notified the Department of this change. The Department confirmed—I have seen a copy of that letter—that the change of use did not affect the validity of the guarantee. Mogul failed to make repayments on the due dates and, in March 1983, the bank claimed a sum of £51,516 under the terms of the guarantee, which the Department duly paid.

From these bare bones of the story, I think one point is reasonably clear. The Department and the bank both complied with all relevant rules and procedures of the scheme. There is on the face of it no reason to doubt that both the guarantee and the subsequent claim were entirely valid. For that reason, the Department has always explained that it has no locus to investigate this affair any further.

So far as I am aware there are no strong grounds for any accusation of negligence against the bank. Mr. Varma does not seem to have raised this suggestion until 1984. That is somewhat interesting in view of the time that had elapsed. Mr. Varma certainly started to make the suggestion in 1984. Certain of his later claims, especially about the authorisation of payments by Mogul, flatly contradict his earlier statements. Although I am not sitting as judge and jury on this matter, I admit that that certainly confused me. If Mr. Varma has any real grounds for that accusation, his means of redress is a civil action for negligence or breach of contract by the bank.

I am interested also in knowing whether Mr. Varma has sought to take legal action by going to a solicitor and being

[Mr. Trippier]

advised by him whether the case can be brought up—not necessarily under criminal proceedings but under civil proceedings. Mr. Varma certainly does not appear to have pursued that course. To be fair to the hon. Member for Portsmouth, South, new evidence may have come to light which throws a slightly different complexion on the matter. I should be grateful to the hon. Gentleman if he would grant me the privilege of seeing copies of the correspondence in his possession. I shall be happy to look again at the matter.

I have said repeatedly that I am not in a position to act as judge and jury on the rights and wrongs in what, as everyone would agree, is a complex dispute. Yet it seems to me that, even if the hon. Member for Portsmouth, South had new information, we would not intervene as a Department. It is not a matter that we could pursue through the administration of the loan guarantee scheme. I regret that Mr. Varma's business has failed and that National Westminster bank and the Department, and ultimately the taxpayer, have lost money. I hope that eventually Mr. Varma will be satisfied that he has been fairly treated by the Department and the bank. I am anxious for that to occur. I hope that the hon. Member for Portsmouth, South accepts that my Department has given the matter considerable attention. I look forward to hearing about the new information. I hope that at some stage—sooner rather than later—Mr. Varma will explore through the usual channels the possibility of legal action if he thinks that the case is justified.

Question put and agreed to.

Adjourned accordingly at eight minutes past Three o'clock.

Written Answers to Questions

Monday 21 April 1986

PRIME MINISTER

EC (Budget)

Mr. Austin Mitchell asked the Prime Minister whether the Government is prepared to agree to an increase in the value added tax contribution to the European Economic Community budget in 1987.

The Prime Minister: I assume that the hon. Member is referring to the 1·4 per cent. VAT limit. The Government see no case for raising this limit.

Nuclear Waste

Mr. Austin Mitchell asked the Prime Minister if she will make a statement on co-ordination between the Department of the Environment, the Ministry of Defence and NIREX over the selection of, and consultations in connection with, sites for the disposal of civil and military nuclear waste.

The Prime Minister: The choice of site that may be suitable for the disposal of civil and defence nuclear waste rests with NIREX, as was the case with the sites announced by it on 25 February. In searching for sites NIREX approached a number of landowners, including the Ministry of Defence. Responsibility for the selection of a site solely for defence waste rests with the Ministry of Defence.

Libya (United States Raid)

Mr. Austin Mitchell asked the Prime Minister whether she will send a message conveying Her Majesty's Government's regret to Colonel Gaddafi for the killing of a member of his family by United States bombers launched from British soil; and if she will make a statement.

The Prime Minister: In my speech in the House on Wednesday 16 April, at column *875*, I expressed my great sorrow at the civilian casualties in Libya. I also expressed my sorrow for the victims of terrorist acts performed at the Libyan Government's behest over many years.

Mr. Austin Mitchell asked the Prime Minister if she will call for a report from the British consul in the British interests section of the Italian embassy in Tripoli, giving particulars of buildings destroyed as a result of the American bombing attack on Tripoli; and if she will make a statement.

The Prime Minister: I shall certainly wish to see an assessment of the damage to buildings in Tripoli. Her Majesty's consul is at present fully occupied in giving what assistace he can to the British community in Libya.

EDUCATION AND SCIENCE

Students (Statistics)

Sir Peter Horden asked the Secretary of State for Education and Science if he will publish a table showing the level of expenditure on student grants each year since 1978, and the number of students attending universities and polytechnics, taken separately in those years.

Mr. Walden: The information is shown in the following table. The figures cannot be directly compared since awards are for students from England and Wales studying anywhere in the United Kingdom, while student numbers include postgraduates, part-timers and overseas students.

Academic year
England and Wales

	1978-79	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*
Expenditure on student maintenance awards (£ million)	328	396	467	520	557	595	*579
Numbers of students (thousands)							
Universities	270	276	282	284	280	277	276
Public Sector Higher Education	339	343	356	380	397	417	425

* Provisional.

Education Authorities

Mr. Cook asked the Secretary of State for Education and Science (1) if he will publish in the *Official Report* a table listing education authorities by teacher/pupil ratio in secondary schools, primary schools and overall for the latest year for which figures are available;

(2) if he will publish in the *Official Report* the teacher/pupil ratio in secondary schools, primary schools and overall of *(a)* all the councils under Conservative control and *(b)* all the councils under Labour control for the latest year for which figures are available.

Mr. Dunn: In January 1985, the latest date for which information is available, the pupil-teacher ratios in maintained primary and secondary schools, the overall pupil-teacher ratio for each local education authority, and an indication of the political control of each authority were as follows:

	Pupil-teacher ratio in maintained primary schools	Pupil-teacher ratio in maintained secondary schools	Overall Pupil-teacher ratio
Conservative			
Barnet	19·9	14·3	15·9
Bexley	23·2	16·7	18·3
Bromley	23·3	16·4	18·3
Croydon	22·1	15·4	17·3
Ealing	20·1	14·6	16·4
Enfield	22·6	15·1	17·0
Harrow	21·0	14·3	16·7
Havering	22·7	15·6	17·3
Hillingdon	22·4	15·7	18·0
Kingston-upon-Thames	22·2	15·2	17·2
Merton	21·8	16·8	17·3
Redbridge	23·6	16·0	18·1
Sutton	24·9	16·8	19·1
Solihull	23·3	16·2	18·3
Sefton	23·3	16·6	18·4
Wirral	23·7	16·0	18·3
Bury	22·4	15·4	17·5
Trafford	22·9	16·4	18·3
Buckinghamshire	24·2	16·4	19·5
Dorset	23·7	17·1	18·5
East Sussex	23·1	17·1	18·3
Hereford & Worcester	24·1	17·4	18·6
Kent	23·6	17·0	19·0
Lincolnshire	24·4	17·2	18·9
Norfolk	22·1	16·5	18·4
Suffolk	22·1	17·0	18·3
Surrey	22·3	16·3	18·6
West Sussex	23·4	16·9	19·2
Labour			
Barking	21·1	15·4	17·0
Haringey	18·9	13·1	14·5
Hounslow	20·0	15·7	16·9
Newham	20·2	13·8	15·0
Inner London	17·1	13·1	13·6
Coventry	22·3	15·6	16·8
Sandwell	22·3	15·1	17·0
Wolverhampton	19·3	14·9	15·8
Knowsley	21·6	14·9	16·3
St. Helens	22·5	15·5	17·6
Manchester	22·1	14·3	16·2
Salford	21·3	15·0	16·9
Tameside	23·3	15·7	17·8
Wigan	21·2	15·1	16·9
Barnsley	21·1	16·2	17·2
Doncaster	21·2	16·4	17·7
Rotherham	21·6	16·5	18·1
Sheffield	20·0	15·4	17·0
Wakefield	21·7	17·0	18·5
Gateshead	19·2	15·4	16·3
Newcastle upon Tyne	19·3	14·4	15·7
North Tyneside	19·1	14·1	15·4
South Tyneside	20·8	14·6	16·1
Sunderland	21·9	15·9	17·7
Durham	22·0	16·8	18·5
No Overall Control			
Brent	18·4	12·3	13·7
Richmond-upon-Thames	21·0	16·4	17·6
Waltham Forest	21·1	13·8	15·4
Birmingham	22·6	16·3	18·0
Dudley	23·2	15·6	18·3
Walsall	20·8	14·8	16·6
Liverpool	20·6	15·8	17·2
Bolton	23·9	15·8	18·1
Oldham	22·9	16·6	18·1
Rochdale	22·5	14·9	16·7
Stockport	23·2	16·2	18·3
Bradford	20·2	16·8	17·0
Calderdale	21·8	16·8	17·7
Kirklees	22·1	16·8	18·1
Leeds	22·5	16·3	17·7
Avon	24·1	16·6	18·7
Bedfordshire	23·1	17·3	18·2

	Pupil-teacher ratio in maintained primary schools	Pupil-teacher ratio in maintained secondary schools	Overall Pupil-teacher ratio
Berkshire	23·2	16·0	17·8
Cambridgeshire	23·3	16·9	19·3
Cheshire	22·8	17·0	18·6
Cleveland	22·2	16·3	18·2
Cornwall	23·5	16·9	18·7
Cumbria	21·1	15·7	17·2
Derbyshire	22·4	16·8	18·3
Devon	23·7	16·8	18·8
Essex	23·9	17·0	19·0
Gloucestershire	23·1	16·8	19·0
Hampshire	24·1	17·2	19·6
Hertfordshire	22·2	16·0	17·8
Humberside	20·9	16·2	17· 4
Isle of Wight	23·8	17·8	18·5
Lancashire	23·7	16·6	18·8
Leicestershire	22·9	16·1	17·8
North Yorkshire	22·0	16·6	18·0
Northamptonshire	22·2	16·3	17·7
Northumberland	23·3	16·9	18·6
Nottinghamshire	21·0	15·6	17·6
Oxfordshire	23·9	17·2	18·2
Shropshire	21·5	15·9	17·8
Somerset	24·2	17·6	19·2
Staffordshire	22·4	16·1	17·9
Warwickshire	22·6	16·9	18·7
Wiltshire	23·4	17·3	19·2
ENGLAND	22·2	16·1	17·8

School Closures and Reorganisation

Mr. Peter Bruinvels asked the Secretary of State for Education and Science whether, in considering proposals for school closures or reorganisation, he will take into account the extent to which schools affected have suffered disruption by teachers in dispute with their employers.

Mr. Dunn: The initiative for proposing school closures rests with local education authorities. Where such proposals come to him for decision, the Secretary of State seeks to take account of all, and only, the relevant factors, with a view to deciding proposals on their merits.

Science and Engineering Places

Mrs. Renée Short asked the Secretary of State for Education and Science how many science and engineering places have been available at undergraduate and postgraduate level at universities and polytechnics in each of the last seven academic years; and how many applications have been submitted to the Universities Central Council on Admissions for undergraduate courses each year during the same period.

Mr. Walden: The number of places available is not collected. Numbers of applicants through the Universities Central Council on Admissions and numbers of first year students are shown in the following table.

*Full-time and sandwich applicants and students in science and engineering and technology**

	Year of entry						
	1978	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*
UCCA 1st degree applicants (United Kingdom)	52,372	56,870	58,482	58,353	60,636	60,432	59,349
University 1st year students (Great Britain)							
Postgraduates	8,871	8,644	7,851	8,453	8,799	9,978	10,096
Undergraduates	32,095	32,626	33,364	32,917	31,913	30,486	31,195
Public Sector Higher Education 1st year students (England)							
Postgraduates	2,186	2,058	2,417	2,196	2,319	2,607	2,696
First degrees	10,281	10,906	12,246	15,124	15,984	16,047	16,906

* Excluding medicine and agriculture.

Teachers (Superannuation)

Mr. Cartwright asked the Secretary of State for Education and Science if, in the light of the answer to the hon. Member for Woolwich of 14 April, *Official Report*, column *228*, it remains his policy to consult separately with the Professional Association of Teachers and other bodies not represented on the teachers' superannuation working party about proposed new and amending regulations relating to superannuation, as indicated in the answer of 18 June 1985, *Official Report*, columns *67-8*; and if he will make a statement.

Mr. Chris Patten: Yes. My right hon. Friend consulted the Professional Association of Teachers and other bodies before making amendment regulations in December 1985 and will do so in respect of any future regulations relating to teachers' superannuation.

University of London (Royal Veterinary College)

Mr. Wilson asked the Secretary of State for Education and Science when he expects to reply to the letter of 8 November 1985 from the hon. Member for Dundee, East concerning student places at the royal veterinary college of the University of London.

Mr. Walden: I regret to say that the hon. Member's letter was mislaid. I have written to him today.

Leeds Metropolitan District Council

Mr. Fatchett asked the Secretary of State for Education and Science what was Leeds metropolitan district council education capital expenditure allocation at outturn and at constant prices in each year from 1981-82 to 1986-87; and what was the original bid received by his Department for each year.

Mr. Dunn: The information is as follows:

Table 1
Allocations of Lea Prescribed Expenditure

	Cash		*Constant	
	†Bid	Allocation	Bid	Allocation
1981-82	*	7,354	—	8,576
1982-83	*	4,826	—	5,259
1983-84	*	3,381	—	3,023
1984-85	5,184	2,899	5,184	2,899
1985-86	9,301	3,325	8,858	3,167
1986-87	8,557	2,634	7,799	2,401

* Calculated at 1984-85 prices using the GDP deflator
† Cash bids were not required in the years marked*.

Table 2
Allocations for Capital Expenditure by Governors of Aided Schools

	Cash		‡Constant	
	Bid	†Allocation	Bid	Allocation
*1981-82	*	*	—	—
1982-83	146	146	159	159
1983-84	‖160	36	167	38
1984-85	20	15	20	15
1985-86	139	30	132	29
1986-87	220	90	201	82

* Allocations for 1981-82 were made on a different basis from these for later years and have therefore been excluded.
† The allocations shown are those announced before the start of the financial year in question and do not include later revisions.
‡ Calculated at 1983-84 prices using the GDP deflator.
‖ Bid relates to new work only, but allocation includes on-going projects.

Assisted Places Scheme

Mr. Frank Field asked the Secretary of State for Education and Science how many pupils were covered by the assisted places scheme during (i) 1984 and (ii) 1985.

Mr. Dunn: In the school year 1984-85 there were 17,386 pupils in the assisted places scheme. Latest figures for the current school year indicate a total of 21,380 assisted pupils for 1985-86.

Orchiectomy

Mrs. Renée Short asked the Secretary of State for Education and Science how many operations of orchiectomy have been performed in trials sponsored by the Medical Research Council during the last seven years; and if alternative therapies were considered in each particular case.

Mr. Walden: I understand that orchiectomy is a recognised form of treatment for testicular and prostatic cancer. Between 1979 and 1985, 196 orchiectomies have been performed in multicentre collaborative trials of cancer treatment sponsored by the Medical Research Council (MRC); since then a further 91 patients have been designated to receive immediate orchiectomy in the current MRC sponsored trial in prostatic cancer involving a comparison of immediate with deferred orchiectomy. Alternative therapies would have been considered in each case prior to the patients's entry into the trial.

SOLICITOR-GENERAL FOR SCOTLAND

Illegal Fishing

Mr. Austin Mitchell asked the Solicitor-General for Scotland what action will be taken by procurators fiscal against English fishing vessels, and in what circumstances, under the Inshore Fishing (Prohibition of Carriage of Monofilament Gill Nets) (Scotland) Order.

The Solicitor-General for Scotland: Should an English fishing vessel be reported for carrying a monofilament gill net in the specified sea area in which the carriage of such a net is prohibited, the case will be considered for prosecution in the normal way.

TRADE AND INDUSTRY

United States Export Denials List

Mr. Ashdown asked the Secretary of State for Trade and Industry (1) what is his policy towards support for

United Kingdom companies and individuals trading with parties named in the United States export denials list; and if he will make a statement;

(2) if, pursuant to the answer of 27 March, *Official Report*, column *611*, he will issue guidance to companies as to what constitutes legitimate trading in the context of his policy towards the United States export denials list; and if he will make a statement.

Mr. Alan Clark: Companies and persons doing business in the United Kingdom should be guided by United Kingdom law and their own commercial judgment, as appropriate.

Industry (Return on Capital)

Mr. Haynes asked the Secretary of State for Trade and Industry what is the average return on capital for *(a)* industry as a whole, *(b)* manufacturing industry, *(c)* industry without Government contracts and *(d)*industry with Government contracts in the latest period for which figures are available.

Mr. Butcher: Provisional estimates for 1985 are that the net real rate of return on capital employed was 12½ per cent. for all industrial and commercial companies and 8 per cent. for manufacturing companies. No comparable information is available for individual industries, which could not in any case be sensibly divided into those with and those without government contracts.

Mr. Haynes asked the Secretary of State for Trade and Industry if he will list the 10 industries with the highest of returns on capital employed for the last year for which figures are available; and if he will list those rates of return.

Mr. Butcher: The results of the DTI's analysis of the published accounts of industrial and commercial companies include the ratios of net income to average net assets for large companies. These ratios are one fairly common measure of rates of return. The ratios are calculated separately for companies with mixed activities in manufacturing, with mixed activities in non-manufacturing and for 27 other industrial groups. The industrial groups with the largest ratios in accounting year 1984 were:

Industry	*1980 SIC definition*	*Ratio of net income to average net assets*
Leather and leather goods manufacturing	44	27·2
Tobacco	429	24·2
Electrical and electronic engineering; manufacture of office machinery, etc.	33 + 34	23·1
Processing of rubber and plastics; other manufacturing	48 + 49	22·4
Agriculture, forestry, fishing	01 to 03	20·3
Textiles	43	19·9
Business services; leasing	834 to 839; 84	19·4
Chemicals and man-made fibres; production of coal, coke and nuclear fuel	11 + 12; 15; 25 + 26	18·6
Retailing; hotels and catering; repairs of consumer goods and vehicles	64 to 67	18·5
Food manufacturing	411 to 423	18·1

Source: Business Monitor MA3 17th Issue to be published early May 1986.

Net income is defined as gross trading profit plus income from investments and other revenue income less interest paid on bank and short-term loans, payments for the hire of plant and machinery ad depreciation provisions. Average net assets is the average of net assets in the opening and closing balance sheets. Net assets includes fixed assets (net of depreciation), current assets and investments less current liabilities.

Estimates for accounting year 1984 include all accounts for periods ending between 1 April 1984 and 31 March 1985. Large companies are those with capital employed of more than £4·16 million at the end of their 1984 accounting period.

The ratios are calculated from amounts shown in companies accounts compiled on the basis of historical costs and will be higher than equivalent ratios calculated from accounts adjusted for inflation. The difference between historic and current cost rates of return varies between industries depending on, for example, the capital intensity of each industry.

Trade Statistics

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the United Kingdom's share in the volume of world trade in manufactures each year since 1970 and in each quarter since 1 January 1983, together with the index based on 1980 of the real exchange rate measured in terms of relative export prices.

Mr. Alan Clark: The information is in the following table.

*United Kingdom Trade in Manufactures**

	United Kingdom share of MMC† exports of manufactures at 1980 prices per cent.	*United Kingdom relative export‡ prices 1980=100*
1970	12·5	80·1
1971	12·5	81·9
1972	11·6	82·0
1973	11·6	75·5
1974	11·0	74·2
1975	11·2	77·9
1976	10·9	75·5
1977	11·2	79·7
1978	10·7	84·5
1979	10·0	90·4
1980	9·7	100·0
1981	8·9	98·1
1982	9·3	92·2
1983	9·0	89·2
1984	8·9	87·7
1983 Q1	9·1	85·1
Q2	8·8	90·3
Q3	9·1	91·8
Q4	8·9	89·6
1984 Q1	8·7	89·0
Q2	9·0	88·5
Q3	8·9	87·7
Q4	9·1	85·5
1985 Q1	9·1	83·1
Q2	9·4	90·8
Q3	8·9	94·1

* Standard International Trade Classification, sections 5 to 8.

† Main manufacturing countries—Belgium/Luxembourg, Canada, France, FR of Germany, Italy, Japan, Netherlands, Sweden, Switzerland, United Kingdom and USA.

‡ Unit value index of United Kingdom exports of manufactures compared with a weighted average of the other MMC's unit value indices, in common currency terms.

‖ Estimated.

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for 1970 and 1985 United Kingdom imports from and exports to the European Economic Community and to the rest of the world of, respectively, textiles, clothing, footwear, motor cars, buses and coaches, heavy goods vehicles, plastics, ships, steel and domestic electrical appliances.

Mr. Alan Clark: I will reply to the hon. Member as soon as possible.

Nuclear Waste

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether it was with his authority that the Yorkshire and Humberside regional director of his Department made a statement criticising the use of the Central Electricity Generating Board site at Killingholme, South Humberside, for nuclear dumping and expressing a preference for industrial development on the site.

Mr. Peter Morrison: I understand that the regional director made the point that south Humberside was an area of great industrial potential. He added that this is one of the factors that will clearly have to be taken into account in forming a decision on the use of the South Killingholme site. The regional director made no criticism of the CEGB.

Libya

Mr. Donald Stewart asked the Secretary of State for Trade and Industry what was the value of United Kingdom exports to Libya in 1985; what was the value of imports from Libya in 1985; and what figures he has for the first quarter of 1986.

Mr. Alan Clark: Figures for the period January to December 1985, and for January and February 1986, are published in table 1B of the appropriate volumes of the United Kingdom Overseas Trade Statistics, copies of which are available in the Library.

Citizens Band Radio

Sir Patrick Wall asked the Secretary of State for Trade and Industry when he expects European citizens band frequencies to be adopted by the United Kingdom.

Mr. Butcher: Further to my answer of 7 May 1985 at column *317-18*, the Government are still aiming towards 1987 as a target date for the adoption of the additional conference of European posts and telecommunications (CEPT) citizens band radio frequencies. We need to finalise some remaining consultations with existing users of affected frequencies and once this is done I will make a fuller statement.

Short Range Radio

Sir Patrick Wall asked the Secretary of State for Trade and Industry if he will make it his policy that Britain participates in the proposed European short range radio service in the 900 MHz band.

Mr. Butcher: My Department is taking part in the conference of European posts and telecommunications (CEPT) discussions about the proposed short range radio service in the 900 MHz band. We will consider any recommendations that CEPT may make on such a system on their merits. We are consulting United Kingdom manufacturing and user interests and no decisions have yet been taken.

Private Health Schemes (Regional Aid)

Mr. Gordon Brown asked the Secretary of State for Trade and Industry how much has been paid in regional selective assistance to private hospital or private nursing home developments in each year since eligibility was introduced.

Mr. Peter Morrison: The information requested is as follows:

	£
1982	15,000
1983	15,000
1984	5,000
1985	5,000
1986	20,000

Mr. McCrindle asked the Secretary of State for Trade and Industry if he has any plans to extend eligibility for regional development grants to the private health care and insurance industries; and if he will make a statement.

Mr. Peter Morrison: I will be reviewing those activities which currently qualify for regional development grant during the current review of the assistance schemes. No decision has yet been made to extend eligibility for regional development grant to include private health care and insurance industries, although both activities will be considered, with others, as part of the review.

Rolls-Royce

Mr. Greg Knight asked the Secretary of State for Trade and Industry whether he has any further progess to report on the privatisation of Rolls-Royce.

Mr. Pattie: The Government have agreed that Rolls-Royce should re-register as a public limited company on 1 May 1986. This is an essential step preparatory to privatisation. Subject to market conditions, the Government intend to return the company to the private sector in the first half of 1987.

The Government intend that provisions should be introduced into the company's articles of association before privatisation to ensure continuing United Kingdom control of Rolls-Royce. These provisions will be protected by a special share to be held by the Government. The details of these arrangements are still under consideration, and a further statement will be made in due course.

Regional Development Grants

Mr. McCrindle asked the Secretary of State for Trade and Industry if he has any plans to exclude particular products or occupations from eligibility for regional development grants; and if he will make a statement.

Mr. Peter Morrison: As part of the review of the Government's revised assistance schemes, I will be reviewing those activities which currently qualify for regional development grant. No decision has yet been taken to exclude particular products or occupations from eligibility for regional development grant.

Pyramid Selling

Mr. Greg Knight asked the Secretary of State for Trade and Industry (1) how many prosecutions have taken place under the Fair Trading Act 1973 in relation to pyramid selling up to the latest date for which figures are available;

(2) if he will review the working of the Fair Trading Act 1973 in relation to pyramid selling;

(3) if he proposes to take any further steps to curb pyramid selling and associated practices.

Mr. Howard [*pursuant to his reply*, 7 April 1986 c. *428*]: There have been no prosecutions, to my knowledge under the pyramid selling provisions of the Fair Trading Act 1973 but other action has been taken against trading schemes in this area. For example, Gem Collection Cosmetics Ltd was compulsorily wound up in the public interest, on 20 January 1986, on the petition of the Secretary of State.

As I mentioned in response to a question from my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) on 11 April at c. *223* my Department will shortly complete a review of the pyramid selling provisions of the Fair Trading Act 1973 and possible changes will be considered in the light of the outcome. Meanwhile, my Department has strengthened its procedures for monitoring the activities of businesses operating in this area and will continue to take whatever action is necessary against suspect schemes and their promoters.

HOME DEPARTMENT

Charity Law

62. **Mr. Yeo** asked the Secretary of State for the Home Department how many prosecutions have been brought during the past three years for breaches of the law on charities.

Mr. Mellor: Records available to me, which may be incomplete, show the number of proceedings in England and Wales for offences against charity laws as 55 in 1982, 29 in 1983 and 19 in 1984. Information for 1985 is not yet available.

News International Plant, Wapping

Mr. Cohen asked the Secretary of State for the Home Department whether the vehicles or personal details belonging to people who live in the vicinity of Wapping have been entered into the police national computer on a police computer belonging to the Metropolitan police during the current industrial dispute there; and if he will make a statement.

Mr. Giles Shaw: No details of persons or their vehicles have been entered on the police national computer or any other police computer by virtue of their residence in the Wapping area.

Police Computer Data

Mr. Cohen asked the Secretary of State for the Home Department what is the number of incidents known to his Department that involved alleged abuse of data held on *(a)* the police national computer and *(b)* other police computers.

Mr. Giles Shaw: This information is not held centrally. I understand, however, that following its inquiry we are to receive shortly a report by the Police Complaints Authority on the alleged misuse of the police national computer in connection with the BP car registration number competition.

Data Protection Act (Police Guidelines)

Mr. Cohen asked the Secretary of State for the Home Department what guidelines have been issued to police officers about the implications for the performance of their duties of the criminal offences created by the Data Protection Act involving the abuse of personal data; and if he will make a statement.

Mr. Giles Shaw: Two Home Office circulars have been issued to the police about the Data Protection Act (No. 64/1984 and No. 79/1985). Copies of both are available in the Library. They explain that chief officers and their agents, who include civilians employed by forces as well as police officers, would be liable to prosecution under section 5 of the Act for any breach of the user's register entry. An ACPO working party is considering the implications of the Act for the police service.

Crime Statistics

Mr. Fisher asked the Secretary of State for the Home Department, in respect of England and Wales, what was the number of crimes which were notified to the police but which were not cleared up in 1978 and 1985.

Mr. Mellor: The estimated number of notifiable offences recorded but not cleared up was 1·4 million in 1978 and 2·2 million in 1985, calculated as the difference between the number of notifiable offences recorded by the police in the year and the number of offences cleared up in that year. It is not possible to provide an exact figure for the number of offences recorded in a year which were not subsequently cleared up because some offences are recorded and cleared up in different years, and so the figures do not strictly correspond. Numbers of offences recorded and cleared up are published annually in chapter 2 of the Command Paper "Criminal Statistics, England and Wales" (table 2.17 of the Issue for 1984, Cmnd. 9621) and most recently in a Home Office statistical bulletin (table 5 of Issue 4/86).

Police Dogs

Mr. Kilroy-Silk asked the Secretary of State for the Home Department if he will call for reports from chief constables as to which police forces do not have dogs in service or training.

Mr. Giles Shaw: All the police forces for which my right hon. Friend is responsible under the Police Act 1964 have dogs in service. My right hon. Friend obtains an annual return from all chief constables of the number of dogs employed and further monitors the position through the force inspections carried out by Her Majesty's inspectors of constabulary.

Mr. Kilroy-Silk asked the Secretary of State for the Home Department if he will publish in the *Official Report* the number, type and purpose for which employed, of dogs in the Metropolitan police force, the annual cost of keeping the dogs and the number of dog handlers employed.

Mr. Giles Shaw: The Metropolitan police have authority for a total of 332 dogs and handlers but in practice there is some variation from this figure in the number of dogs employed on operational duties or in training at any one time. As at 14 April 1986 there were 326 dogs in service costing an estimated £255,000 per annum. The breeds and the purposes for which they are used are as follows:

Function	*Breed*					*Total*
	German Shepherd	*Bouvier*	*Labrador*	*Springer spaniel*	*Border collie*	
1. Operational						
General duties	284	1	—	—	—	285
Narcotics	—	—	5	3	—	8
Explosives	—	—	15	1	—	16
2. Training	14	—	—	2	1	17
Total	298	1	20	6	1	326

There are in addition 54 puppies aged between six weeks and 12 months which will undergo training in due course to provide replacements for operational dogs (51 of these are German shepherds, two are labradors and one is a springer spaniel); and 11 brood bitches (all German shepherds).

Heathrow Airport (Immigration Officers)

Mr. Madden asked the Secretary of State for the Home Department how many interpreters are available to assist immigration officers at Heathrow air terminal; how many interpreters were on duty on 12, 13 and 14 April; how many passengers arriving at Heathrow on those days were detained awaiting to be interviewed; what was the shortest and longest period of detention; how many passengers detained were accommodated in hotels and at what cost; and if he will make a statement.

Mr. Waddington: I will reply to the hon. Member as soon as possible.

Drug Traffickers

Mrs. Renée Short asked the Secretary of State for the Home Department what agreements he promised that Her Majesty's Government would seek with other countries to deprive drug traffickers of their financial gains when he recently addressed the Association of Chief Police Officers.

Mr. Giles Shaw: My right hon. Friend undertook to build on the powers given in the Drug Trafficking Offences Bill, once enacted, by negotiating mutual enforcement agreements with other countries. He also stressed the Government's support for a new United Nations convention on drug trafficking which will call for national measures in all signatory countries to facilitate the seizing of drug traffickers' assets.

Prison Officers

Mrs. Renée Short asked the Secretary of State for the Home Department what staffing levels have been employed at Her Majesty's prisons Winson Green, Featherstone, Holloway and Styal each year since 1979; what was the highest population level in each prison each year during the same period; and within what annual budget each governor was required to work during that period.

Mr. Mellor: Staffing levels have been as follows:

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*
Birmingham	329	358	355	357	412	396	394
Featherstone	107	112	127	119	121	126	123
Holloway	171	185	210	270	277	310	313
Styal	65	103	104	104	104	105	108

The highest levels of inmate population were:

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*
Birmingham	1,118	1,119	1,096	1,119	1,153	1,158	*
Featherstone	484	492	515	529	533	536	*
Holloway	423	451	352	347	351	358	*
Styal	216	260	264	237	231	235	*

* Figures for 1985 are not yet available.

Governors of prison department establishments were given annual budgets for the first time in the financial year 1985-86, but only for prison officers' overtime. The overtime budgets were:

	1985-86
Birmingham	1,780,764
Featherstone	631,479
Holloway	775,862
Styal	285,312

Extradition (Italy)

Mr. Freeson asked the Secretary of State for the Home Department what requests he has received from the Italian Government, following the signing of a new extradition treaty between Britain and Italy, for the extradition of Roberto Fiore, Massimo and Marinella Morsello, Marcello de Angelis and Stefano Tiraboschi and other Italian convicted terrorists; and if he will make a statement.

Mr. Mellor: The extradition treaty between the United Kingdom and Italy which was signed in Florence in March has not yet been ratified. Until it comes into force, extradition between the two countries will continue to take place under the existing 1873 treaty. No Italian extradition requests in connection with terrorist offences have been received in recent months.

Bomb-making Manuals

Mr. Freeson asked the Secretary of State for the Home Department what steps he will take to stop dangerous material such as bomb-making manuals now openly on sale at militaria and book shops in London; and if he will make a statement.

Mr. Giles Shaw: If a publication contained material presented in such a way as to incite crime there might be grounds for a prosecution. Whether action should be taken in respect of a particular publication is in the first instance for the police, in consultation as necessary with the Director of Public Prosecutions. Publications such as bomb manuals generally contain little or no information which is not a matter of common sense, or already available in reference libraries. The police have no evidence of anyone making use of these manuals for terrorist or other criminal purposes.

Northern Ireland (Extremist Groups)

Mr. Freeson asked the Secretary of State for the Home Department what evidence he has of links and associations between members of the National Front in the United Kingdom and Protestant extremist groups in Northern Ireland; and if he will make a statement.

Mr. Giles Shaw: I am aware of reports of links between members of the National Front and certain Protestant groups in Northern Ireland. Any evidence of unlawful actions in support of terrorist or paramilitary activity would be a matter for the police to investigate.

Drug abuse

Mr. Corbett asked the Secretary of State for the Home Department what is the estimated whole-time equivalent number of police officers involved in duties of inspection of retail pharmacies under the Misuse of Drugs Act.

Mr. Mellor: A total of 49 officers are employed full-time on pharmacy inspection duties in 30 police forces in England and Wales. In the remaining forces this function is undertaken as part of the duties of one or more officers.

Mr. Grylls asked the Secretary of State for the Home Department what money he has allocated for 1986-87 to the budget of the Data Protection Agency for advertising.

Mr. Waddington: In his budget proposals for 1986-87, which remain subject to approval, the Data Protection Registrar has included a sum of £276,000 for advertising purposes.

Prison Officers (Accommodation)

Mr. Hoyle asked the Secretary of State for the Home Department, pursuant to the answer of 11 April, *Official Report*, column *195* what is the total loss in revenue from rents and other costs of the 59 prison officers quarters standing empty for four to five years at Culcheth; if he will detail the times when negotiations began and were completed in relation to whether any of the staff for the new prison at Thorn Cross desired the properties; what date Thorn Cross prison opened and was fully staffed; when negotiations were opened and completed with the Prison Officers Association on discount sales of these properties; and if he will supply details and dates of the difficulties with the sewage pumping station and the adoption of certain roads on the estate.

Mr. Mellor: Prison officers' quarters are made available rent-free, and no rent income is therefore lost when they are vacant.

Only essential maintenance has been carried out on the surplus quarters at Culcheth since they were released for disposal. The sewage pumping station and the roads have to be upgraded to local authority standards and this liability has to be negotiated as a condition of sale. The need for quarters for staff at Thorn Cross was under continuous review from early 1984 to June 1985. Thorn Cross opened in July 1985 and most staff were in post by the end of August 1985.

Discussions with the POA on discount sales and associated matters began in November 1983 and final offers were rejected by a national ballot in December 1985.

Immigration Check (Willesden)

Mr. Dubs asked the Secretary of State for the Home Department how many police officers and immigration officers, and of what rank, were involved in the operation at Willesden section house on the night of 16/17 April 1986; how many people, and of what nationalities, were *(a)* interviewed and *(b)* detained in the operation; for how long and where; what was the immigration status of the 10 people who were arrested and not charged; for how long they were under arrest; and how many people were charged with theft as a result of the police investigations.

Mr. Waddington: One chief immigration officer, two immigration officers, one police sergeant and two police constables visited Willesden section house at 0600 hours on 17 April 1986 acting on information that persons believed to be in breach of the immigration laws were employed there. Four persons were interviewed when they arrived for work at times between 0630 and 0830 hours.

One Ghanaian was charged with overstaying. Two Ghanaians were found to be illegal entrants. The periods they spent in police custody at Kilburn police station before being charged or otherwise dealt with under the Immigration Act 1971 were nine-and-a-half, seven-and-a-quarter and nine-and-a-quarter hours respectively.

One Zambian was released without charge after inquiries at his home address. He was in police custody for six-and-three-quarter hours. Another Zambian at the same address, who was also a subject of the enquiry, was charged with working in breach of a prohibition on employment. She was in police custody for eight hours prior to being charged. No one was charged with theft.

News International Dispute (Wapping)

Mr. Nellist asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to the number of arrests which have taken place at Wapping, in connection with the print dispute, since 3 March.

Mr. Giles Shaw: I understand from the Commissioner that since 3 March 226 persons have been arrested in connection with the News International dispute at Wapping.

"Policing the Miners' Dispute"

Mr. Nellist asked the Secretary of State for the Home Department if he will seek to obtain a copy of the Association of Police Officers' paper entitled "Policing the Miners' Dispute," with a view to placing it in the Library; and if he will make a statement.

Mr. Giles Shaw: I will reply as soon as possible.

Prison Population

Mr. Bermingham asked the Secretary of State for the Home Department what was the total number of persons detained in custody on 31 December 1985.

Mr. Mellor: On 31 December 1985 about 44,400 persons were held in prison department establishments in England and Wales. Details are to be found in table 1 of "The Prison Population in 1985", Home Office Statistical Bulletin 7/86.

Parole

Mr. Bermingham asked the Secretary of State for the Home Department how many *(a)* male and *(b)* female prisoners were granted parole in each year since 1982.

Mr. Mellor: The information is as follows:

*Persons recommended for parole**

Year of decision	*Males*	*Females*
1982	5,074	106
1983	5,228	118
1984	11,498	388
1985†	13,680	450

* Excluding those who were not released on parole because the board's recommendations were not accepted by the Home Secretary.
† Provisional figures.

Interpol (Soviet Membership)

Mr. Proctor asked the Secretary of State for the Home Department what information he has about the possibility of the Soviet Union applying to join Interpol; and if he will make a statement.

Mr. Giles Shaw: The Secretary-General of Interpol is reported to have said that the Soviet Union may seek to join Interpol to tackle a growth of crime in that country. Application for membership of the Interpol organisation has to be submitted by the appropriate governmental authority for the country concerned and is subject to approval by a two-thirds majority of the organisation's general assembly. It will be for Her Majesty's Government and other member countries to take a view if any application is made.

Alcohol Abuse

Mr. Beith asked the Secretary of State for the Home Department whether he has any new proposals to deal with the problem of alcohol abuse by teenagers.

Mr. Whitney: I have been asked to reply.

The Health Education Council is contributing to the production of two sets of health education material for 11 to 18-year-olds which will provide education on alcohol, drugs and smoking for young people, their teachers and parents. In addition, as part of the recent initiatives on drugs misuse, the Department funded the production of a health education video package for 12 to 15-year-olds in school, which covers alcohol misuse and smoking as well as drugs misuse. This is being made available, free of charge, to all secondary schools.

The results of a survey on adolescents' drinking habits, which the Department commissioned the Office of Population Censuses and Surveys to undertake, are expected to be published by the end of this year.

SCOTLAND

Housing Co-operatives

Mr. Craigen asked the Secretary of State for Scotland what are the numbers of tenant management housing co-operatives now operating in Scotland under the local authorities, Scottish Special Housing Association and the New Towns Development Corporation; and what encouragement his Department provides to further tenant housing co-operatives.

Mr. Ancram: The decision on whether to set up a local tenant management co-operative is primarily for the housing authority concerned, and the Scottish Development Department does not collect statistics centrally on the number of such co-operatives. However, I am aware of some 11 management co-operatives currently operating in Scotland, the majority in the Glasgow area, and a further nine which are being actively considered.

The Scottish Development Department is concerned to improve tenant participation in housing management through measures such as the establishment of management co-operatives where appropriate. To this end we have recently agreed to continue for a further three years our funding of the tenant participation advisory service which aims, as one of its objectives, to assist the formation of housing co-operatives.

Acid Rain

Dr. David Clark asked the Secretary of State for Scotland what action he is taking to evaluate the effect of acidic emissions from Irish power stations on the environment in Galloway.

Mr. Ancram: Estimates by the Department of Trade and Industry's Warren Spring laboratory indicate that acid emissions from Irish power stations are responsible for only a negligible proportion of the total deposition in Galloway.

Private Health Schemes (Regional Aid)

Mr. Gordon Brown asked the Secretary of State for Scotland how much has been paid in Scotland in regional selective assistance to private hospital or nursing home developments in each year since eligibility was introduced.

Mr. Allan Stewart: There have been no such payments.

Breast Cancer

Mr. McQuarrie asked the Secretary of State for Scotland if he will list by health board in Scotland the numbers of women who are at present being treated for breast cancer.

Mr. John MacKay: The Scottish health statistics for 1984 (the latest year available) shows that during that year there were 6,936 discharges from the in-patient facilities of Scottish general hospitals of cases where the principal diagnosis was breast cancer.

The figures analysed by health board area are set out in the table.

	Number
Argyll and Clyde	464
Ayrshire and Arran	525
Borders	166
Dumfries and Galloway	185
Fife	505
Forth Valley	362
Grampian	572
Greater Glasgow	1,031
Highland	280
Lanarkshire	962
Lothian	1,229
Orkney	19
Shetland	41
Tayside	544
Western Isles	51

Mr. McQuarrie asked the Secretary of State for Scotland (1) if he will introduce a programme of voluntary comprehensive breast screening using mammography for all women over 50 years of age; and if he will make a statement;

(2) if he will establish a comprehensive screening programme for the investigation, diagnosis, treatment and support of women with mammographic abnormalities; and if he will make a statement.

Mr. John MacKay: In accordance with the recommendations of an expert national committee, a programme of trials was introduced in England and Scotland in 1979 to establish the practicability and efficacy of screening methods in the reduction of mortality from breast cancer. These trials are due for completion in 1987.

Meanwhile, following the publication of encouraging results from studies overseas, my right hon. Friend the Minister for Health announced on 18 July 1985 the establishment of a working group to consider the information available on breast cancer screening by mammography and the extent to which this suggests any changes in United Kingdom policy on the provision of mammographic facilities and the screening of symptomless women.

The working group has considered the evidence available from all sources and has issued an interim report, copies of which have been placed in the Library. The group is due to submit its final report later this year. This should set out the policy options for the development of breast cancer screening, the respective costs and benefits, and the overall implications for the National Health Service. It would be premature to anticipate the advice of the working group before the completion of their remit.

Mr. McQuarrie asked the Secretary of State for Scotland how many women died as a result of breast cancer in Scotland during the years 1980 to 1985.

Mr. John MacKay: The figures are as follows:

Female breast cancer deaths in Scotland

	Number
1980	1,214
1981	1,175
1982	1,228
1983	1,262
1984	1,242
1985	*1,247

* Provisional figure.

Hip Operations

Mr. McQuarrie asked the Secretary of State for Scotland what is the length of time for replacement hip operations on patients in the Grampian health board area; and how this compares with the year 1984-85.

Mr. John MacKay: The mean waiting times for patients who were admitted from the waiting list for total hip replacements were 307 days during 1984 and 287 days in 1985.

Mr. McQuarrie asked the Secretary of State for Scotland how many orthopaedic surgeons are employed in each of the health boards in Scotland who carry out hip replacement operations; and how many operations are carried out on average by each surgeon.

Mr. John MacKay: I shall reply to my hon. Friend as soon as the information is available.

Prison Officers

Mr. McQuarrie asked the Secretary of State for Scotland how many prison officers are engaged at Peterhead prison; and what is the average overtime worked by officers at the prison.

Mr. John MacKay: The number of members of the prison officer grade employed at Peterhead prison on 1 April 1986 was 222. They are conditioned to a 40-hour week and over the period of the last 12 months they worked an average of 14 hours overtime per week per officer.

Mr. McQuarrie asked the Secretary of State for Scotland if he will list in the *Official Report* the employed strength of prison officers at each prison in Scotland; and which prisons are under the employment ratio laid down for that particular prison.

Mr. John MacKay: Employment ratios are not used to determine staffing in the Scottish prison service. Each penal establishment has a staff complement which reflects the number fo staff necessary to cover authorised posts at that establishment. The number of members of the prison officer grade in post at 1 April 1986 is shown in the table.

	*Discipline Officer Complement**	*Discipline Officers In Post**	*Total Prison Officers In Post**
Aberdeen	65	67	81
Barlinnie	224	249	338
Barlinnie Special Unit	17	13	13
Castle Huntly	34	40	55
Cornton Vale	139	135	163
Dumfries	70	75	95
Dungavel	32	37	54
Edinburgh	234	235	309
Friarton	35	38	49
Glenochil	241	251	301
Greenock	90	76	93
Inverness	52	56	70
Longriggend	115	111	131
Low Moss	72	76	102
Noranside	33	37	54
Penninghame	16	14	26
Perth	190	188	241
Peterhead	192	183	222
Polmont	128	137	176
Shotts	45	54	74

* As at 1 April 1986.

Notes

1. The table indicates the authorised staffing complement for each establishment in respect of discipline grades only, together with the staff-in-post figure for these grades as at 1 April 1986. The complement for specialist grades has not been included as some of these posts are filled by civilians ie civilian instructors and civilian craftsmen. The total prison officer in-post figure in column 3 includes nurse officers, caterer officers, clerk officers, works officers and officer instructors.
2. The Barlinnie complement is presently being reviewed.
3. Greenock prison has just been reopened following re-development and some staff have still to take up post.
4. Polmont young offenders' institution is presently holding remand prisoners in one of its wings as a temporary measure, and provison for this is ot included in the present complement.
5. The discipline officer in post figures include a number of new officer recruits.

Mr. McQuarrie asked the Secretary of State for Scotland when he last met Scottish prison officers to discuss pay and conditions; and what was the outcome of these discussions.

Mr. John MacKay: The pay and conditions of service of prison officers in Scotland as in England and Wales are negotiated directly by the Treasury with the unions and are a matter for my right hon. Friend the Chancellor of the Exchequer.

Mr. McQuarrie asked the Secretary of State for Scotland how many prison officers have received injuries due to attacks by inmates at Peterhead prison in the years 1980 to 1985 and the latest figure for 1986; how many officers required hospital treatment; and how many days were lost by officers in the same period due to injuries sustained.

Mr. John MacKay: I shall reply to my hon. Friend as soon as possible.

Orthopaedic Surgery

Mr. McQuarrie asked the Secretary of State for Scotland if he will discuss the problem of the shortage of junior house doctors in Grampian health board for the orthopaedic surgery department with the chairman of the board.

Mr. John MacKay: Staffing problems are matters for individual health boards, in the first instance, as they are responsible for keeping under review the adequacy of their service provision. In Grampian, the health board is well aware of the difficulty of attracting junior medical staff to this particular field and has already taken steps to tackle the problem.

EMPLOYMENT

"Lifting the Burden"

Mr. Prescott asked the Paymaster General how many employees and how many businesses will be affected if the proposal in the White Paper "Lifting the Burden" to alter the requirement on businesses to produce a written safety statement from those with five to those with 20 employees is implemented.

Mr. Trippier: The information is not available in the form requested.

Some indication as to the upper limit of the number of businesses affected can be obtained from the 1981 census of employment. This showed that there were about 4·4 million employees in some 420,000 census units (roughly equivalent to individual workplaces) in the size range 5-24 employees.

Industrial Accidents

Mr. Skinner asked the Paymaster General (1) how many persons have died due to accidents at work since 1979;

(2) how many persons have been seriously injured or disabled due to accidents at work since 1979;

(3) how many persons were injured or disabled in accidents at work in 1984 and 1985;

(4) how many persons were killed in accidents at work in 1984 and 1985.

Mr. Trippier: The available information is as follows:

Reported occupational injuries to Employed and Self-Employed persons at work in Great Britain.

	1979	1980	1981	1982	1983	1984	Total 1979-84
Deaths*	615	579	503	516	507	496	3,216
							1981-84
Major Injuries†	n/a	n/a	12,406	12,402	12,561	12,624	49,993

Data for 1985 is not yet available.

* The reporting regulations were widened in 1981 with the coming into force of the Notification of Accidents and Dangerous Occurrences Regulations 1980 (NADOR). In 1979 and 1980 the figures include fatalities to some people in the new categories required by NADOR but reported on a voluntary basis. They are therefore not strictly comparable with the figures for 1981 to 1984.
† As defined in NADOR and reported to relevant enforcement authorities. Information before 1981 is therefore not available.
n/a not available.

Machinery Accidents

Mr. Skinner asked the Paymaster General what percentage of machinery accidents in manufacturing occurred in firms employing less than 10 employees in 1981, 1982, 1983, 1984 and 1985.

Mr. Trippier: In both 1983 and 1984 about 10 per cent. of such fatal and major occupational injuries, reported to Her Majesty's Factory Inspectorate, were in establishments with fewer than 10 persons employed.

Information for 1981 and 1982 could only be obtained at disproportionate cost. Information for 1985 is not yet available.

Young People

Mr. Charles Morrison asked the Paymaster General if he will introduce a voluntary scheme whereby young unemployed people can tidy up motorway verges by the removal of paper, tins and other rubbish.

Mr. Kenneth Clarke: No. However, the Government are keen to encourage projects for environmental improvement under the community programme.

Scottish Gospel Outreach

Mr. Martin asked the Paymaster General (1) what arrangements exist for managing the schemes funded by the community programme and operated by Scottish Gospel Outreach; what representatives of *(a)* the Manpower Services Commission and *(b)* Scottish Gospel Outreach are involved in each case; and if he will make a statement,

(2) what information he has as to how many officials of Scottish Gospel Outreach are employed on the community programme-supported projects operated by this organisation; and if he will make a statement.

Mr. Kenneth Clarke: Scottish Gospel Outreach runs two community programme projects: Dennistoun lunch club and Helping Hands. Responsibility for managing both lies with Mr. John Morrison on behalf of Scottish Gospel Outreach, but the Helping Hands scheme is also within an established community programme agency, Poldrait community development. Staff of the Manpower Services Commission's north Glasgow community programme area office are responsible for monitoring the operation of the schemes. The Manpower Services Commission does not keep information on whether employees of those sponsoring schemes under the community programme hold official positions in other organisations.

A number of workers on the lunch club project have recently made allegations about the running of the projects. The MSC's area employment manager has invited Scottish Gospel Outreach to comment on these allegations and has asked the area manpower board to consider the matter. The area employment manager will take his decision on the future of the project when he has received the comments of Scottish Gospel Outreach and the advice of the AMB.

Labour Statistics

Mr. Gordon Brown asked the Paymaster General if he will list, for each region, the latest figures for additional jobs created since December 1982 for *(a)* employees who are full-time, *(b)* employees who are part-time and *(c)* self-employed; and if he will list the numbers estimated to be second jobs.

Mr. Kenneth Clarke: The available estimates of net changes in employment are given in the table. No breakdown of the estimates for male employees in employment between full time and part time is available for these dates. The number of second jobs included in the estimates of employees in employment by region is not separately identified.

Net increase in employment by region

Thousand

	Employees in Employment 1982 to 1985 (December)		Self employed 1982 to 1985 (June)
	Males and full time females	Part time females	
South East	+92	+205	+188
Greater London	−1	+62	n.a.
East Anglia	+26	+22	+23
South West	−9	+63	+32
West Midlands	−3	+29	+11
East Midlands	−18	+38	+6
Yorks and Humberside	−60	+30	+56
North West	−41	+80	+46
Northern	−50	+26	+18
Wales	−17	+22	+26
Scotland	−32	+59	+28
Great Britain	−111	+574	+434

Job Creation Schemes

Mr. Sheerman asked the Paymaster General how many and what percentage of the 991,000 new jobs that

have been created since March 1983 are filled by people on *(a)* community programmes, *(b)* enterprise allowance schemes and *(c)* YTS.

Mr. Kenneth Clarke: It is estimated that the 991,000 increase in the employed labour force between March 1983 and December 1985 included 135,000 participants in the community programme and community industry, 50,000 participants in the enterprise allowance scheme and 42,000 in the youth training scheme. These groups represent respectively 14 per cent., 5 per cent. and 4 per cent. of the total increase.

Mr. Sheerman asked the Paymaster General how many and what percentage of the 554,000 new jobs that have been occupied by women since March 1983 are *(a)* less than 30 hours per week, *(b)* less than 20 hours per week, *(c)* short or no contract jobs and *(d)* pensioned; and what is the distribution of wages for the various categories.

Mr. Kenneth Clarke: The size of the employed labour force increased by 991,000 in Great Britain between March 1983 and December 1985; of this rise 554,000 was among female employees in employment. Out of this increase in female employees, 547,000 (nearly 99 per cent.) was for part-timers working 30 hours or less a week. The estimates do not distinguish separately employees who work less than 20 hours a week, those who have a short contract or no contract, nor those who are employed and have a pension.

Further analysis of the increase of the increase in employment between 1983 and 1985, although on a different basis from the series published in *Employment Gazette*, will become available from the labour force survey when the preliminary results of the 1985 survey are published on 23 April.

Data on the earnings of newly employed workers are not collected separately in surveys of wages and salaries.

Mr. Sheerman asked the Paymaster General what is the full-time equivalency of the 991,000 new jobs that have been created since March 1983.

Mr. Kenneth Clarke: Insufficient detail is available to calculate reliable estimates of full-time equivalents, which would, in any case, not reflect the importance of increasing labour market flexibility which has contributed to the continuing growth of part time jobs and has benefited both employers and employees.

Self-employed Persons (Incomes)

Mr. Sheerman asked the Paymaster General what is the distribution of incomes among the 457,000 new jobs that have been created since March 1983 that are classified as self-employed.

Mr. John Moore: I have been asked to reply to the hon. Member and shall do so as soon as possible.

WALES

Health Services

Mr. Wigley asked the Secretary of State for Wales if he will list the dates at which every new district general hospital, or other major new health facility, was opened since 1 April 1979, together with the estimated additional revenue consequences of each new capital development.

Mr. Mark Robinson: The information is given in the following table:

Scheme	*Opening date*	*Additional revenue consequences £ million*
Royal, Gwent, scheme 5	October 1979	5·383
Ysbyty Glan Clwyd	May 1980	4·690
St. Woolos hospital, scheme I	March 1983	2·462
Ysbyty, Gwynedd	July 1984	7·216
The Princess of Wales hospital, Bridgend	October 1985	5·203
Morriston hospital, scheme I	October 1985	7·055
Wrexham district general hospital, scheme I	Projected June 1986	2·323

Notes:

(1) All figures expressed at 1986-87 prices.

(2) The level of central funding provided reflects the net annual additional revenue consequences after taking into account the rationalisation of services at other hospitals consequent on the new development.

(3) The revenue consequences of the Princess of Wales hospital and Morriston hospital, scheme I have been adjusted to take into account the estimated cost of water and general rates.

Water Industry

Mr. Rogers asked the Secretary of State for Wales how many people were working in the different occupational categories in the water industry in Wales in 1975 and each subsequent year.

Mr. Mark Robinson: The information requested is not held by the Department. I have written to the chairman of the Welsh water authority, and he will reply to the hon. Gentleman.

Forestry Commission

Mr. Rogers asked the Secretary of State for Wales how many people were working for the Forestry Commission in Wales in 1975 and each subsequent year.

Mr. Mark Robinson: The number of people employed by the Forestry Commission in Wales at 31 March in each of these years was as follows:

Year	*Number employed*
1975	1,525
1976	1,490
1977	1,451

Year	Number employed
1978	1,484
1979	1,482
1980	1,414
1981	1,361
1982	1,280
1983	1,205
1984	1,118
1985	1,029

Complete figures showing the position at 31 March 1986 are not yet available on central records.

Mr. Rogers asked the Secretary of State for Wales how many people were working in the different occupational categories for the Forestry Commission in Wales in 1975 and each subsequent year.

Mr. Mark Robinson: The information showing the position at 31 March in each of these years, is as follows:

Group	Year										
	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Administration staff	82	80	80	81	80	77	79	77	74	108	115
Foresters/forest officers	185	184	179	180	176	174	168	158	157	139	139
Estate and building staff	11	11	11	11	9	11	11	9	8	9	8
Engineering staff	25	24	24	24	22	23	22	21	20	20	20
Research staff	9	14	13	14	13	13	22	18	19	10	17
Others	8	8	8	8	8	7	7	7	7	7	7
Total non-industrials	320	321	315	318	308	305	309	290	285	293	306
Forest workers	1,022	992	961	990	997	936	885	836	774	692	600
Engineering workers	168	162	160	162	163	159	152	145	142	129	119
Building workers and others	15	15	15	14	14	14	15	9	4	4	4
Total industrials	1,205	1,169	1,136	1,166	1,174	1,109	1,052	990	920	825	723

The increase in the number of employees in the Administration group in the last two years was mainly a result of the transfer of forest clerks from the industrial class to the clerical and typing grades in the non-industrial class.

Complete figures showing the position at 31 March 1986 ar not yet available on central records.

ATTORNEY-GENERAL

Department of the Director of Public Prosecutions

Mr. Alex Carlile asked the Attorney-General how many people qualified as solicitors or barristers are employed in the office of the Director of Public Prosecutions.

The Attorney-General: Sixty-five people qualified as solicitors or barristers are employed as practising lawyers in the Department of the Director of Public Prosections.

The new Crown Prosecution Service which came into being on 1 April in the areas formerly designated metropolitan counties employs 351 people qualified as solicitors or barristers who practise as lawyers.

In addition there is a small number of qualified lawyers employed in other grades in the Department and in the Crown Prosecution Service, but records do not allow these to be identified.

9 Signals Regiment

Mr. Dalyell asked the Attorney-General on what dates his office received the first and subsequent reports from the Director of Public Prosecution's office following the visit of officials to Cyprus in connection with inquiries into possible breaches of security at United Kingdom bases in Cyprus involving 9 Signals Regiment.

The Attorney-General: Following the return from Cyprus of an official of the Director of Public Prosecutions' office on 28 March 1984, the Director of Public Prosecutions and he reported to me the next day. Subsequently a series of reports were made to me.

Mr. Dalyell asked the Attorney-General on what date the decision was taken to send an official from the Director of Public Prosecutions' office to Cyprus in connection with inquiries into possible breaches of security at United Kingdom bases in Cyprus involving 9 Signals Regiment; who was that official; and on what date he or she arrived in Cyprus.

The Attorney-General: On 19 March 1984 it was decided to send an official from the Director of Public Prosecutions' office to Cyprus. He arrived the next day. On 22 March 1984 it was decided to send a second official. He arrived on 25 March 1984. It is not the practice to name civil servants involved in individual cases.

Mr. Dalyell asked the Attorney-General on what date the decision was taken, and by whom, to send a Special Branch team to Cyprus in connection with enquiries into possible breaches of security at United Kingdom bases in Cyprus involving 9 Signals Regiment; what was the composition of that team; and on what date the composition was decided.

The Attorney-General: On 15 March 1984 the Director of Public Prosecutions decided to ask the Metropolitan police to send Special Branch officers to Cyprus. The director had already been informed on 13 March 1984 by the Metropolitan police that three officers had been allocated to the case.

Police National Computer

Mr. Cohen asked the Attorney-General what action the Director of Public Prosecutions is taking on reports he has received from the anti-corruption squad of the Metropolitan police relating to possible offences involving the abuse of access to information contained on police national computer files by an alleged homosexual ring operating inside the force.

The Attorney-General: The Director of Public Prosecutions has received a report from the complaints investigation bureau of the Metropolitan police about the matters to which the hon. Member refers. It is at present being considered.

ENERGY

Nuclear Waste

Mr. Frank Cook asked the Secretary of State for Energy (1) if he will state the volumetric quantities for each of the low-level and low and high-activity intermediate level radioactive wastes, now in store at each nuclear power station, nuclear fuel fabrication, enrichment and reprocessing plant in the United Kingdom;

(2) if he will state the volumetric storage capacities at each and every nuclear power station, nuclear fuel fabrication enrichment and reprocessing plant in the United Kingdom;

(3) if he will provide data on the rate at which all redioactive waste storage facilities in the United Kingdom are being filled; and if he will estimate the date by which each of the facilities will be full.

Mr. Goodlad: These are detailed questions which fall within the responsibility of the industries' managements. I have asked the chairmen to write to the hon. Member.

Coal Industry

Mr. Pawsey asked the Secretary of State for Energy, pursuant to the answer of 10 April, if he will publish in the *Official Report* the main elements of the National Coal Board's new approach to the development of the coal industry and if he will indicate how these differ from the main elements of "Plan for Coal".

Mr. David Hunt: These are matters for the National Coal Board. I have asked the chairman of the board to reply to my hon. Friend.

CEGB Site, Killingholme

Mr. Austin Mitchell asked the Secretary of State for Energy what discussions he has had with the chairman of the Central Electricity Generating Board about the sale of the Central Electricity Generating Board site at Killingholme, South Humberside to a private firm for industrial development; and if he will make a statement.

Mr. Goodlad: None. The board described its plans for the site in its letter of 11 April to the hon. Member. The board has no plans to dispose of the site.

Selby New Mine

Mr. Wilson asked the Secretary of State for Energy (1) if he will publish figures to show the most recent estimated cost of production, expressed in pound sterling per ton, of coal from the Selby new mine;

(2) what is now the estimated outturn cost of the Selby new mine project; how much has already been spent on developing the mine; and what interest charges have accrued so far during construction.

Mr. David Hunt: These are operational matters for the National Coal Board. I have asked the chairman of the board to write to the hon. Gentleman.

Offshore Operations (Pipework)

Mr. Eadie asked the Secretary of State for Energy if, in the light of his Department's publication safety notice 2/86 on 19 March on temporary high pressure systems, he will discuss with the United Kingdom Offshore Operators Association the importance of its contracts for pipework being placed with companies that are well established in the industry and who employ personnel who are sufficiently trained and technically competent.

Mr. Buchanan-Smith: Officials from my safety inspectorate are in regular discussion with the United Kingdom Offshore Operators Association on all matters affecting safety. Safety notice 2/86 dated 19 March 1986 is of particular importance to all organisations who have a safety interest offshore and has been widely circulated.

The purpose of the safety notice was to bring to the attention of industry, including the UKOOA, the need to ensure that companies which undertake such work are capable and employ personnel who are sufficiently trained, given adequate instruction, and are competent.

This item will be on the agenda for a meeting between my officials and representatives of the UKOOA safety committee on Thursday 24 April.

FOREIGN AND COMMONWEALTH AFFAIRS

United States (Extraterritorial Controls)

Mr. Ashdown asked the Secretary of State for Foreign and Commonwealth Affairs on how many occasions in the years 1982, 1983, 1984, 1985 and 1986 he has raised with the United States State Department the issue of United States extraterritorial controls in the United Kingdom computer industry; and if he will make a statement.

Mrs. Lynda Chalker: None, but Her Majesty's embassy keeps in touch with the United States authorities over such matters.

Mr. Ashdown asked the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards the acquisition for his Department's use, through the Central Computer and Telecommunications Agency or otherwise, of computers and equipment supplied by companies which seek to impose extraterritorial United States controls on their United Kingdom staff or on non-Government United Kingdom customers or on exports from the United Kingdom; and if he will make a statement.

Mr. Eggar: The Foreign and Commonwealth Office does not accept any extraterritorial constraints when purchasing such equipment.

Non-Proliferation Treaty

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to treat the non-proliferation treaty as an arms control agreement.

Mr. Renton: The objectives of the non-proliferation treaty are both arms control and the promotion of co-operation between states parties in the peaceful uses of nuclear energy. The Government treat the NPT accordingly.

Territorial Waters

Mr. Onslow asked the Secretary of State for Foreign and Commonwealth Affairs what plans he has to extend British territorial waters; and if he will make a statement.

Mr. Eggar: The question of extending the territorial waters adjacent to the United Kingdom is still under consideration.

9 Signals Regiment

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs what representative of his Department was sent to Cyprus to assist work and liaise with British military authorities involved in the investigation of possible breaches of security involving 9 Signals Regiment.

Mr. Renton: I can confirm that one of our officials was sent to Cyprus to assist in the investigations. It is not the practice to name individuals.

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs to what extent the Cypriot authorities were informed that inquiries were being made into a possible breach of security at United Kingdom bases in Cyprus with respect to the British servicemen who were later tried and acquitted in October 1985; on what dates they were so informed; by whom; if this was done through official channels; and if he will make a statement.

Mr. Renton: Matters of this nature would naturally arise in the context of the normal close contacts enjoyed between the Cypriot authorities and Her Majesty's Government through the British high commission in Nicosia.

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs what request was made for co-operation from the Cypriot authorities to assist in inquiries with respect to a possible breach of security at United Kingdom bases on Cyprus; on what date this request was first made; by whom and to whom; and what was the reply.

Mr. Renton: No such request was made.

Nuclear Test Ban Treaty

Mr. Andrew F. Bennett asked the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 3 March, *Official Report*, column *12*, if he will list the outstanding verification issues which remain to be resolved in negotiations for a comprehensive test ban treaty.

Mr. Renton: I refer the hon. Member to the speech I gave during the Adjournment debate on 26 March at column 1047.

Butter

Mr. Austin Mitchell asked the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the French Government concerning the stricter enforcement of non-tariff barriers to trade on imports from New Zealand to France; what reasons are given for these restrictions; whether Her Majesty's Government will veto any attempt by other member countries to impose further restrictions on United Kingdom imports of butter from New Zealand; and if he will publish in the *Official Report* a table showing the tonnage of United Kingdom imports of butter and cheese from New Zealand each year since 1970.

Mrs. Chalker: Any restrictions on imports into the European Community are a matter for the Commission. The Commission is seeking information from the French on the extent of, and basis for, any restrictions on New Zealand imports into France in order to be able to respond to New Zealand's request for consultations under the GATT.

We remain fully committed to working for continued access for New Zealand butter. The Commission will introduce proposals for New Zealand's 1987 quota of butter exports to the Ec later in the year. The tonnages of United Kingdom imports of butter and cheese from New Zealand each year since 1970 are as follows:

	Cheese *SITC code 024* *tonnes*	*Butter and butteroil* *SITC code 023* *tonnes*
1970	66,538	157,419
1971	71,407	146,749

	Cheese SITC code 024 tonnes	Butter and butteroil SITC code 023 tonnes
1972	64,314	117,732
1973	47,344	131,953
1974	19,173	119,440
1975	30,282	123,955
1976	30,562	122,626
1977	13,139	129,016
1978	2,076	129,779
1979	101	119,878
1980	6,712	104,832
1981	7,964	99,422
1982	7,173	99,152
1983	9,242	93,760
1984	6,111	89,110
1985	7,513	77,893

Source: Overseas Trade Statistics of the United Kingdom.

OVERSEAS DEVELOPMENT

Third World Countries (Aid)

60. **Mr. Geraint Howells** asked the Secretary of State for Foreign and Commonwealth Affairs how he assesses the efficacy of the British aid programme in alleviating the suffering of the poorest communities in Third world countries; and if he will make a statement.

Mr. Raison: Our aid programme is effective in helping to alleviate poverty and is carefully monitored. Much of it helps the poorest people directly. But alleviation of poverty also depends upon sustainable economic progress, which our aid is designed to promote.

Afghan Refugees

61. **Mr. Moynihan** asked the Secretary of State for Foreign and Commonwealth Affairs if he has yet reached a decision on requests for further humanitarian assistance to the Afghan refugees in North-West Pakistan and to displaced persons inside Afghanistan; and if he will make a statement.

Mr. Raison: During his recent visit to Pakistan my right hon. and learned Friend announced an allocation of £4·8 million of bilateral aid for Afghan refugees and displaced persons for the current financial year. This is an increase of 17 per cent. over last year's allocation.

Famine Relief (Horn of Africa)

Sir John Biggs-Davison asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about United Kingdom famine relief in countries of the Horn of Africa.

Mr. Raison: In the calendar year 1985 the Government committed £40 million bilaterally and through the European Community for famine relief in Ethiopia and £1·5 million for Somalia. So far in 1986 similar commitments amount to £9 million for Ethiopia and £0·25 million for Somalia. Total commitments bilaterally and through the European Community for famine relief in the Horn of Africa as a whole have amounted to £77 million since the beginning of 1984.

Fiji

Mr. Janner asked the Secretary of State for Foreign and Commonwealth Affairs what is the current level of aid for Fiji; and whether he will make a statement.

Mr. Raison: British aid to Fiji in 1985 was £3·95 million, including £1·7 million in project aid from the Commonwealth Development Corporation and £0·3 million for disaster relief.

HOUSE OF COMMONS

Heating

Mr. Soames asked the Lord Privy Seal if he will order the heating to be turned off immediately in the Palace of Westminster.

Mr. Biffen: The parliamentary works officer is required to maintain the temperature in the Palace of Westminster as near to 66F as is possible. This has to be related to the outside temperature. Outside temperature readings over the past week have been well below 60F and in some cases below 50°F. These temperature readings do not justify the heating being turned off. The situation is, however, kept under review on a daily basis.

NORTHERN IRELAND

Anglo-Irish Agreement

Mr. A. Cecil Walker asked the Secretary of State for Northern Ireland what assessment he has made of the additional burden placed on the Royal Ulster Constabulary as a result of the Anglo-Irish agreement; and if he will make a statement.

Mr. Scott: One of the principal objects of the Anglo-Irish agreement is to bring about a reduction in violence in Northern Ireland through increased co-operation between the security forces of the United Kingdom and the Republic of Ireland. This in time will reduce the very heavy demands made on the RUC. Unfortunately, progress towards this goal has been hampered by the outrageous behaviour of some opponents of the agreement. By seeking confrontations with the RUC, and attacking off-duty police men and women and their homes and families, they have made the force's task even more difficult and have caused the diversion of valuable police resources from the fight against terrorism.

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will now specify the benefits obtained from the Anglo-Irish agreement in the campaign against terrorism.

Mr. Scott I shall reply to my hon. Friend as soon as possible.

Prescriptions (Monitoring)

Mr. Wareing asked the Secretary of State for Northern Ireland which drugs are covered by the computerised monitoring system of repeat prescriptions by general practitioners;

(2) what was the cost of maintaining the computerised monitoring system for repeat prescriptions by general practitioners for each of the last five years.

Mr. Needham: There is no systematic monitoring of repeat prescribing by general practitioners.

NATIONAL FINANCE

Clerical Officers and Principal Grades

Mr. Wigley asked the Chancellor of the Exchequer what the basic pay rates were for clerical officer and principal grade, respectively, in the Civil Service in 1970; what they are now; and if he will also express the figures in real terms taking the 1970 figures as the base.

Mr. Brooke: Basic pay rates for staff on the maxima of clerical officer and principal grade pay scales, in both actual and 1970 prices, are as follows:

Basic rates of pay at maxima of scales (£)

	1 April 1970	*1 April 1985*
Actual		
Clerical officer	1,253	6,293
Principal†	3,902	18,363
1970 Prices*		
Clerical officer	1,253	1,232
Principal†	3,902	3,596

* Using annual average values of the retail prices index.
† Principal grade was assimilated in unified grade 7 on 1 January 1986.

Customs and Excise

Mr. Soley asked the Chancellor of the Exchequer what was the total number of uniformed preventive officers employed by Her Majesty's Customs and Excise in each of the years from 1975 to 1985.

Mr. Brooke: I regret that figures for the number of uniformed preventive officers employed by Her Majesty's Customs and Excise are not available for the years before 1979, but at 1 April for each year from 1979 to 1985 they were as follows:

	Number
1979	3,007
1980	2,863
1981	2,695
1982	2,568
1983	2,483
1984	2,419
1985	2,503

At 1 April 1986 the estimated number of uniformed preventive officers was 2,650, and in the current financial year the number is planned to rise to about 3,000.

Acceptances in Lieu of Tax

Mr. Faulds asked the Chancellor of the Exchequer whether he will add to his answer to the hon. Member for Warley, East of 8 April, *Official Report*, column *101*, further Treasury announcements in the *Official Report* of acceptances of items in lieu of tax which specify the individual amounts of tax satisfied; whether he will give a complete list, including those announcements already figuring in his answer of 8 April, covering the period from the answer of 4 November 1977, *Official Report*, column *3*, to that of 30 April 1980, *Official Report*, columns *549-50*, inclusive; and whether he will rectify his statement that a Treasury answer on this subject appeared in column *358* of the *Official Report* on Sunday 26 October 1980.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Personal Taxation

Mr. Corrie asked the Chancellor of the Exchequer (1) what percentage of the population does not pay income tax in 1986-87 who did pay tax in 1978-79;

(2) what percentage of the population pay tax who have an income of up to £15,000 in 1985-86; and what was the percentage in 1978-79.

Mr. Moore: I shall let my hon. Friend have a reply as soon as possible.

Capital Taxation

Mr. Frank Field asked the Chancellor of the Exchequer what was the revenue gained from *(a)* capital transfer tax and *(b)* capital gains tax for each year since 1979 and the total gained in revenue for both these taxes over this period of time, in real and cash terms.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Benefits (Taxation)

Mr. Frank Field asked the Chancellor of the Exchequer what was the annual revenue gained from taxing unemployment benefit and the relevant part of supplementary benefit paid to unemployed claimants for the latest year for which figures are available.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Business Expansion Schemes

Mr. Gordon Brown asked the Chancellor of the Exchequer what is the value of tax relief for private hospital or nursing home developments under the business expansion schemes.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

EC Membership (Economic Consequences)

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will provide his most up-to-date assessment of the economic consequences of United Kingdom membership of the European Economic Community; and if he will make a statement.

Mr. Brooke: The Government's assessment of the economic consequences of United Kingdom membership of the European Economic Community remains as set out in the memorandum submitted to the Treasury and Civil Service sub-committee inquiry into "The Financial and Economic Consequences of UK membership of the European Communities" (House of Commons report 57-II, 1984-85, 18 February 1985).

Exchange Rates

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each member of the European

monetary system the change in the real exchange rate measured in terms of export prices compared to the first quarter of 1979 and the first quarter of 1973 to the latest possible date in each case; and if he will also give the figures at each date in index form based on 1980=100.

Mr. Brooke: I shall let the hon. Member have a reply as soon as possible.

EC (Budget)

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each year since 1972 and the forecast for 1986 the amount of the gross contribution to the European Economic Community budget broken down into value added tax, customs duties and other imposts, together with the receipts under various heads, including any rebates.

Mr. Brooke: I shall let the hon. Member have a reply as soon as possible.

AGRICULTURE, FISHERIES AND FOOD

Food Labelling

Mr. Cohen asked the Minister of Agriculture, Fisheries and Food why he is not bringing forward proposals for the compulsory labelling of salt, sugar and fibre content in food.

Mrs. Fenner: The European Community Directive on Food Labelling does not permit the unilateral imposition by member states of extra food labelling requirements except in the circumstances described in article 15(2) thereof which would not justify compulsory labelling for salt, sugar or fibre. The proposed guidelines on voluntary nutrition labelling suggest a standard format which would include a declaration of fibre, sodium and sugars as part of the overall information that may be given.

Agriculture Production (Expenditure)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing the increase in the expenditure proposed for agriculture under the European Economic Community budget for 1986 and the distribution of the increase within and between the main sections of the agricultural budget.

Mr. Jopling: The Commission has not formally proposed a supplementary budget for 1986. When presenting its proposals on agricultural prices, however, it suggested that an extra 790 mecu would be required in 1986. This estimate was based on the Commission's latest assessment of market developments and assumed that their price proposals would be adopted. The breakdown of the estimate by agricultural commodity is given in Volume II of the proposals which have been deposited in the Library of the House (document 4936/86).

CAP (Surplus Products)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each of the products subject to the common agricultural policy the amount spent on (i) storage and (ii) overseas disposal of surpluses in 1984 and 1985, together with the latest forecast for 1986 and the amount spent in 1975.

Mr. Gummer: The table sets out Community expenditure on public storage and export refunds on commodities which have been in structural surplus (cereals, sugar, milk products and beef).

	Storage costs (mecu)	*Export refunds (mecu)*
1975	272	835
1984	995	5,444
1985	1,298	5,796
1986	1,693	6,957

Sources:
1975, 1984: EAGGF Financial Reports.
1985: EC Commission provision outturn figures.
1986: EC Commission latest forecast.

Note:
The 1985 source is not fully compatible and so the figures for that year are only approximate.

Agricultural Development and Advisory Service

Mr. Walters asked the Minister of Agriculture, Fisheries and Food if he will introduce legislation to set up a fund to indemnify against the consequences of incorrect advice given by Agricultural Development and Advisory Service staff; and if he will make a statement.

Mrs. Fenner: There is no need for a special fund; any established claim against my Department would be met out of public funds as at present.

Mr. Walters asked the Minister of Agriculture, Fisheries and Food if there are any proposals to reduce the staff employed by the Agricultural Development and Advisory Service; and if he will make a statement.

Mrs. Fenner: As at 1 April 1986, 4,683 ADAS staff were in post. As regards post losses, I refer my hon. Friend to the reply given by my right hon. Friend the Minister on 27 February 1986 to my hon. Friend the Member for Teignbridge (Mr. Nicholls) at column *644*.

Food Prices

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing the effective incidence of the European Economic community levies on food prices on the same basis as given in his answer dated 31 March 1985, *Official Report*, column *391*.

Mrs. Fenner: I assume the hon. Member is referring to the reply published in the *Official Report* dated 4 March 1985, columns *393-94*. The information given in that reply is updated in the table. I remind the hon. Member that the "world" prices derived for the purpose of this calculation do not represent those which might obtain were more supplies purchased from non-Community sources.

United Kingdom levy as percentage of (a) the Intervention Price in the United Kingdom and (b) the "World Price"

Per cent.

	2 July 1985		9 April 1986	
	(a)	*(b)*	*(a)*	*(b)*
Beef and veal	71	175	66	133
Pigmeat	26	28	38	46
Poultrymeat	—	20	—	27
Eggs	—	25	—	37
Butter	75	208	84	281
Skimmed milk powder	68	155	85	296
Common wheat	68	70	82	142
Barley	55	67	77	155
Sugar	85	290	68	148

Notes

1. "Intervention prices" have been taken as:
   Beef and veal — intervention price converted to carcase equivalent using 53·8 per cent. killing-out coefficient.
   Pigmeat—lowest intervention price.
   Butter—intervention price for 82 per cent. butter.
   Skimmed milk powder—intervention price.
   Common wheat and barley—intervention price.
   Sugar—intervention price for white sugar plus storage levy.
   There are no intervention prices for poultrymeat and eggs.
2. "World prices" have been calculated by subtracting the common levy in ECU from the threshold/guide price in ECU. The beef price is also adjusted for duty. In the case of pigmeat, poultrymeat and eggs the "world price" has been taken as the sluicegate price less supplementary levy where appropriate.
3. The levies taken are at the full rate. In the case of beef, butter and sugar the United Kingdom obtains a large proportion of its supplies at reduced rates of levy.

CAP (Levies)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing the levies chargeable at the current time for all common agricultural policy products, together with the monetary compensation amounts, the threshold and so on prices and the world price on the same basis as the answer dated 3 April 1985, *Official Report*, columns *608-9*.

Mrs. Fenner: The information requested is set out for the main commodities in the table. The import levies are shown after deduction of the monetary compensatory amount (MCA) and adjustment by the monetary co-efficient: the MCA that has been decucted is shown separately. I remind the hon. Member that the "world" prices shown are generally the lowest offer prices at the Community frontier which underlie the Commission's calculation of the variable import levies. These prices are the lowest recorded and it is likely that, on average, higher prices would have to be paid if larger quantities were to be purchased on world markets.

Levy and Monetary Compensatory Amount Applicable in the United Kingdom, Threshold Price and Notional "World Price" on 9 April 1986 for the Main Food Items covered by the Common Agricultural Policy.

£ tonne

Commodity	*Levy applicable in the United Kingdom**	*Of which monetary compensatory amount*	*Threshold or equivalent price†*	*Notional world price‡*
Common wheat	101	−7	167	71
Barley	96	−7	154	62
Maize	88	−7	154	69
Rice	407	n/a	516	118
Sugar (white)	‖251	−24	414	169
Olive oil	473	n/a	1,285	881
Butter	¶1,624	−128	2,172	577
Skimmed milk powder	915	−71	1,210	309
Beef and veal	•1,398	−122	2,358	1,049
Pigmeat	371	−31	1,258	810
Sheepmeat	■—	n/a	3,056	1,700
Poultrymeat	201	−16	880	734
Eggs	221	−19	779	602

Notes

n/a=not applicable.

All figures have been rounded to the nearest £.

* The rates of levy vary for different tariff headings. The rates quoted are: beef and veal—carcase; pigmeat—carcase; poultrymeat—70 per cent, chickens; rice—wholly milled long grain; olive oil—virgin; eggs in shell. Levies are shown after deduction of the monetary compensatory amount where applicable.

† For commodities for which there is no threshold price the following have been taken: beef and veal—guide price converted to deadweight (using a killing out percentage of 53·8 per cent.): pigmeat and sheepmeat—Basic price; pultrymeat and eggs—sluicegate prices plus basic levy; converted at the green rate of exchange.

‡ Notional "world" prices have been calculated by subtracting the levy applicable on 9 April from the "threshold" price. The beef price is also adjusted for duty. In the case of pigmeat, poultrymeat and eggs, the "world" price has been taken as the sluicegate price, less supplementary levy where appropriate. The resulting estimate has been converted from ECU/t at the appropriate market rate of exchange £0·671974=1 ECU.

‖ In practice the United Kingdom's imports from third countries are normally covered by the Lomé convention and enter the Community levy free.

¶ A special lower rate of levy is applicable to imports of butter from New Zealand.

• Most imports of beef from third countries are subject to special arrangements allowing entry at reduced levy rates.

■ Imports of lamb under voluntary restraint arrangements with principal suppliers and related agreements are subject to a reduced charge of 10 per cent. ad valorem. Any imports outside these arrangements are subject to levies which cannot exceed the 20 per cent. tariff bound in the GATT.

Norway (Salmon Conservation)

Mr. Onslow asked the Minister of Agriculture, Fisheries and Food what information is available to him concerning the salmon conservation policies of the Norwegian Government, with particular reference to drift netting and the use of monofilament nets; and if he will make a statement.

Mr. Gummer: I shall reply to my hon. Friend as soon as possible.

Sheep Animal Premium

Mr. Maclennan asked the Minister of Agriculture, Fisheries and Food if, pursuant to his answer to the hon. Member for Caithness and Sutherland, *Official Report*, 6 March, columns *260-61*, he will *(a)* account for the method of distinction between severely disadvantaged land and hill sheep land in Scotland, *(b)* give the reasons for his selection of severely disadvantaged land in Cumbria under the published criteria for the extension of sheep annual premium to untupped shearlings and *(c)* say whether he intends asking the Council of Ministers to extend the arrangements for areas and breeds of ewe in the United Kingdom to qualify for premium payments.

Mr. Jopling: The relevant decision taken by the Council of Ministers last May referred to "well-defined regions". The proposals we put to the Commission were based on the assessment made — by my officials and those of my right hon. Friend, the Secretary of State for Scotland — of those areas in England and Scotland respectively where the geographical conditions were such that shearlings could not usually be put to the ram. The definitions chosen covered all such areas in both countries.

As I have previously made clear, I am continuing to press for an extension of the present arrangements and it has now been agreed that a Commission official should make an inspection visit to Scotland in May.

Food From Britain

Mr. Maclennan asked the Minister of Agriculture, Fisheries and Food if he will make a statement about future financial arrangements for Food From Britain.

Mr. Gummer: I refer the hon. Member to the answer my right hon. Friend the Minister gave him on 6 March 1986 at column *434*.

Output

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is his estimate of the proportion of agricultural output accounted for by holdings of 1,000 standard man-days and over.

Mrs. Fenner: This information will take some time to extract. I shall reply to my hon. Friend as soon as possible.

Sheepmeat

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each of the past six years and at the present time the difference between the support price for sheepmeat and the market price.

Mr. Gummer: I shall reply to the hon. Member as soon as possible.

Farm Rents

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing average farm rents in pounds per hectare and as a percentage of 1975 in each of the years 1981 to 1985 and at the latest available date.

Mrs. Fenner: I shall reply to the hon. Member as soon as possible.

Product Sales

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1970, 1979 and 1985 the tonnage of each agricultural product disposed of to non-European Community countries under the common agricultural policy and the cost to the European Economic Community budget.

Mrs. Fenner: I shall reply to the hon. Member as soon as possible.

Australian and South African Sherry

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what recent restrictions have been placed on the marketing in the United Kingdom and the European Economic Community of Australian and South African sherry; and if he will make a statement.

Mrs. Fenner: Under the terms of the treaty of accession of Spain and Portugal to the Community, the descriptions British, Irish and Cyprus sherry may continue to be used for products sold in the United Kingdom or Ireland for a period of 10 years, subject to review at the end of that period. There is no similar provision authorising the continued use of the descriptions Australian and South African sherry for products sold on Community markets.

Spain and Portugal (US Imports)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what representations Her Majesty's Government have made to other European Economic Community member states concerning the imposition of restrictions on imports of foodstuffs from the United States of America into Spain and Portugal; and what justification has been given for such restrictions.

Mrs. Fenner: Before joining the Community, Spain and Portugal both operated restrictive import regimes for a number of agricultural commodities, through levies, quotas, state monopoly import arrangements and restrictive import licensing. The Treaty for the Accession of Spain and Portugal to the Community provides, in addition to the phased adoption by these countries of the common agricultural policy, for the continued operation of certain quantitative import restrictions for a limited period. None relates specifically to imports from the United States of America. Discussions are at present taking place within the Community on the appropriate response to United States complaints at the effect of these restrictions.

Opium Poppies

Mr. Corbett asked the Minister of Agriculture, Fisheries and Food what steps he has taken, and on what dates, to collect exact details of the acreage of opium poppies to be grown for seed in England and Wales, the variety used and the location of fields where the crop is drilled.

Mr. Gummer [*pursuant to his reply*, 17 April 1986, col *469*]: This information will be collected using powers under the Agricultural Statistics Act 1979. As planting of this very limited crop is incomplete the details have not yet been collected.

TRANSPORT

A36, West Wellow

11. **Mr. Colvin** asked the Secretary of State for Transport when he expects that his Department will have completed the survey of the A36 at West Wellow.

Mr. Peter Bottomley: By the summer.

Road Haulage Industry

12. **Mr. Iain Mills** asked the Secretary of State for Transport if he is satisfied with the current performance of the road haulage industry; and if he will make a statement.

Mr. Ridley: Road haulage firms provide an efficient and economical service to customers; 85 per cent. of industry's freight transport is carried by road. The cost of road transport fell by one third in real terms in the 10 years up to 1984.

GLC Lorry Ban

13. **Mr. Watts** asked the Secretary of State for Transport if he will give the latest number of exemption permits issued in connection with the lorry ban instituted by the Greater London council prior to its abolition.

Mr. Ridley: The GLC indicated last month that it had issued about 30,000 lorry exemption permits, and refused only four.

24. **Mr. Moynihan** asked the Secretary of State for Transport what information he has as to whether articulated lorry trailers are covered by the lorry ban implemented by the Greater London council before its abolition; and if he will make a statement.

Mr. Peter Bottomley: I understand that the GLC did not apply this ban to such trailers, which are estimated to make up 90 per cent. of London's vehicles over 16.5 tonnes. The M25 is proving an attractive alternative route for articulated vehicles and other traffic.

34. **Dr. Twinn** asked the Secretary of State for Transport what information he has as to the latest cost of the lorry ban instituted by the Greater London council; and how many lorries he estimates have been excluded from London under the terms of the ban.

Mr. Peter Bottomley: The GLC refused four applications. The figures the GLC gave last month indicate that its system cost at least £1·6 million to set up. The running costs are £0·25 million each year.

Channel Link

14. **Mr. Teddy Taylor** asked the Secretary of State for Transport what progress has been made by the promoters of the Channel link since the decision of the British and French Governments; and if he will make a statement.

Mr. David Mitchell: Since the decision, the promoters have signed a concession agreement with the two Governments and a tolling agreement with the two railway undertakings. The companies issue regular newsletters to keep the public in touch with progress.

Cyclists (Accident Statistics)

15. **Mr. Dormand** asked the Secretary of State for Transport if he will state the number of cyclists killed and seriously injured, respectively, in road accidents in 1984 and 1985 to the latest date; and if he will make a statement.

Mr. Peter Bottomley: In 1984, 345 cyclists were killed and 6,250 seriously injured. Provisional figures for 1985 indicate that 295 cyclists were killed and 5,439 seriously injured. Reducing cycle casualties remains a priority for all concerned with road safety, both centrally and locally. Cyclists themselves can do more.

Coaches (Motorway Speed Limit)

16. **Mr. Yeo** asked the Secretary of State for Transport if he will now reduce the motorway speed limit for coaches.

Mr. Ridley: Since our decision to introduce speed governors, I see no reason to reduce the 70 mph speed limit for coaches on motorways.

Road Safety

17. **Mr. Conway** asked the Secretary of State for Transport what representations he has received about road safety following the publication of the 1985 road casualty statistics.

Mr. Peter Bottomley: I am sure that everyone will welcome the reductions in casualties announced last Thursday. Early reactions to the statistics recognise that improvements are still necessary and possible.

Aircraft Noise

18. **Mr. Ottaway** asked the Secretary of State for Transport if he is considering any further initiatives to ensure that aircraft comply with noise preferential routes; and if he will make a statement.

Mr. Michael Spicer: Yes, I am examining what more we could do to ensure compliance with noise preferential routes at Heathrow, Gatwick and Stansted. One possibility I am considering is the permanent monitoring of the track-keeping performance of aircraft.

New Motorway Construction

19. **Mr. Knox** asked the Secretary of State for Transport how much has been spent on new motorway construction in each of the past three years, at constant prices.

Mr. Ridley: The amount spent on new motorway construction at 1983-84 prices was £291 million in 1983-84, £295 million in 1984-1985 and, provisionally, £253 million in 1985-86.

Level Crossing, Lidlington, Bedfordshire

20. **Mr. Madel** asked the Secretary of State for Transport whether, following representations from the hon. Member for Bedfordshre, South-West he is yet able to say what decision his Department has reached in relation to the proposed barrierless level crossing in Lidlington, Bedfordshire; and if he will make a statement.

Mr. David Mitchell: No decision by my Department is yet required on the modernisation of Lidlington level crossing since the British Railways Board has not yet made

an application for a statutory order. The position remains the same as when I wrote to my hon. Friend on 25 March. I understand that there is to be a further meeting at which the railway will explain it's proposals to my hon. Friend's constituents and consider any points put to it before making any formal application for an order.

M25

21. **Mr. Chapman** asked the Secretary of State for Transport if he will make a statement on progress on the construction of the remaining link of the M25 London orbital motorway between the A1 and the A41.

Mr. Peter Bottomley: The contractors are making good progress. The four major contracts which make up this section should be open in the autumn.

Channel Tunnel

22. **Mr. Barry Jones** asked the Secretary of State for Transport what assessment he has made on the implications of his decision on the Channel Tunnel Group scheme for a fixed channel link for the respective roles in the scheme of the French high speed train systems and the competing British Rail systems.

Mr. David Mitchell: British Rail has agreed in principle with the French railways that services between London and Paris will be provided by a single fleet of trains, which they will jointly manage. Arrangments for other services have yet to be made.

Okehampton Bypass

23. **Mr. Steen** asked the Secretary of State for Transport what progress has been made on building the Okehampton bypass; and if he will make a statement.

Mr. Peter Bottomley: Good progress is being made. We expect to invite tenders in the summer with work starting around the end of the year.

British Rail Purchasing Policy

25. **Mr. Allen Adams** asked the Secretary of State for Transport when he last met the chairman of British Rail to discuss British Rail locomotives purchasing policy.

Mr. David Mitchell: My right hon. Friend and I are happy to discuss any matter which the chairman of BR feels it helpful to raise. We last spoke about locomotive procurement on 22 January.

Dartford Tunnel

26. **Dr. McDonald** asked the Secretary of State for Transport if he will make a statement about bids so far received for the Dartford tunnel extension.

Mr. David Mitchell: Bids in response to my right hon. Friend's invitation of 3 March to submit proposals for a third crossing at Dartford are due by 31 May. Understandably, none has yet been received.

National Bus Company

27. **Mr. Ryman** asked the Secretary of State for Transport how many organisations or individuals, other than those employed by the National Bus Company, have expressed interest in the purchase of some or all of the company.

Mr. David Mitchell: Over 60 such organisations or individuals have expressed interest, the majority following NBC's press advertisement on 25 March.

29. **Mr. Norman Hogg** asked the Secretary of State for Transport how many staff groups employed by the National Bus Company have expressed an interest in buying the division of the company that they currently work for.

Mr. David Mitchell: About 60 management or employee groups have so far expressed interest in mounting bids for the part of the National Bus Company for which they work.

Cabotage (French Territorial Waters)

28. **Sir David Price** asked the Secretary of State for Transport what representations he has made to the French Government about allowing rights of cabotage to British-registered ships to trade in French territorial waters; and if he will make a statement.

Mr. Ridley: I have been pressing for the opening up of European cabotage in the context of European Community Transport Council discussions on the draft regulation applying the freedom to provide services to maritime transport. I reported on these discussions during the debate on the European Community shipping policy on 11 March 1986 at cols. 818-820. The draft regulation is to be discussed further at the next Transport Council on 6 May. My noble Friend the Parliamentary Under-Secretary of State with responsibility for Shipping has also held bilateral discussions with his former French counterpart. We look forward to discussions with the new French Ministers before long.

British Airways

30. **Mr. Sumberg** asked the Secretary of State for Transport if he has had any recent discussions with British Airways concerning the terms and conditions of the licensing of routes operated by British Airways.

Mr. Michael Spicer: No. The licensing of routes is primarily a matter for the Civil Aviation Authority.

Motorway Information (Lorry Drivers)

31. **Mr. David Marshall** asked the Secretary of State for Transport if he will make it his policy to erect signs on motorways advising drivers of the availability just off the motorway of specialist service facilities for lorry drivers; and if he will make a statement.

Mr. Peter Bottomley: We are reviewing the policy on providing motorway signs to services for lorry drivers as part of the general review of direction signing. Motorway service areas already signed, do provide facilities for lorry drivers.

London Regional Transport (Attacks on Staff)

32. **Mr. Cartwright** asked the Secretary of State for Transport how many violent attacks have been made on employees of London Regional Transport in the last year.

Mr. David Mitchell: The total number of assaults reported by London Regional Transport operating staff in 1985 was 1,722. The statistics do not distinguish between minor assaults and more violent attacks.

Liner Shipping and Freight Rates

33. **Mr. Chope** asked the Secretary of State for Transport what has been the public response to the publication of his Department's document "Liner Shipping and Freight Rates" in the United Kingdom-Northern European comparison.

Mr. Ridley: The report was published immediately before Easter, and has already given rise to press articles. I understand that the British Shippers' Council plans to hold a seminar on the subject in June.

European Air Fares

35. **Mr. Patrick Thompson** asked the Secretary of State for Transport if he will make a statement on progress towards liberalisation of European air fares.

Mr. Michael Spicer: The Government have now secured liberal air service arrangements with the Netherlands, Luxembourg, West Germany, Belgium and Switzerland. These are proving beneficial to travellers in terms of the choice of fares available, and helpful to airlines, and we are therefore continuing bilateral negotiations with other governments. We are also continuing to press hard for early agreement on a liberal air services regime applicable to the European Community as a whole.

Bus Services

36. **Mr. Pike** asked the Secretary of State for Transport what percentage of current bus services have been registered in accordance with the Transport Act 1985.

Mr. David Mitchell: 14,958 services were registered with Traffic Commissioners by 28 February. There are some 22,000 current road service licences; this figure is only partially rather than directly, comparable with that for registrations.

London Regional Transport

37. **Sir John Biggs-Davison** asked the Secretary of State for Transport when he next intends to meet the chairman of London Regional Transport.

Mr. David Mitchell: My right hon. Friend sees Dr. Bright from time to time. Their next scheduled meeting will be at the London Passenger Transport Group on 22 April.

Test Centre, Essex

38. **Mr. Amess** asked the Secretary of State for Transport what plans his Department has to open any new test centre in Essex.

Mr. Peter Bottomley: The Department has no plans to open any new driving test centres in Essex. We hope to increase the capacity of existing centres at Grays and Brentwood later this year.

Business Expansion Scheme (Ship Chartering)

39. **Mr. Gilroy Bevan** asked the Secretary of State for Transport what estimate he has made of the implications for the shipping industry of the extension, announced in the Budget Statement, of the business expansion scheme to ship chartering.

Mr. Ridley: The extension of the business expansion scheme to cover ship chartering has been sought consistently for some time by the shipping industry, particularly through the General Council of British Shipping. United Kingdom operators — particularly in the coastal, short sea and offshore trades — have considered that they have been at a disadvantage because similar schemes have been available to some of their continental competitors. In pressing its case, the industry has not made detailed estimates of the impact value of the extension, and indeed it is at this early stage difficult to make such an estimate. But I am very hopeful of a substantial response to the scheme, which should provide new opportunities for sound investment in these trades.

Local Government Reform (Public Transport)

40. **Mr. Sedgemore** asked the Secretary of State for Transport what discussions he has had with passenger transport authorities concerning the quality of public transport following the abolition of the metropolitan councils.

Mr. David Mitchell: My right hon. Friend and I have had a number of meetings with the new passenger transport authorities and discussed various aspects of their responsibilities.

Settle-Carlisle Line

41. **Mr. Flannery** asked the Secretary of State for Transport when he expects to receive the reports of the local inquiries into British Railways Board's proposal to close the Settle-Carlisle line.

Mr. David Mitchell: I understand that the transport users' consultative committees for north-eastern and north-western England expect to be able to submit a joint report to my right hon. Friend later this year.

British Rail Engineering Ltd.

42. **Mr. Norman Atkinson** asked the Secretary of State for Transport what discussions he has had with the chairman of British Rail concerning the future of British Rail Engineering Ltd.

Mr. David Mitchell: The chairman of British Rail keeps us informed from time to time of the board's progress on its review of options for the future of British Rail Engineering Limited.

Road and Rail Freight

43. **Mr. Gregory** asked the Secretary of State for Transport what is the estimated volume and value of road freight and rail freight for the most recent 12-month period for which statistics are available; and if he will make a statement.

Mr. David Mitchell: The estimated volume of domestic road and rail freight in Great Britain in 1984 is:

	Road	*Rail*
Tonnes Lifted (millions)	1,444	79
Tonne—Kilometres (billions)	106·9	12·7

There is no information on the value of the goods carried by either road or rail. However, the estimated cost of transporting the goods in 1984 is £20,100 million for road and £445 million for rail.

The figures for rail in 1984 are affected by industrial action related to the mineworkers' dispute. Further details of road and rail freight are available in Transport Statistics Great Britain 1974-84, available in the Library.

Railway Lines (Single Track)

44. **Dr. Marek** asked the Secretary of State for Transport what mileage of railway lines has been single-tracked since 1979; and what mileage has since been restored to double track.

Mr. David Mitchell: I do not have this information. Decisions on singling are an operational matter for the British Railways Board.

Bypasses

45. **Mr. Richard Holt** asked the Secretary of State for Transport if he has any proposals to seek to amend current legislation to enable his Department to direct local authorities to build bypasses; and if he will make a statement.

Mr. Peter Bottomley: The Department recently issued circular 2/86, which confirmed our policy that residential and shopping areas should be relieved of heavy through traffic. The criteria annexed to it include bypasses and relief roads among the matters to which the Secretary of State would have particular regard in accepting programmes for transport supplementary grant (TSG). It must be for the local highway authorities themselves to judge how and when to improve their roads, and which improvements to put forward for TSG.

M3 (Traffic Density)

Mr. John Browne asked the Secretary of State for Transport if he will publish current traffic density forecasts for the Popham to Easton Lane, Winchester, section of the M3; and for how long he estimates that a dual two-lane motorway will cope with this traffic.

Mr. Peter Bottomley: Traffic counts taken since the road was opened confirm the forecast which I gave in my answer of 25 February at column *499* to my hon. Friend. A dual two-lane motorway should cater for this traffic flow for the foreseeable future.

Verges and Hard Shoulders

Mr. Chapman asked the Secretary of State for Transport if he will make a statement about his policy in regard to fitting full scale hard shoulders, as distinct from hard verges, on roads.

Mr. Peter Bottomley: The Department's policy is to provide continuous hard shoulders, 3·3 metres wide and of the same construction as the rest of the road, on rural motorways and as much urban motorway as possible. Hardened verges, where the verge is strengthened and grassed, ceased to be specified in 1968. Since 1968 our policy has been to provide hard strips, one metre wide and of the same construction as the rest of the road, abutting the edge of the carriageway on the majority of all-purpose trunk roads, with lay-bys at least 3 metres wide at intervals.

Vehicle Taxation

Mr. Chapman asked the Secretary of State for Transport if he will publish in the *Official Report* a table showing estimated taxation revenue for 1986-87 in respect of (i) cars and taxis, (ii) light vans, (iii) buses and coaches, (iv) goods vehicles not over 3·5 tonnes gross weight, (v) goods vehicles over 3·5 tonnes gross weight and (vi) selected classes of heavy goods vehicles.

Mr. Michael Spicer: Separate figures are not available for light vans, which are taxed with private cars. Otherwise the information requested is given in the following two tables, which also provide related estimates of road track costs.

Opportunity has been taken to simplify the tables slightly by comparison with those published last year.

Further information on motor tax revenue and track costs will be given in the Department's annual paper "The allocation of road track costs", due to be published next month.

Table 1
Taxation revenue and public road costs, 1986-87—United Kingdom

Vehicle category	*Vehicle numbers*	*Estimated taxation revenue*			*Costs attributed*	*VED + fuel tax minus costs: surplus (deficit)*	*Revenue to cost ratios*
	Thousands	*VED £ million*	*Fuel tax £ million*	*Total £ million*	*£ million*	*£ million*	
Cars, light vans, taxis*	19,144	1,960	5,320	7,280	2,260	5,015	3·2:1
Motorcycles	1,168	20	45	65	25	40	2·5:1
Buses and coaches	72	5	†170	175	205	(30)	0·9:1
Goods vehicles 1,525 kg unladen:							
Not over 3·5 tonnes GVW and non-plateable vehicles	139	20	45	65	20	45	3·0:1
Over 3·5 tonnes GVW	444	430	890	1,320	1,060	260	1·2:1

Vehicle category	Vehicle numbers	Estimated taxation revenue			Costs attributed	VED + fuel tax minus costs: surplus (deficit)	Revenue to cost ratios
	Thousands	VED £ million	Fuel tax £ million	Total £ million	£ million	£ million	
All vehicles	20,967	2,435	6,465	8,900	3,575	5,325	2·5:1
Pedestrians					290		
					3,865		

Note: Figures may not sum because of rounding.
* In addition estimated revenue from car tax is £980 million.
† Fuel tax rebate on stage services (£125 million) not deducted.

Table 2
Taxation revenue, attributed costs, revenue to cost ratios and numbers of vehicles in selected categories

	GVW (tonnes) over	GVW (tonnes) not over	Taxation revenue per vehicle £	Attributed costs, per vehicle £	Taxes minus costs £	Revenue to costs ratio	Estimated number of vehicles at September 1986 Thousands
Rigid vehicles:							
2 axle		3·5	450	150	300	3·0:1	139
	3·5	7·5	710	390	320	1·8:1	152
	7·5	12	990	580	410	1·7:1	30
	12	13	1,520	970	550	1·6:1	21
	15	17	2,660	2,380	280	1·1:1	80
3 axle	23	25	3,850	3,500	350	1·1:1	26
4 axle	29	31	6,120	5,780	340	1·1:1	18
Articulated vehicles:							
3 axle	23	25	4,020	3,330	690	1·2:1	2
4 axle	31	33	7,340	5,710	1,630	1·3:1	44
5 axle (2+3)	36	38	9,980	8,090	1,890	1·2:1	21
(3+2)	36	38	9,750	7,800	1,950	1·3:1	8
6 axle	36	38	8,260	6,400	1,860	1·3:1	2

Roads

Mr. Chapman asked the Secretary of State for Transport what is the estimated total cost of the public road system in 1986-87.

Mr. Peter Bottomley: The total estimated cost in 1986-87 for all public roads in England is some £2,770 million.

Coaches (London)

Mr. Stephen Ross asked the Secretary of State for Transport what action he proposes to take to improve the facilities for the parking of coaches in central London on roads for which he has responsibility.

Mr. Peter Bottomley: The Department has just published a report with general proposals for improving coach facilities in London. A copy is in the Library. Apart from the Marylebone road, central London roads are a borough responsibility.

Driving Licences (Medical Refusals)

Mr. Madden asked the Secretary of State for Transport how many holders of heavy goods vehicle and public service vehicle licences have, within the past year, had their licences terminated as a result of being found medically unfit; and how many of those licence terminations have been attributable to higher medical standards.

Mr. Michael Spicer: Out of nearly one million holders of these licences, about 2,000 have had them revoked or renewal refused by the independent traffic commissioners on medical grounds in the past year. The medical standards applied to existing licence-holders have not risen, though they have been more effectively applied in recent years.

Drivers (Medical Standards)

Mr. Madden asked the Secretary of State for Transport what medical standards now have to be met by holders of heavy goods vehicle and public service vehicle licences; and if he will make a statement.

Mr. Michael Spicer: The regulations made by the Secretary of State stipulate that the applicant for one of these licences shall not have had an epileptic attack since reaching the age of five and shall be fit to hold the licence having regard to his health and any disability which he may suffer. A current licence may be suspended or revoked by the traffic commissioners on medical grounds. The standards of fitness currently recommended by the medical profession are in the forth edition (1985) of "Medical Aspects of Fitness to Drive", published by the Medical Commission on Accident Prevention. I am sending a copy to the hon. Member.

Mr. Madden asked the Secretary of State for Transport what right holders of heavy goods vehicle and public service vehicle licences whose licences are terminated for

medical reasons have to obtain independent medical evidence for consideration at the time termination of their licence is being considered; what assistance is available to licence holders to meet the cost of securing independent medical evidence; what right of appeal exists against any decision to terminate a licence on medical grounds; and if he will make a statement.

Mr. Michael Spicer: When the traffic commissioner receives a report that a driver has a relevant medical condition, he can ask the Department's medical adviser to ascertain whether this is compatible with the regulations and recommended standards. Normally this is established by obtaining details of the driver's history and condition, with his written permission, from his doctor and specialist. Where the diagnosis is uncertain, the medical adviser obtains a second opinion. The cost of these investigations is charged to the licensing schemes. Those whose licences are refused, suspended, or revoked have the right to request reconsideration by the traffic commissioner at a personal hearing, and also to appeal to the local magistrates. There is no provision for assisting with the cost of obtaining further medical evidence.

Mr. Madden asked the Secretary of State for Transport if any right to compensation exists for holders of heavy goods vehicle and public service vehicle licences, whose licences are terminated on medical grounds; and if he will make a statement.

Mr. Michael Spicer: There is no statutory provision for compensation, but there are insurance schemes which operate in this field.

Mr. Madden asked the Secretary of State for Transport what were the main recommendations of his advisory committee on medical standards for heavy goods vehicle and public service vehicle licensing; which of those recommendations he has approved and not approved, respectively; and if he will make a statement.

Mr. Michael Spicer: I will write to the hon. Member.

Mr. Madden asked the Secretary of State for Transport what representations he has received about new medical standards which apply in heavy goods vehicle and public service vehicle licensing; how the new standards vary from the previous standards; and if he will make a statement.

Mr. Michael Spicer: There have been four changes in the medical standards in recent years. From April 1983, a higher standard of visual acuity has been recommended for new applicants (existing drivers are unaffected). The other three changes have been relaxations.

In April 1982, following consultation with representative organisations, the age after which suffering any epileptic attack bars issue of a licence was raised from three to five.

In October 1985, the latest edition of "Medical Aspects of Fitness to Drive", published by the Medical Commission on Accident Prevention, made two new recommendations. It advised that, although insulin-treated diabetes is generally regarded as incompatible with vocational driving, the traffic commissioners should give individual consideration to the cases of drivers who had previously been granted licences despite their being diabetics on insulin.

The publication also set out criteria under which those who have had a coronary thrombosis or bypass operation may now be regarded as fit to drive vocationally. Following consultation with the industry, I have decided that where this involves special hospital tests, the costs will be met from the driver licensing schemes.

British Business (US Laws)

Mr. Ashdown asked the Secretary of State for Transport what is his policy on the acquisition for his Department's use of computers and equipment supplied by companies which seek to impose extraterritorial United States controls on their United Kingdom staff or on non-Government United Kingdom customers or on United Kingdom exports; and if he will make a statement.

Mr. Ridley: I have nothing to add to my reply of 27 March at column 611 and to the statement of 9 April by my hon. Friend the Minister of State, Treasury on the policy of the Central Computer and Telecommunications Agency.

Manchester Airport (Rail Link)

Mr. Alfred Morris asked the Secretary of State for Transport what consideration he has given to the letter he has received from the chairman of British Rail, the chairman of Manchester Airport plc and the chairman of the Greater Manchester passenger transport authority regarding a possible rail link to Manchester airport; what action he intends to take; and if he will agree to the meeting proposed in the letter.

Mr. Ridley: I have noted this letter and the accompanying report and have today written to the interested parties agreeing to an early meeting.

Dock Workers (Redundancy Payments)

Mr. Moate asked the Secretary of State for Transport how many personnel, other than registered dock workers, have been released on redundancy terms from the Port of London Authority since 28 October 1985 up to the present date; and what is the total money paid by Her Majesty's Government towards the cost of those redundancies.

Mr. Ridley: The number of personnel other than registered dock workers employed by the Port of London Authority who have taken voluntary severance since 28 October 1985 is 250; the Government have contributed £10 million towards the cost of these severances.

Mr. Moate asked the Secretary of State for Transport how many personnel, other than registered dock workers, have been released on redundancy terms from the Mersey Docks and Harbour company since 28 October 1985 up to the present date; and what is the total money paid by Her Majesty's Government towards the cost of those redundancies.

Mr. Ridley: The number of personnel other than registered dock workers employed by the Mersey Docks and Habour company who have taken voluntary serverance since 28 October 1985 is 144; the Government have contributed £4·1 million towards the cost of those severances.

ENVIRONMENT

Urban Housing Renewal Unit

Mr. Pike asked the Secretary of State for the Environment if he will list those local authorities which have submitted schemes for consideration under the urban housing renewal unit.

Sir George Young: The following local authorities have submitted proposals to the urban housing renewal unit:

Birmingham	Manchester
Blackburn	Mansfield
Bolton	Middlesbrough
Bradford	Newcastle
Calderdale	Newham
Camden	North Tyneside
Cannock Chase	Norwich
Coventry	Nottingham
Derby	Pendle
Ealing	Rochdale
Gateshead	Salford
Greenwich	Sandwell
Halton	Solihull
Hammersmith and Fulham	South Tyneside
Haringey	Stockton
Hartlepool	Sunderland
Kensington and Chelsea	Tower Hamlets
Kingston-upon-Hull	Walsall
Knowsley	Waltham Forest
Langbaurgh	Wandsworth
Leeds	Wigan
Liverpool	Wirral

Grant-Related Expenditure Assessment

Mr. Pike asked the Secretary of State for the Environment whether he proposes to make any changes in the basis of, and factors used for, determining grant-related expenditure assessment.

Mrs. Rumbold: Proposals for improving individual GRE factors are discussed every year with the local authority associations. We are also considering the representations on GREs which have been made by Burnley borough council.

Enterprise Zones

Mr. Pike asked the Secretary of State for the Environment if he will list the enterprise zones in the *Official Report*, giving the year of inception in each case and the number of jobs created to date.

Sir George Young: The year in which each of the enterprise zones in England was designated and the increase in the number of jobs in the zone between designation and September 1984, the latest date for which information is available, is:

Enterprise zone	*Year of designation*	*Number of jobs*
Corby	1981	*n.a.
Dudley	1981	129
Dudley—(Round Oak)	1984	†nil
Glanford	1984	‡159
Scunthorpe	1983	‡159
Isle of Dogs	1982	1,859
Middlesbrough	1983	‖−656
North East Lancashire	1983	560
North West Kent	1983	1,548
Rotherham	1983	569
Salford	1981	¶846
Trafford	1981	¶846
Speke	1981	235
Telford	1984	600
Newcastle	1981	¶2,137
Tyneside	1981	¶2,137
Gateshead	1981	¶2,137
Wakefield—Langthwaite Grange	1981	¶404
Wakefield—Dale Land and Kinsley	1983	¶404
Wellingborough	1983	268
Workington (Allerdale)	1983	203

Notes

* The net increase cannot be calculated because figures for the number of jobs at designation are not available. Employment at September 1984 was 4,100.

† Dudley (Round Oak) zone designated after September 1984.

‡ Data for Glanford and Scunthorpe amalgamated to preserve the confidentiality of individual establishments.

‖ In order to preserve the confidentiality of individual establishments, certain companies are omitted from the September 1984 figures.

¶ Treated as a single zone.

Rising Water Tables (PSA)

Mr. Heddle asked the Secretary of State for the Environment if he will make a statement on the effect of rising water tables on buildings managed by the Property Services Agency.

Sir George Young: The Property Services Agency is aware of the problems entailed in the trend for water tables to rise, and has contributed towards the cost of a study into the situation in the London basin in the first instance (to be extended to other cities as necessary), which is being carried out by the Construction Industry Research and Information Association. There has been no effect on buildings maintained by PSA so far, such few instances as have occurred of flooded basements being due to local conditions rather than the general rise in water tables. The situation is being carefully monitored, and provided for in new deep construction work, such as the British Library extension.

Waste Disposal

Dr. Roger Thomas asked the Secretary of State for the Environment, further to the reply to the hon. Member for Carmarthen on 18 March, *Official Report*, column 92, what proportion of his Department's allocation of money to the reclamation of derelict land is specifically designed for the post-operative care and reclamation of dangerous waste landfill sites.

Mr. Waldegrave: There is no specific allocation for the reclamation of landfill sites in the derelict land programme. Applications for grant in respect of such sites will be considered on their merits, but grant will not normally be available for those which are subject to restoration conditions.

Dr. Roger Thomas asked the Secretary of State for the Environment if he will detail what proportion of research and development expenditure on the land-filling of wastes is allocated to dealing with wastes covered by the special waste regulations.

Mr. Waldegrave: In my reply to the hon. Member on 18 March at column 92 I listed our annual research expenditure on landfilling of household and industrial

wastes. It is not possible to isolate the component spent on special wastes, which themselves comprise some of those generally referred to as hazardous.

Wheelchair Housing

Mr. Hannam asked the Secretary of State for the Environment what information he has as to how many units of wheelchair housing exist within *(a)* local authorities and *(b)* charitable housing associations.

Sir George Young: English local authorities reported in their housing investment programme returns, the numbers of wheelchair dwellings, excluding any in sheltered housing schemes, within their areas at 1 April 1985.

These returns showed 10,800 owned by the local authorities themselves and a further 900 owned by public sector agencies including other local authorities and new towns. Separate figures are not available for charitable housing associations, but the authorities reported 2,500 wheelchair dwellings owned by housing associations.

Walkers (Injuries)

Mr. Batiste asked the Secretary of State for the Environment what information he has about how many injuries to walkers along public rights of way in the countryside occurred during 1985 as a result of attack from bulls or rams.

Mrs. Rumbold: Only one such incident has been reported to the Department. This involved a man who claimed to have been attacked by a Galloway bull while walking with his dog on a public footpath near Camelford, Cornwall.

Brown Hare

Mr. Stern asked the Secretary of State for the Environment if he has any plans to declare the brown hare a protected species; and if he will make a statement.

Mrs. Rumbold: I have no plans to do so at present.

US (Extraterritorial Controls)

Mr. Ashdown asked the Secretary of State for the Environment, pursuant to his reply of 27 March, *Official Report*, columns *619-20*, what relative priority he attaches to financial considerations, on the one hand, and to the implications of extraterritorial controls on computers tendered for purchase to Government Departments by American computer subsidiaries, on the other hand, when he decides which computers should be purchased by his Department.

Mr. Kenneth Baker: The Government's policy is not to accept attempts to impose such controls, as stated by my hon. Friend the Minister of State, Treasury on April 9 1986 at col. *95*, and therefore I have nothing to add to my reply of 27 March.

Local Government Reform

Mr. Cohen asked the Secretary of State for the Environment what information he has as to the numbers of officers in each London borough who have received ex-gratia payments in connection with the abolition of the Greater London council, and as to the total sum involved.

Mr. Tracey: I understand that some such payments may have been made, but my right hon. Friend has no information as to numbers or total amount.

Environmental Health Officers

Mr. Skinner asked the Secretary of State for the Environment what was the total number of environmental health officers in 1979 and at the latest available date.

Mrs. Rumbold: The information is not available centrally.

Environmental Surveys

Mr. Skinner asked the Secretary of State for the Environment whether he will now take steps to encourage the Health and Safety Executive to publish its records on environmental surveys.

Sir George Young: My right hon. Friend's responsibility for the activities of the Health and Safety Executive extends only to the standards adopted and applied by the industrial air pollution inspectorate. It is the inspectorate's normal practice to publish the results of any of its own studies of pollutants in the vicinity of industrial processes within its control.

Surveys of the workplace environment are a matter for my right hon. Friend the Paymaster General.

Royal Estate (Insurance)

Mr. Michael McNair-Wilson asked the Secretary of State for the Environment what is the cost of managing the palaces occupied by Her Majesty the Queen and the royal family and the Tower of London, Hampton Court palace, those parts of Kensington palace open to the public and the banqueting house; whether any consideration has been given to having them valued for insurance; and if he will give an estimate of the likely cost of repairing the recent fire damage to Hampton Court.

Mr. Tracey: The cost of carrying out my right hon. Friend's responsibilities for maintaining and managing the royal palaces is expected to be £24·5 million in 1986-87, of which nearly half will be recouped in admission and sales receipts at those palaces which are open to the public. In view of the Government's policy of covering its own risks on the Government estate, there has been no need to consider valuation of the palaces for insurance. It is too early to give an estimate of the likely cost of repairing the recent fire damage to Hampton Court palace.

Tobacco Advertising (Sporting Events)

Mr. Macfarlane asked the Secretary of State for the Environment, if he will indicate the representatives of the British Broadcasting Corporation he has met to discuss tobacco advertising at sports events.

Mr. Tracey: I have met the managing director of BBC Television together with the heads of outside broadcast and sport to discuss the operation of the voluntary agreement with the tobacco companies on sports sponsorship.

Stockbridge Village Trust

Mr. Allan Roberts asked the Secretary of State for the Environment when his Department expects to receive a copy of the report commissioned from the firm Roger

Tyms and Associates evaluating the work of the Stockbridge Village Trust; and when he intends to publish the findings of this report.

Sir George Young: We expect to receive the final report soon, and we will consider a publication at that stage.

Tenants' Charter

Mr. Allan Roberts asked the Secretary of State for the Environment when his Department intends to publish the findings of the study it commissioned from the Housing Research Group concerning the implementation of the Tenants' charter provisions of the Housing Act 1980.

Sir George Young: My right hon. Friend has no plans to publish the full report, though the researchers planned their own publication of this.

Housing Land

Mr. Allan Roberts asked the Secretary of State for the Environment if he will list all applications submitted to his Department during the last five years for consent for the disposal of housing land owned by a local authority at less than the best consideration reasonably obtainable; and if he will list those applications to which consent was given, together with details of the consideration actually obtained by the local authority and the best consideration which would reasonably have been obtainable.

Sir George Young: The information requested could not be provided in full without disproportionate effort and expense. The following is a list of the major applications received since June 1981, involving housing land worth £100,000 or more, where my right hon. Friend has consented to a disposal at less than best price.

It was a condition of all these consents that the reduction in the disposal price should be passed on in full, in the form of discounts off the sale price of individual houses or plots to purchasers falling within defined priority categories. These discounts were subject to the normal 5-year repayment rule (except in one case, where special terms applied). My right hon. Friend also required each disposing authority to make a contribution from the general rate fund to the housing revenue account to reflect the difference between the actual sale price and full market value.

(1) Sales of Housing Land for Self Build Schemes

Vendor Authority	*Date of consent*	*Market Value of land*	*Sale price or percentage discount*
Broxbourne Borough Council	12 July 1982	£300,000	Not more than 30 per cent.
South Buckinghamshire District Council	2 March 1983	£370,000	£259,000
Harlow District Council	21 May 1984	£257,600	£180,320
Suffolk Coastal District Council	6 June 1984	£206,500	Not more than 30 per cent.
Bracknell District Council	13 March 1985	£351,500	£300,500
South Buckinghamshire District Council	13 August 1985	£260,000	£182,000

(2) Sales of Housing Land for other Low Cost Home Ownership Schemes

Vendor Authority	*Date of consent*	*Market Value*	*Sale price*
Havant Borough Council	14 May 1982	£132,000	£29,190 plus profit sharing arrangement
Havant Borough Council	9 August 1983	£390,000	£65,664 plus profit sharing arrangement
Reading Borough Council	9 September 1983	£100,000	£12,000
Bromley London Borough	1 November 1983	£260,000	£130,000
Reading Borough Council	3 July 1984	£330,000	£230,000
Reading Borough Council	3 September 1984	£195,000	£105,000
Havant Borough Council	21 December 1984	£176,000	£16,176 plus profit sharing arrangement
Havant Borough Council	13 May 1985	£160,000	£112,000

Nuclear Waste

Mr. Austin Mitchell asked the Secretary of State for the Environment whether nuclear waste dumps operated by Nirex will be used to dump waste produced by reprocessing; and if he will make a statement.

Mr. Waldegrave: No, there are no plans to do so.

Mr. Austin Mitchell asked the Secretary of State for the Environment whether, in the event of a joint site being selected for disposal of both civil and naval nuclear waste, a single planning inquiry will address both issues; and if he will make a statement.

Mr. Waldegrave: Yes.

Mr. Austin Mitchell asked the Secretary of State for the Environment what specialised skills and equipment will be required to enable NIREX to carry out geological

studies of the selected sites for dumping of nuclear waste; how it will be financed; and whether it will be directly managed by NIREX or contracted out.

Mr. Waldegrave: I understand that the exploration will be carried out by consultants and contractors on behalf of, and paid by NIREX. It will be for all three parties to decide what equipment and skilled employees are needed, subject to any requirements the special development order authorising investigations may impose.

Mr. Austin Mitchell asked the Secretary of State for the Environment for how long, and on what scale, the information and publicity campaign being mounted by NIREX in the four sites it has selected for consideration for dumping nuclear waste will be sustained; and what proposals he has for supplementing this campaign by local campaigns run by his Department.

Mr. Waldegrave: I understand that NIREX proposes to produce information on their activities for as long as is necessary. In this financial year it has budgeted £896,000 for this purpose. There are no proposals for local campaigns run by my Department.

Mr. Austin Mitchell asked the Secretary of State for the Environment if he will give the number of letters, representations and petition signatures against nuclear dumping received by him from 1 April to 15 April from each of the four areas which NIREX has shortlisted as nuclear waste dumps; what was the number of such protests about nuclear dumping in general; and what was the number of letters, representations and petition signatures in favour of nuclear dumping for each site up to 1 April and from 1 to 15 April.

Mr. Waldegrave: I shall give the hon. Member an answer as soon as possible.

Mr. Austin Mitchell asked the Secretary of State for the Environment what are his proposals on the timetable involved for visiting each of the four sites shortlisted by NIREX as nuclear waste dumps.

Mr. Waldegrave: On behalf of my right hon. Friend the Secretary of State for the Environment, I visited the site at Elstow on 16 April. I am visiting today those at Fulbeck and South Killingholme. I also intend to visit Bradwell; a date has yet to be arranged.

Mr. Austin Mitchell asked the Secretary of State for the Environment when he expects present disposal facilities for low and intermediate level nuclear waste will be full at current rates of disposal.

Mr. Waldegrave: Present disposal facilities for low level nuclear wastes will be full by about 2010. This assumes that compaction is introduced at Drigg in 1987. If NIREX is able to develop a further near surface facility, for which it is now investigating four sites, the life of Drigg could be extended to about 2040. There are, at present, no disposal facilities for intermediate level waste.

Mr. Austin Mitchell asked the Secretary of State for the Environment if it is envisaged in the event of South Killingholme being chosen as the site for dumping civil nuclear waste, that a dump on the same or an adjacent site for the disposal of nuclear waste from naval submarines will be managed by NIREX; and if he will make a statement.

Mr. Waldegrave: If South Killingholme were eventually chosen as a disposal site, it would take civil and defence wastes, including waste from nuclear submarines. NIREX would manage it.

Dr. David Clark asked the Secretary of State for the Environment if the announcement on nuclear waste dumps by the Minister of Local Government, Environment and the Countryside at Elstow on 16 April is Government policy; and if he will place a copy in the Library.

Mr. Waldegrave: I made no announcement when I visited Elstow. What I did have were useful discussions with local representatives.

Water Authorities

Dr. Cunningham asked the Secretary of State for the Environment if he has any proposals to remove local authority members from water authorities.

Mr. Kenneth Baker: My proposals for the membership of regional water authorities in the light of privatisation are set out in paragraph 102 of the White Paper "Privatisation of the Water Authorities in England and Wales" (Cmnd. 9734).

Acid Rain

Dr. David Clark asked the Secretary of State for the Environment if he will make an interim statement on the research projects undertaken with the help of public funds by the Royal Society of Arts on the problems of acid rain.

Mr. Waldegrave: I am not aware of any publicly funded research on this subject being undertaken by the Royal Society of Arts.

The Royal Society, however, is taking part in a 5-year collaborative programme of research into the acidification of freshwaters with the Norwegian and Swedish Academies, which has been funded by the Central Electricity Generating Board and the National Coal Board. This programme is a matter for the Royal Society and the two boards.

Dr. David Clark asked the Secretary of State for the Environment what is his estimate of the cost to Her Majesty's Government of signing the international declaration calling for a 30 per cent. reduction in acidic emissions by 1993.

Mr. Waldegrave: There is considerable uncertainty about the future pattern of emissions from the United Kingdom, and in order to be certain of meeting this target it would be necessary to install flue gas desulphurisation equipment at two major power stations, at a capital cost of some £300 million. The cost would be borne by electricity consumers.

Dr. David Clark asked the Secretary of State for the Environment (1) what action he is taking to evaluate the effect of acid emissions from Irish power stations on the environment in Cumbria and central Wales;

(2) if he will raise with the Republic of Ireland the problems caused to the environment of Great Britain by acid emissions from Irish power stations.

Mr. Waldegrave: Estimates by the Department of Trade and Industry's Warren Spring laboratory indicate that acid emissions from Irish power stations are responsible for a negligible proportion of total deposition

in Cumbria and central Wales. My right hon. Friend does not consider that emissions from Irish power stations are causing significant environmental problems in Great Britain and he does not consider it necessary to raise the matter with the Government of the Republic of Ireland.

Dr. David Clark asked the Secretary of State for the Environment if he will now sign the international declaration supporting a 30 per cent. reduction in acid rain emissions.

Mr. Waldegrave: No.

Dr. David Clark asked the Secretary of State for the Environment what was the outcome of the recent discussions with the Norwegian Minister of Environment on the subject of acid rain; and if he will make a statement.

Mr. Waldegrave: The discussions with the Norwegian Environment Minister, Mrs. Surlien, during her recent visit to the United Kingdom were helpful in improving mutual understanding of the two Governments' positions in this matter. The need for further reductions in SO2 emissions is common ground, but differences remain about the rate at which they may be achieved.

London Residuary Body

Mr. Tony Banks asked the Secretary of State for the Environment if he will direct the London Residuary Body to pay its outstanding telephone and Post Office franking charges.

Mr. Tracey: No. The settlement of its bills is a matter for the London Residuary Body.

Mr. Tony Banks asked the Secretary of State for the environment how many meetings have taken place between his Department and representatives of the London Residuary Body since 31 March.

Mr. Tracey: Officials meet the LRB frequently to discuss the full range of tasks for which the LRB is responsible. However, not all of these meetings are co-ordinated centrally, and no central record is kept of all the meetings which take place.

Mr. Tony Banks asked the Secretary of State for the Environment (1) if he will direct the London Residuary Body to answer all reasonable queries from members of the public;

(2) if he will direct the chairman of the London Residuary Body on the matters to be included in its annual report:

(3) why he is not prepared to direct the London Residuary Body to provide information requested by right hon. and hon. Members; and if he will make a statement.

Mr. Tracey: The conduct of day-to-day affairs of a Residuary Body is a matter for it, and my right hon. Friend would not normally seek to intervene or to act as intermediary between the Residuary Body and those who seek information on its affairs. The power of direction which the Secretary of State has by virtue of Section 65 of the Local Government Act 1985 is a normal feature of legislation setting up non-departmental public bodies, but it is meant as a reserve power rather than a means of regular intervention.

As the principal means of reporting to Parliament on the activities of the residuary bodies, my right hon. Friend will lay their annual reports and statements of accounts before the House when these documents are avaialble; he has no proposals at present to make directions on the contents of residuary bodies' annual reports, but these documents are currently under discussion and the aim will be to ensure that they provide as full an account as necessary.

I am confident that the residuary bodies will themselves provide information in response to all reasonable queries, without the need for a direction from the Secretary of State.

Mr. Tony Banks asked the Secretary of State for the Environment what controls he exercises over the affairs of the London Residuary Body.

Mr. Tracey: The control which my right hon. Friend exercises over residuary bodies are as follows:

—power to establish residuary bodies, appoint chairmen and members and (with Her Majesty's Treasury) determine their remuneration; power, in certain circumstances, to remove a member (section 57 and schedule 13).

—power to approve the purpose for which residuary bodies may borrow money (schedule 13 of the Local Government Act 1972 as applied to residuary bodies by section 75).

—in connection with land, the provisions that:

(a) the acquisition of land by residuary bodies required for the exercise of their functions requires the consent of the Secretary of State (schedule 13 paragraph 7);

(b) disposal of land by residuary bodies is subject to directions and to consent where disposal for less than best price is proposed (schedule 15 paragraph 7);

(c) the Secretary of State has powers to direct disposal of residuary body land (part X of the Local Government Planning and Land Act 1980 as applied to residuary bodies by schedule 13 paragraph 15).

—power to direct a residuary body to recover sums from local authorities which they received in contravention of section 91 (schedule 15).

—power to direct a residuary body in the exercise of its functions (other than management of superannuation) and a duty to publish direction (section 65).

—power to direct the content, form and methodology of residuary bodies' statements of accounts (section 78) and a duty to lay the statements of accounts and any audit reports on them before Parliament (section 79).

—duty to lay the annual reports of residuary bodies before Parliament (schedule 13) and power to require a residuary body to provide information to the Secretary of State relating to the discharge of its functions (schedule 13).

In addition, my right hon. Friend has the following powers (excluding spend provisions):

—power to confer by order on residuary bodies any statutory functions exercisable in relation to property, rights or liabilities they inherit (section 62) and to commute by order smallholdings and housing payments due to residuary bodies (section 64).

—power to provide by order for residuary bodies to make grants to eligible charities out of receipts from land disposal (section 49).

—power to specify by order the description and distribution of money received by residuary bodies (section 77).

—power to provide by order for the transfer or disposal of a residuary body's functions, property, rights and liabilities and give effect to a scheme for its winding up (section 67).

All references to sections and schedules are to the Local Government Act 1985 unless otherwise specified.

Mr. Tony Banks asked the Secretary of State for the Environment if he will list the current responsibilities of the London Residuary Body.

Mr. Tracey: The London Residuary Body has the following main responsibilities:

—to make compensation payments to staff of the GLC who were made redundant or employed on less favourable terms at abolition;
—management of the GLC's debt, and superannuation fund;
—to close the GLC accounts;
—to sort out records and files for onward transmission to successor bodies, and to tidy up unfinished business generally;
—to manage inherited property, and unextinguished rights and liabilities not transferred to functional successors;
—to provide certain specialist services, including computer services, scientific services, research and intelligence, and miscellaneous transport services (all at the request of London boroughs), and Urban Traffic Control, on behalf of the Secretary of State for Transport;
—to plan the onward transfer, disposal or sale of property and for the continued provision of any of these services that remain necessary after the residuary body has been wound up.

A description of the duties and responsibilities of all residuary bodies is set out in DOE circular 8/86, a copy of which is in the Library.

Hampstead Heath

Mr. Tony Banks asked the Secretary of State for the Environment what arrangements are being made for the future management of Hampstead heath.

Mr. Tracey: The London Residuary Body will propose long-term arrangements for the heath to my right hon. Friend after consultation with the three local authorities within whose areas the land transferred temporarily to the residuary body under the Local Government Act 1985 is located.

Local Government Reform (Residuary Bodies)

Mr. Tony Banks asked the Secretary of State for the Environment how many councillors appointed to the residuary bodies are Conservative councillors.

Mr. Tracey: One: Councillor Bowness of the London Residuary Body. Mr. Patnick of the South Yorkshire Residuary Body was formerly a Conservative member of the South Yorkshire county council.

Mr. Tony Banks asked the Secretary of State for the Environment, pursuant to his reply of 17 April to the hon. Member for Newham, North-West, if any women were considered for membership of the residuary bodies following abolition of the Greater London council and the metropolitan county councils; and if he will make a statement.

Mrs. Rumbold: Ten women were among 220 people considered for appointments to residuary bodies. It would not be appropriate to name individuals, or to discuss why particular individuals were or were not appointed.

Spectrum Centre, Warrington

Mr. Hoyle asked the Secretary of State for the Environment pursuant to the answer of 11 April, *Official Report*, columns *210-11*, if he will publish the management accounts for the Spectrum centre, Warrington, for 1985 and the budget for 1986 including the annual running costs and debt charges when the Spectrum centre is sold; and who will be responsible for the debt charges.

Mr. Tracey: The management accounts for 1985 and the budget for 1986 are working documents of the Birchwood Project (Warrington) Ltd, the company which owns the Spectrum centre. It is for the company to decide whether to publish financial information other than the official accounts which it must make available under companies legislation. The Warrington and Runcorn Development Corporation issued a prospectus earlier this year on behalf of the company inviting offers to take over management or ownership of the Spectrum centre. Responses have to be assessed by the company and the corporation, and decisions will then have to be made on future financial arrangements, including responsibility for debt charges.

Local Authority Expenditure

Ms. Harman asked the Secretary of State for the Environment how much each local authority spent above or below its grant-related expenditure assessment for social services in the last year for which figures are available.

Mrs. Rumbold: The information is not readily available. Grant-related expenditure assessments relate to total expenditure as defined in annex A of the rate support grant reports and this definition of expenditure includes an element of capital expenditure and other financing charges which cannot be attributed to individual services.

Self-build Groups

Mr. Soames asked the Secretary of State for the Environment what assistance Her Majesty's Government gives to self-build groups.

Sir George Young: My right hon. Friend has approved an arrangement under which the Housing Corporation may guarantee private sector development loans to self build groups at 1 per cent. above base rates. Self-build groups are also entitled to various forms of tax relief and a number of local authorities have been granted special consent to sell them land at a discount.

Roundhouse Black Arts Centre

Mr. Tony Banks asked the Secretary of State for the Environment if he will direct the London Residuary Body to provide a similar sum to that pledged by the Greater London council for the Roundhouse Black Arts centre; and if he will make a statement.

Mr. Tracey: No. My right hon. Friend has previously made it clear in refusing consent under section 91 of the Local Government Act 1985 in respect of a proposed GLC payment of £6·4 million to the London borough of Camden for the purpose of defraying expenditure on the conversion of the Roundhouse, that he was not satisfied that the expenditure would be expedient or in the interests of London's ratepayers. Decisions on funding the Roundhouse are now a matter for successor authorities.

Teviot Housing Estate, Tower Hamlets

Mr. Chris Smith asked the Secretary of State for the Environment, pursuant to his reply to the hon. Member for Islington, South and Finsbury on 17 April, what are his reasons for not placing in the Library copies of correspondence between his Department's Urban Housing Renewal Unit and Tower Hamlets borough council.

Sir George Young: It is not normal practice to publish correspondence between the Department and other people and I see no reason to depart from convention in this instance.

Chair of State

Mr. David Atkinson asked the Secretary of State for the Environment when he expects the Chair of State to be returned permanently to the Palace of Westminster; and if he will make a statement.

Sir George Young: I shall answer this question shortly.

SOCIAL SERVICES

Dental Health

Mr. Pawsey asked the Secretary of State for Social Services if he has any plans to fund a research programme into the relationship between sugar consumption and children's dental health; if any evidence is available to him of any variation in this relationship according to different types of sugar; what information he has about levels of sugar consumption in other European Economic Community countries; and if he will make a statement.

Mr. Whitney: A large body of evidence already exists linking the consumption of sugar with dental caries in children. There are, therefore, no plans at present to fund further research in this area. A number of researchers have concluded that of the various sugars sucrose is the type most likely to cause tooth decay. The total sugar consumption (both food and non-food) in the countries of the European Economic Community for the year October 1984-September 1985 was as follows:

	Tonnes
Denmark	192,000
Federal Republic of Germany	2,202,000
Greece	293,000
France	1,907,000
Ireland	136,000
Italy	1,641,000
Netherlands	560,000
Belgium and Luxembourg	355,000
United Kingdom	2,268,000

Child Care Law

Mr. Cohen asked the Secretary of State for Social Services whether Her Majesty's Government have completed their consideration of the responses to the child care law review consultative document published in September 1985; whether it has been decided to legislate to assist young people leaving care with housing difficulties they may encounter; and if he will make a statement.

Mr. Whitney: The Government are still considering the nearly 200 responses to the consultative document "Review of Child Care Law".

Dentists

Mr. Weetch asked the Secretary of State for Social Services (1) whether he will list for each of the years 1976 to 1985 the number of dentists who qualified in the United Kingdom and the numbers in these years who subsequently entered the general dental services;

(2) how many dentists during the years 1976 to 1985 entered the United Kingdom by immigration from the EEC, Commonwealth countries and elsewhere; and how many of these entered general dental services;

(3) how many dentists left the general dental services in the years 1976 to 1985 and in relation to the numbers entering the services in these years; and what was the net increase or decrease to the services in each of the years.

Mr. Hayhoe: The information requested is given in the tables.

Table I

Numbers of Dentists Qualifying in dental schools in the United Kingdom

Year ended 31 July	*Number of United Kingdom graduates*
1976	761
1977	785
1978	852
1979	825
1980	832
1981	868
1982	899
1983	865
1984	867
1985	884

The number of graduates qualifying in these years who entered the general dental services is not known.

Table II

Additions to the United Kingdom Dentists' Register by New Registration

Year ended 31 December	*With EEC qualification*	*With Commonwealth qualification*	*With other overseas qualification*
1976	n/a	168	49
1877	0	162	55
1978	0	132	41
1979	0	155	65
1980	5	147	57
1981	19	139	57
1982	11	137	73
1983	24	140	98
1984	7	119	62
1985	19	112	56

n/a= Not available.

It is not known how many of these entered the general dental services.

Table III

Entries to and exits from the General Dental Service (England)

Year ended 30 September	*Entries*	*Exits*	*Net Increase*
1976	1,061	764	297
1977	1,056	775	281
1978	1,001	866	135
1979	1,075	848	227
1980	1,109	840	269
1981	1,178	758	420
1982	1,141	718	423
1983	1,163	749	414
1984	1,166	772	394
1985	1,139	871	268

Mr. Weetch asked the Secretary of State for Social Services what were the average amounts scheduled per

dentist in the general dental service of the National Health Service in the quarters October to December [illegible]5 and January to March 1986; and what were the equivalent amounts in the corresponding quarters of the preceding five years.

Mr. Hayhoe: The information requested is given in the table in respect of England and Wales. Information for quarter January-March 1986 is not yet available.

*Average amounts scheduled per Dentist**

	October-December £	*January-March* £
1980-81	8,758	8,737
1981-82	9,973	9,485
1982-83	10,402	10,189
1983-84	11,265	10,812
1984-85	11,834	11,493
1985-86	11,449	N/A

* Excluding dentists who did not work in the GDS for the whole year, and a small number in other groups.

Dental Services

Mr. Weetch asked the Secretary of State for Social Services when last he met representatives from the British Dental Association and the General Dental Council, respectively; what personnel were present at the meetings; and what topics were discussed.

Mr. Hayhoe: I met representatives of the British Dental Association including its chairman of council and chairman of its General Dental Services Committee on 4 February this year to discuss dental charges. I met representatives of the General Dental Council, including its president, on 26 November 1985 to discuss the council's reaction to the report of the Director General of Fair Trading into dental services. Officials from my Department and the organisations concerned were present on both occasions.

Retirement

Mr. Wallace asked the Secretary of State for Social Services what representations he has received in support of a flexible decade of retirement from the age of 55 years; and if he will make a statement.

Mr. Newton: I regret that the information is not available in the form requested and could be provided only at disproportionate cost. This is because most of the 7,000 or so replies received covered a number of different points and the Green Paper specifically sought views on a flexible decade of retirement between the ages of 60 and 70.

The response to the suggestion for a decade of retirement was largely favourable, but, as we made clear in our White Paper, there were no suggestions as to how this might be achieved without unacceptably high initial cost. We shall, nevertheless, continue to examine possible ways of achieving a flexible decade of retirement between the ages of 60 and 70.

Community Health Councils

Mr. Pike asked the Secretary of State for Social Services what is the current average budget of a community health council in England; and if he will give comparable figures in real terms over the last five years.

Mr. Hayhoe: The available information on community health council expenditure is set out in the table. It is not possible to provide comparable data for the years prior to 1982-83 because of the changes in health authority and community health council boundaries in 1982

Average expenditure per Community Health Council

	*Cash** (£)	*Constant Prices†* (£)
1982-83	29,830	32,446
1983-84	31,436	32,734
1984-85	32,687	32,687

* Taken from health authorities' summarised accounts.
† Revalued to 1984-85 levels using the gross domestic product deflator.

Dental Estimates Board

Mr. Weetch asked the Secretary of State for Social Services how many estimates were scheduled by the Dental Estimates Board in the months of January, February and March 1986 and in the corresponding months of 1981 to 1985.

Mr. Hayhoe: The following table shows the number of estimates scheduled by the Dental Estimates Board to dentists in England in the months requested.

	January	*February*	*March*
1981	2,390,460	2,332,265	2,413,792
1982	2,297,985	2,429,831	2,492,443
1983	2,266,524	2,477,485	2,667,108
1984	2,397,011	2,586,810	2,605,121
1985	2,541,966	2,604,158	2,644,347
1986	2,651,223	2,580,589	2,681,575

Housing Benefit Scheme

Mr. Pike asked the Secretary of State for Social Services whether he proposes any changes in the administration of the housing benefit scheme.

Mr. Major: There are no plans to change the general arrangements under which local authorities are responsible for the administration of the housing benefits scheme. Minor changes to detailed procedures will always be necessary from time to time and a number of more significant changes will result from the Government's plans for reforming the housing benefits scheme set out in the White Paper on the reform of social security (Cmnd. 9691).

NHS (Overseas Visitors)

Mr. Kirkwood asked the Secretary of State for Social Services, further to his answer of 16 December 1985, *Official Report*, column *70*, on what basis the original £6 million estimate for charges on overseas visitors using National Health Service facilities was arrived at; and what factors have been responsible for this figure proving to be a substantial overestimate.

Mr. Hayhoe: I understand that the original estimate was based on the assumption that overseas visitors, whose numbers could reasonably be predicted, would use National Health Service hospital services at much the same level as an equivalent cross-section of the population of this country. The subsequent ruling that overseas students

on courses of over six months' duration should be regarded as ordinarily resident in the United Kingdom, and not therefore liable to pay as overseas visitors, reduced the potential numbers. Forecast income was reduced on this account by £1 million.

The assumption on use of services by those remaining liable to pay as overseas visitors has proved wrong, possibly for two reasons. First, they may opt to be treated as private patients in the National Health Service, where the charges are similar, or elsewhere. Secondly the imposition of charges is likely in itself to have limited the demand for elective treatment.

CEGB (Radiation Casualties)

Mr. Normanton asked the Secretary of State for Social Services how many members of the general public have *(a)* died and *(b)* been seriously injured from radiation emananting from nuclear establishments of the Central Electricity Generating Board.

Mr. Whitney: On the basis of current evidence, I am advised that there is no established link between these establishments and the incidence of disease in population near to them.

Health Education Council

Mr. Michael Brown asked the Secretary of State for Social Services if he will place in the Library a copy of the minutes of the meeting he had with the Health Education Council on 17 March.

Mr. Whitney: No. The minutes include a record of discussions about proposed future health promotional activities which it would be premature to disclose.

Action on Alcohol Abuse (Minutes of Meetings)

Mr. Michael Brown asked the Secretary of State for Social Services if he will place in the Library a copy of the minutes of the meetings between officials of his Department and representatives from Action on Alcohol Abuse on 21 January, 1983 and 18 July 1985.

Mr. Whitney: I do not consider it appropriate to place in the Library a copy of the notes of officials' meetings.

Pensions

Mr. Frank Field asked the Secretary of State for Social Services if he will estimate for the decade following 1988 the likely number of contributors opting out of the state earnings related pensions scheme for membership of *(a)* an occupational scheme or *(b)* a personal pension.

Mr. Newton: The Government's pension reforms are intended to result in a major expansion of the coverage of occupational and personal pension schemes. However, as there are no precedents for the new pension options, it is not possible to make reliable estimates of likely increases in the number of people contracting out from the State earnings-related pension scheme for the decade following 1988.

James Kay

Mr. Dickens asked the Secretary of State for Social Services if he will initiate an urgent inquiry into the original release of James Kay (alias Lang) a convicted child murderer, under licence from Park Lane mental institution, who was sentenced at Lancaster Crown court on 14 April to six years' imprisonment for two subsequent serious assaults; and if he will review the system by which such potentially dangerous patients are released.

Mr. Whitney: Mr. Kay was discharged by a mental health review tribunal. The tribunals are independent bodies with a duty in cases such as these to order discharge of a patient detained in a mental hospital for treatment where they are satisfied that the patient is not suffering from mental disorder as defined by the Mental Health Act 1983. Tribunals dealing with restricted patients are presided over by a judge and include a medical and a lay member. The tribunal reached its conclusion having regard to substantial medical evidence from numerous sources that Mr. Kay was no longer suffering from mental disorder requiring him to be detained in hospital for treatment. My right hon. Friend the Secretary of State is considering whether there are any lessons to be learned from this case, including the subsequent conviction of Mr. Kay for serious criminal offences.

Alcohol Abuse

Mr. Michael Brown asked the Secretary of State for Social Services if he will list the voluntary bodies he has met in the last 12 months to discuss alcohol abuse.

Mr. Whitney: My right hon. Friend, the Minister for Health opened Alcohol Concern's new premises on 25 September 1985 and had informal discussions with members of Alcohol Concern. There have been no other meetings with a voluntary body to discuss alcohol abuse in the last 12 months.

Alcoholism

Mr. Michael Brown asked the Secretary of State for Social Services what is his policy towards the prevention and treatment of alcoholism, in the light of the report "An Agenda for Action on Alcohol", a copy of which has been forwarded to him.

Mr. Whitney: I am aware of the proposals set out in "Agenda for Action on Alcohol Abuse", many of which are primarily the responsibility of other Departments. Government policy on the prevention and treatment of alcohol misuse remains as set out in the discussion document "Drinking Sensibly", which the Health Departments issued in 1981. That document made a number of suggestions for the development of appropriate future strategies for combating alcohol misuse, many of which have already been adopted or are currently being developed.

Pharmaceutical Industry

Mr. Haynes asked the Secretary of State for Social Services from the latest annual financial returns submitted by pharmaceutical companies, what the profitability level of the industry as a whole is; and how this compares with the target set for the pharmaceutical industry by his Department.

Mr. Hayhoe: In 1983, the latest year for which information is readily available, the declared profit for companies submitting annual financial returns was about

14½ per cent. on (historic) capital employed. The Department's assessment, after disallowing certain costs and making other adjustments, was higher and in line with the target set for the industry by the Department.

Mr. Haynes asked the Secretary of State for Social Services what is the deadline for pharmaceutical companies to make their annual financial returns to his Department each year.

Mr. Hayhoe: Companies are asked to submit their annual financial returns not later than six months after the end of their accounting year. This time limit may be extended by agreement between the Department and a company.

Mr. Haynes asked the Secretary of State for Social Services how many pharmaceutical companies exceeded their promotional targets for the last year for which figures are available; how many of these companies were required to pay a penalty rate for exceeding those targets; and whether, without naming the companies concerned, he will state the amounts of excess for each company concerned.

Mr. Hayhoe: The requirement to repay excess expenditure incurred on sales promotion was introduced only from 1 April 1984. A full year's figures since then are not yet available. To date, however, four companies have been required to repay excess sales promotion expenditure of £453,000, £135,000, £53,000 and £15,000.

Mr. Haynes asked the Secretary of State for Social Services what is the value of applications by pharmaceutical companies disallowed for price increases under the pharmaceutical price regulation scheme for each of the last five years for which figures are available.

Mr. Hayhoe: Information on the value of price increase applications disallowed is not routinely collected. However, for the fiscal year 1985-86 it is estimated that price increases disallowed exceeded £55 million.

Mr. Haynes asked the Secretary of State for Social Services what is the total expenditure on pharmaceuticals *(a)* including dispensing costs and *(b)* excluding dispensing costs made by his Department for the last year in which figures are available; and by how the Department's own estimates compare with figures supplied by pharmaceutical companies in their annual financial returns.

Mr. Hayhoe: The information for England in the financial year 1984-85 is:

Drugs Expenditure: (£ million)

	Family Practitioner Services	*Hospital and Community Health Services*	*Total*
(a) Inclusive of dispensing costs	1,553	*	*
(b) Exclusive of dispensing costs	1,194	279	1,473

* Information on dispensing costs in the Health and Community Health Services is not available centrally.

The pharmaceutical companies' annual financial returns are used in conjunction with the Department's various estimates of drug expenditure, although no direct arithmetic comparison is possible. Individual company annual financial returns are based on total sales to the National Health Service in the United Kingdom and their financial years all differ from each other and our financial year.

Mr. Haynes asked the Secretary of State for Social Services how many pharmaceutical companies received more than £75 million from the National Health Service for medicines for the last year for which figures are available; and if he will name them.

Mr. Hayhoe: In 1984, three pharmaceutical companies had sales in excess of £75 million to the National Health Service for medicines. For reasons of commercial confidence individual companies results are not identified.

Mr. Haynes asked the Secretary of State for Social Services (1) what schemes are run by his Department to seek to encourage pharmaceutical companies to undertake research in therapeutic areas which are unlikely to have high profit potential;

(2) what steps he has taken to seek to ensure that innovation and research within the pharmaceutical industry is directed towards identified therapeutic need.

Mr. Charles Morrison asked the Secretary of State for Social Services what action Her Majesty's Government are taking to promote more pharmaceutical research by British and foreign companies in the United Kingdom.

Mr. Hayhoe: Because of favourable conditions, a relatively high proportion of world pharmaceutical research and development is carried out in the United Kingdom. Under the pharmaceutical price regulation scheme companies are allowed, within reasonable limits, to reflect their current research and development costs in the prices of National Health Service medicines. In common with other industrial sectors, pharmaceutical companies may also qualify for specific assistance under schemes administered by my right hon. Friend the Secretary of State for Trade and Industry. My Department does not intervene in the companies' choice of therapeutic areas in which to research.

Mr. Haynes asked the Secretary of State for Social Services what criteria his Department uses when deciding to prosecute a pharmaceutical company under the terms of the Medicines Act 1968 and 1978 in relation to alleged promotional malpractice.

Mr. Hayhoe: There is a wide-ranging spectrum of possible offences under the terms of the Medicines Act relating to promotional activity and these controls are enforced in whichever way seems most appropriate, including prosecution where necessary. Some offences may be purely technical, others may amount to deliberate

misrepresentation. Each individual case is therefore considered on its merits taking account of such factors as potential danger for patients, and the conduct of the company concerned, as well as the strength of the evidence. Regard may also be had to any action taken under the pharmaceutical industry's own regulatory procedures, since these may provide a very effective and speedy means of control in certain types of case.

Mr. Haynes asked the Secretary of State for Social Services whether he still operates a grey area policy for profitability for pharmaceutical companies in the National Health Service business; how many companies recorded profits falling within the grey area as last defined; how many companies exceeded the grey area as last defined and by how much; and whether he will name the companies falling, within or exceeding, the grey area.

Mr. Hayhoe: Under the pharmaceutical price regulation scheme companies may be allowed to retain, within prescribed limits (grey area), profits earned in excess of their target. In 1983, the latest year for which information is available, nine companies recorded profits in excess of target and all fell within the grey area. For reason of commercial confidence individual company results are not revealed.

Dr. Godman asked the Secretary of State for Social Services what assessment he has made of the implications for employment in the pharmaceutical industry of *(a)* the introduction of the limited list of drugs and *(b)* the new pharmaceutical price agreement; what representations he has received on this subject; and if he will make a statement.

Mr. Hayhoe: I refer the hon. Member to my reply to my hon. Friend the Member for Ealing, North (Mr. Greenway) on 10 March at column *377*. Negotiations are still proceeding with the Association of British Pharmaceutical Industry on the renewal of the pharmaceutical price regulation scheme.

General Practitioners

Mr. Haynes asked the Secretary of State for Social Services how many unrestricted principal general practitioners currently practice in the United Kingdom.

Mr. Hayhoe: A total of 24,036 unrestricted principal general practitioners were in practice in England on 1 October 1985. Figures for Scotland, Wales and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Scotland, Wales and Northern Ireland.

Medicines Acts (Infringements)

Mr. Haynes asked the Secretary of State for Social Services how many prosecutions his Department has undertaken since 1980 for infringements of the Medicines Acts 1968 and 1979; and what the outcome has been of those prosecutions.

Mr. Hayhoe: Since 1980, my Department has prosecuted 19 defendants involving companies and others, for a number of offences under the Medicines Act 1968. The results of the cases are shown in the table; all prosecutions have been successful. In addition, proceedings have been started in a further five cases. Three of these involved alleged sale or supply of medicines without product licences, one the alleged incorrect labelling of a product and one the issue of an alleged misleading advertisement.

In four of these cases the facts have yet to be heard by magistrates' courts and one case has been committed by magistrates to the central criminal court.

Year	*Magistrates court*	*Fine*	*£*	*Costs £*	*Sections of the Medicines Act and Regulations*
1980	Cleethorpes	Company Director	25 25	50	Section 7(3)
1980	Cheshunt	Businessman	200	75	Section 8(2)
1981	Leeds	Company Director	50 50	n/a	Section 8(3)
1981	Ealing	Person	300	50	Section 121(1) and (4) SI 1978/41
1982	Sevenoaks	Company Director	1,000 750	500	Section 7(2) Section 52
1982	Billericay	Person	650	250	Section 7(2) SI 1978/41
1982	Norwich	Company Director Director*	4,230 2,130 120	250 250 †500	Section 7(2) Section 7(3)
1983	Bromley	Person	200	75	Section 7(2)
1983	Norwich	Company	2,250	500	Section 7(2)
1985	Godstone	Company	1,400	350	Section 7(2)
1985	Medway	Company	500	200	Section 64(1)

Year	Magistrates court	Fine	£	Costs £	Sections of the Medicines Act and Regulations
1985	Billericay	Person	300	50	Section 7(2) Section 8(2) Section 86(3)
1986	Dover	Company Persons (2)	850 850	100	Sections 58(2), 67(2) and (4), 124(1), 8(2), 95(1) and (6), 91(2) and (3) SI 1976/1726

n/a=Not available.
*On appeal.
† On appeal company.

Medicines (Code of Practice)

Mr. Haynes asked the Secretary of State for Social Services what information he has as to the codes of practice relating to the promotion of prescription only medicines to general practitioners, and the organisations administering those codes.

Mr. Hayhoe: The only code of practice relating to the promotion of prescription medicines is produced by the Association of the British Pharmaceutical Industry—the trade association representing manufacturers of these products. The code is comprehensive and covers promotion to all medical and dental practitioners. Its requirements are consistent with the Medicines Act regulations governing the advertising of medicines. Administration of the code is by a committee, under an independent, legally qualified chairman. The committee's findings are published regularly. A new edition of the code together with the constitution and procedure of the committee has just been published. I have arranged for a copy to be placed in the Library.

Regional Medical Officers

Mr. Haynes asked the Secretary of State for Social Services how many regional medical officers have left their employment with his Department to take up positions of employment within the pharmaceutical industry within the last 10 years; and how many regional medical officers currently employed have had any previous experience in employment within the pharmaceutical industry.

Mr. Whitney: I am informed that no regional medical officer has resigned to join the pharmaceutical industry over the last 10 years and no regional medical officer currently employed has a background in the pharmaceutical industry.

Mr. Haynes asked the Secretary of State for Social Services how many regional medical officers have been employed by his Department in the field of providing prescribing advice to general practitioners in the last year and for the last five years; whether there are any plans to increase the total number of regional medical officers in this work; and how many regional officers serve each region of the National Health Service.

Mr. Whitney: There are about 40 regional medical officers who visit general practitioners to discuss prescribing although this work takes only about 10 per cent. of their time. These figures have remained constant over the last five years and there are no plans at present to expand their activity. Each region is served by between two and four doctors.

Pharmaceuticals (Promotion)

Mr. Haynes asked the Secretary of State for Social Services (1) what was the global sum spent by the pharmaceutical industry on promoting prescription only medicines to the National Health Service as a whole and to general practitioners for the last year for which figures are available; and by how much this exceeded the global target for the industry as a whole set by his Department;

(2) from the latest annual financial returns of pharmaceutical companies, what is the proportion of actual expenditure as a percentage of total promotional expenditure made on representatives promoting products.

Mr. Hayhoe: In 1983, the latest year for which information is readily available, companies submitting annual financial returns spent £169 million on promoting the sales of medicines to the National Health Service, of which the cost of representatives was about 44 per cent. This exceeded target by £30 million, which was treated as notional profit for the purposes of the pharmaceutical price regulations scheme. Separate figures for expenditure on promotion to general practitioners are not available.

Health Authorities (Laundry Contracts)

Mr. Teddy Taylor asked the Secretary of State for Social Services how many district health authorities have awarded their contracts for laundry services to in-house staff and how many to outside private contractors; and if he is satisfied with the tender procedures which have been implemented.

Mr. Whitney: A total of 16 district health authorities have awarded a total of 19 laundry contracts to private contractors. Fifty six in-house laundry tenders have been successful, in 52 district health authorities. We are satisfied with the tendering procedures carried out in most authorities but it has been necessary for the Department to intervene in a small number of cases. Further general advice on tendering for laundry services was included in a letter of 3 January 1986 from Victor Paige, chairman of the National Health Service Management Board, to all regional health authority chairmen. A copy of this letter was placed in the Library.

Mobility Allowance

Mr. Pike asked the Secretary of State for Social Services if he will state for each of the last five years for which figures are available for mobility allowance applications: *(a)* the number of applications, *(b)* the number of approvals, *(c)* the number of appeals and *(d)* the number of successful appeals.

Mr. Newton: The information is as follows. It relates to decisions given in the relevant years, not to the results of claims made in those years.

Claims and Appeals

	Number of claims	*Decided in claimant's favour*	*Appeals and references decided by medical board*	*Decided in claimant's favour*	*Appeals decided by medical appeal tribunal*	*Decided in claimant's favour*
	1	*2*	*3*	*4*	*5*	*6*
1981	60,770	41,440	7,120	2,270	2,454	691
1982	109,340 *(21,240)	76,130 *(17,130)	11,410	3,600	2,663	703
1983	126,300 *(19,500)	86,300 *(16,450)	12,970	3,890	3,070	1,000
1984	132,000 *(23,950)	93,500 *(19,900)	14,750	4,800	3,933	1,107
1985	157,250 *(27,520)	101,890 *(22,500)	16,800	5,410	4,316	850

Notes:
Columns (1) and (2) for 1981 figures for renewal claims are not available.
For 1982 onwards such figures are shown seperately in brackets marked* but included in the total.
Columns (3) to (6) Figures include renewal claims.

Family Forum Charity (Exhibition)

Mrs. Virginia Bottomley asked the Secretary of State for Social Services if his Department has considered an application for an exhibition relating to the Family Forum Charity to be displayed in the Upper Waiting Hall.

Mr. Hayhoe: I understand that arrangements have been made with the authorities of the House for the exhibition to be held in the Upper Waiting Hall from 12-16 May.

Adoption and Fostering (Press Advertising)

Mr. Nicholas Winterton asked the Secretary of State for Social Services (1) what his Department's policy is on the advertising of children through the press for adoption or fostering;

(2) whether his Department has issued any guidelines on the advertising of children for adoption and fostering;

(3) whether he has received any recent representations concerning the advertising of children for fostering and adoption.

Mr. Whitney: Press advertisements are used by many local authorities and adoption agencies as a means of finding families for children who cannot be placed by other means. This method has proved of value in finding new families, and the public generally has become aware of the needs of children in care who are waiting for families. The advertising of children does need to be handled with care and sensitivity and backed up with skilled professional social work.

I am aware of concern about the wording used in one recent case where an advertisement in respect of a ward of court was placed, with the agreement of the High Court. This case is a matter for the local authority and the High Court, and not one on which I should comment.

I understand that British Agencies for Adoption and Fostering and the National Foster Care Association intend to produce guidelines on advertising of children. I welcome this joint initiative to help agencies to use publicity in a way that is most beneficial to the children concerned.

Driving Licences (Medical Refusals)

Mr. Madden asked the Secretary of State for Social Services (1) what rights to benefits exist for holders of heavy goods vehicle and public service vehicle licences whose licences are terminated for medical reasons; and if he will make a statement;

(2) what rights holders of heavy goods vehicle and public service vehicle licences, whose licences are terminated for medical reasons, have to register for employment and receive unemployment benefit; and if he will make a statement.

Mr. Major: No specific benefits are available for holders of heavy goods vehicle and public service vehicle licences, whose licences are terminated for medical reasons. Incapacity benefits would be available where the person satisfied the usual criteria of incapacity. Alternatively, if such a person lost his employment he would be able to claim unemployment benefit in the usual way, subject to the normal conditions of being capable of and available for work.

Pharmaceutical Research

Mr. Charles Morrison asked the Secretary of State for Social Services what information he has on comparable pharmaceutical research costs *(a)* in the United Kingdom and *(b)* in other OECD countries.

Mr. Hayhoe: My Department does not maintain comparative data on pharmaceutical research costs in OECD countries.

Severe Weather Payments

Mr. Gordon Brown asked the Secretary of State for Social Services if he will accede to representations for the retrospective payment of exceptionally severe weather allowances for eligible claimants who paid their fuel bills before his Department advertised the availability of the benefits; and if he will make a statement.

Mr. Newton: The determination of claims for exceptionally severe weather payments is a matter for the independent adjudication officers, and I refer the hon. Member to the guidance on this subject issued by the chief adjudication officer on 6 December 1985, a copy of which is in the Library. We shall be reviewing the exceptionally severe weather provisions further in the light of this winter's experience.

Public Bodies (Departmental Support)

Mr. Rowe asked the Secretary of State for Social Services how much money was paid by his Department to support *(a)* the Central Council for Education and Training in Social Work, *(b)* the General Medical Council and *(c)* the United Kingdom Nursing Board in each of the latest three years for which figures are available; and what proportion of the total costs of these bodies each of those contributions represented.

Mr. Hayhoe: The information requested in respect of the Central Council for Education and Training in Social Work, the United Kingdom Central Council for Nursing, Midwifery and Health Visiting and the English National Board for Nursing, Midwifery and Health Visiting is set out in the table. The Department does not pay a grant to the General Medical Council which is a self-financing independent statutory body.

£'000

	1983-84 actual	*1984-85 actual*	*1985-86 provisional*
Central Council for Education and Training in Social Work			
Grant*	4,090	7,275	9,479
Percentage of total expenditure	97	98	99
United Kingdom Central Council			
Grant*	1,251	323	727
Percentage of total expenditure	41	13	20
English National Board			
Grant	63,620	66,800	70,930
Percentage of total expenditure	98	99	96

* Includes contributions from other Government Departments as follows:

(a) Central Council for Education and Training in Social Work			
Scottish Education Department	225	280	263
Welsh Office	209	403	538
Department of Health and Social Services (Northern Ireland)	56	87	81
(b) United Kingdom Central Council			
Scottish Home and Health Department	65	31	70
Welsh Office	34	16	36
Department of Health and Social Services (Northern Ireland)	20	10	22

† Central Council for Education and Training in Social Work took over responsibility for the administration of training grants to about 1,100 postgraduate social work students on 1 October 1984, and the level of Departmental grant reflects this.

Mentally Handicapped People

Mr. Greenway asked the Secretary of State for Social Services when he proposes to recruit a director for the national development team for mentally handicapped people; and what will be the future role and structure of the team.

Mr. Hayhoe: Advertisements to recruit a new director for the national development team are now being published in national newspapers and a range of professional journals. I pay tribute to the work of the first director, Dr. Gerry Simon, and to his successor, Dr. George Kerr, who gave up his appointment prematurely because of ill health. I also pay a particular tribute to the acting director, Mr. Jim Gardner, and his associate director, Mrs. Lotte Mason, who are seeing the team through an interregnum and introducing substantial improvements in the management of its business—to give the new director a firm basis on which to build.

The team has a crucial role at a time of major change in the services for mentally handicapped people and their families. It will continue to provide independent expert advice to health and local authorities on the development and operation of their mental handicap services in relation to current Government policy and priorities and information to Ministers about the state of current services, the nature and direction of change, and the implications for Government policies.

The strength of the team lies in the wide experience of its panel members from their vantage points as service providers and service users, able to commend good practice from personal experience; and to make a realistic and balanced assessment of local needs.

The Government's policy is that there should be good local services, capable of responding flexibly to differing needs and circumstances and provided by a variety of agencies working together in both the planning and delivery of services. They should be able to identify and to meet both the general and the special needs of mentally handicapped people and their families. We are talking about our relatives, friends and next door neighbours; but the better we know people the more keenly are we aware that they are all different and that standard packages will not do. The only right answers are relevant ones, flexible enough to change with changing needs—and where necessary to promote change. The team's wide experience of what is possible is invaluable.

The new director is expected to lead a team with a role and structure much as now, but with greater emphasis on establishing and promulgating good practice; on promoting co-operation between all those involved where accountabilities meet, and even sometimes properly overlap; and on looking, during visits and in developing guidelines and informing Ministers, at specific issues of key importance to the overall service. The team cannot be

expected to carry out in-depth inspections of every aspect of a service. This is the continuing responsibility of local management and of consumer groups. The team can help by advising on monitoring mechanisms and on quality criteria.

Departmental Staff

Mr. Frank Field asked the Secretary of State for Social Services if he will give a breakdown of the geographical deployment of the additional 5,000 staff which he recently announced.

Mr. Major: No decisions have yet been finalised but I shall let the hon. Member have a reply as soon as possible.

Spectacles (Voucher Scheme)

Mr. Rooker asked the Secretary of State for Social Services if the voucher scheme for spectacles for partially sighted children will enable the purchase of two sets of spectacles with light-sensitive lenses where these are required; and if he will make a statement.

Mr. Hayhoe: A consultant ophthalmologist in the hospital eye service can prescribe any items which he considers in his clinical judgment to be medically necessary for his patient. That principle will not be affected by the introduction of the voucher system. From 1 July children will be entitled to vouchers which are intended to provide them with basic pairs of spectacles to meet their clinical needs.

Organ Donation

Mr. Michael McNair-Wilson asked the Secretary of State for Social Services what information he has as to the number of occasions on which requests for organ donation were refused by next-of-kin or close relatives in the past 12 months.

Mr. Whitney: We have no information on this.

Mr. Michael McNair-Wilson asked the Secretary of State for Social Services how many deaths of persons aged between 20 and 65 years occurred during the past 12 months; and how many of those he estimates might have been suitable as kidney or other organ donors.

Mr. Whitney: In 1984, the most recent year for which figures are available, the number of deaths of persons aged between 20 and 65 in the United Kingdom was 133,372. It is estimated that about 2,000 patients die in the United Kingdom each year in circumstances where brain death might be diagnosed. Patients who are diagnosed as brain dead may be suitable as organ donors but we do not have a breakdown into age groups of these 2,000 patients. As part of our campaign to increase the number of donor organs becoming available for transplantation we are considering supporting a study which would seek to establish how many brain deaths occur and what might be done to increase the proportion where organ donation procedures are initiated.

Benefits

Mr. Boyes asked the Secretary of State for Social Services how much a single 22-year-old male *(a)* living with parents and *(b)* living in a council flat received in benefit if he was unemployed on 1 April in each year between 1979 and 1986; and if he will express these payments in real terms, taking 100 as the base for 1 April 1979.

Mr. Major [*pursuant to his reply*, 10 April 1986, c. *189*]: The information available is as follows:

	Unemployment benefit		*Supplementary benefit*			
			Living with parents		*As tenant of council flat*	
	Amount £	*In real terms expressed as an index**	*Scale rate* £	*In real terms expressed as an index†*	*Scale rate* £	*In real terms expressed as an index†*
1 April 1979	15·75	100·0	12·45	100·0	15·55	100·0
1 April 1980	18·50	96·5	14·65	97·8	18·30	97·8
1 April 1981	20·65	96·1	17·05	102·4	21·30	102·4
1 April 1982	22·50	95·7	18·60	102·9	23·25	103·0
1 April 1983	25·00	102·2	20·55	108·5	25·70	108·7
1 April 1984	27·05	105·2	21·45	108·2	26·80	108·3
1 April 1985	28·45	103·5	22·45	107·6	28·05	107·7
1 April 1986	30·45	‡—	23·60	‡—	29·50	‡—

* Based on the movement in the retail price index (all items) between April 1979 and the dates shown.
† Based on the movement in the retail price index (less housing) between April 1979 and the dates shown.
‡ Information for 1986 not yet available.

As these figures are based on comparisons between dates other than uprating dates, they may be misleading. An unemployed person may be entitled to either unemployment benefit or supplementary benefit or a combination of both. Supplementary benefit can be increased to cater for certain additional expenses such as extra heating. A tenant of a council flat could also be entitled to housing benefit, and a 22-year-old claimant living with his parents receiving supplementary benefit on the dates in the question would be entitled to a contribution towards housing costs.

Health Authorities and Family Practitioner Committees

27. **Mr. Dobson** asked the Secretary of State for Social Services if he will list the information which was routinely collected from health authorities and family practitioner committees at the time of his answer of 15 July 1985, *Official Report*, columns *60-63*, which is no longer collected, giving in each case the reason for stopping.

Mr. Hayhoe [*pursuant to his reply*, 14 April 1986, c. *288*]: Of the forms which were routinely collected from

health authorities and family practitioner committees, listed in my predecessor's answer on 15 July 1985, at columns *60-63* the following are no longer collected:—

Reference	
HMR1 (IP)	Hospital inpatient inquiry
HMR1 (IP)	Hospital activity analysis
HMR1 (Mat)	Hospital inpatient inquiry maternity
HIP 1B	Hospital inpatient inquiry maternity

These forms were discontinued from 31 December 1985 pending the introduction of a new system for providing information about hospital clinical activity as recommended by the steering group on health services information.

DEFENCE

British Nuclear Tests

Mr. Holt asked the Secretary of State for Defence, following atomic weapons trial tests in the 1950s, what details are available showing the number of officers and men who have died *(a)* prematurely and *(b)* of cancer.

Mr. Norman Lamont: I refer the hon. Member to the answer I gave the hon. Member for Christchurch (Mr. Adley) on 25 March 1986, at column 462. The National Radiological Protection Board is currently conducting a study into mortality among those who participated in the United Kingdom atmospheric nuclear weapon test programme, compared with a matched group who did not. It is also intended to examine cancer registrations.

Mr. Holt asked the Secretary of State for Defence what instances of genetic abnormalities in first and second generations have been noted in the families of those exposed to atomic weapons trials tests.

Mr. Norman Lamont: I am not aware of any valid evidence of a higher incidence of hereditary defects (sometimes referred to as congenital abnormalities) in the offspring of participants, than occurs in the United Kingdom population as a whole. I am confident that the study currently being undertaken by the National Radiological Protection Board, which is analysing mortality and morbidity data, is the best way forward to determine whether participants were disadvantaged. I will consider the need for further action in the light of the study's findings.

Mr. Holt asked the Secretary of State for Defence (1) during atomic weapon trials in the 1950s, how many officers and men were exposed to atomic radiation tests with protective equipment;

(2) during atomic weapon trials in the 1950s, how many officers and men were exposed to atomic radiation tests without protective equipment.

Mr. Norman Lamont: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 15 January 1985, at column 84 and the answer I gave to the right hon. Member for Wakefield (Mr. Harrison) on 2 December 1985, at column 92. These apply not only to the Christmas Island tests, but to the nuclear test programmes conducted in or near the Australian continent.

Armscor (South Africa)

Mr. Caborn asked the Secretary of State for Defence what discussions took place between members of his Department and Armscor (South Africa) at the FIDA international air show in Santiago on 10 March.

Mr. Norman Lamont: A member of the defence attache's staff visited the Armscor (South Africa) stand amongst others while visiting the air show, but no discussions took place.

Fisheries Protection

Mr. Austin Mitchell asked the Secretary of State for Defence what instructions have been given to the Royal Navy about the apprehension of English fishing vessels alleged to be in contravention of the Inshore Fishing (Prohibition of Carriage of Monofilament Gill Nets) (Scotland) Order 1986.

Mr. Stanley: Under present arrangements vessels operated by the Department of Agriculture and Fisheries for Scotland carry out fishery protection duties in waters to which the Inshore Fisheries (Scotland) Act 1984 applies. The Royal Navy is not currently involved in this. Were the Royal Navy to carry out patrols in these waters in future, instructions on fisheries regulations would be issued by the Department of Agriculture and Fisheries for Scotland.

Crown Proceedings Act

Mr. Churchill asked the Secretary of State for Defence if he is yet in a position to say when he intends to publish the results of his review of the Crown Proceedings Act as it relates to service personnel; and if he will make a statement.

Mr. Lee: I cannot at present add to the reply I gave to my hon. Friend on 19 March 1986, at columns 208-9.

RAF Upper Heyford

Mr. Baldry asked the Secretary of State for Defence whether the flying activity which took place on 14 April at RAF Upper Heyford was the exercise of which the Minister of State for Defence Support gave prior notice; and if he will make a statement.

Mr. Norman Lamont: A routine exercise took place at RAF Upper Heyford between 14 and 17 April, in line with the prior notification given by my noble Friend the Minister for Defence Support. This had no connection with other operations from the station in that period.

Warsaw Pact-NATO (Manpower Equivalents)

Mr. Ashdown asked the Secretary of State for Defence if he will give his Department's best estimate of the relative numbers of *(a)* Warsaw pact and *(b)* North Atlantic Treaty Organisation manpower division equivalents which would be able to be deployed four days after mobilisation in the case of a two-front attack in the central front.

Mr. Stanley: My Department does not use manpower division equivalents in calculations of the balance of forces between Warsaw pact and NATO.

Nuclear Waste

Mr. Austin Mitchell asked the Secretary of State for Defence if any special security measures are envisaged to safeguard any site chosen for the dumping of nuclear waste from nuclear submarines; and if he will make a statement.

Mr. Lee: In the event that the Ministry of Defence establishes a coastal facility for the disposal of reactor compartments from decommissioned nuclear submarines, the advice of the Nuclear Installations Inspectorate would be sought on the measures necessary to ensure the safety of the public.

Mr. Austin Mitchell asked the Secretary of State for Defence if he will specify the special factors which render a site suitable for the storage of nuclear waste material from nuclear submarines.

Mr. Lee: A coastal location.

Mr. Austin Mitchell asked the Secretary of State for Defence, pursuant to the answer to the hon. Members for Linlithgow (Mr. Dalyell) and for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 28 February, *Official Report*, column *710*, if any consideration has been given in the search for suitable sites for disposing of reactor compartments from nuclear submarines to sites not owned by his Department; what geological survey work will be required for this purpose; how long it will take; and whether this will be done by special development order.

Mr. Lee: Consideration of suitable sites, in case a separate facility is required, has been limited to sites owned by the Ministry of Defence. No short list of possible sites has yet been drawn up. The nature and extent of any geological survey work required will depend on which sites are chosen and will be subject to normal planning procedures. Any development of a facility at a particular site would be subject to a public inquiry.

9 Signals Regiment

Mr. Dalyell asked the Secretary of State for Defence on what date *(a)* the Attorney-General's office, *(b)* the office of the Director of Public Prosecutions and *(c)* the Special Branch were first informed that service men of 9 Signals Regiment were being questioned over a possible breach of security at United Kingdom bases in Cyprus.

Mr. Younger: *(a)* On or about 24 February 1984. *(b)* 23 February 1984. *(c)* 12 March 1984.

Cruise Missiles

Mr. Strang asked the Secretary of State for Defence if he will make a statement on the interruption of a British military exercise on Salisbury Plain on Thursday 10 April due to the arrival of a United States cruise convoy.

Mr. Norman Lamont: No British military exercise was interrupted on Salisbury Plain on the day in question.

Mr. Strang asked the Secretary of State for Defence whether the British Government were consulted about the decision to bring out a cruise convoy from Greenham Common on Thursday 10 April.

Mr. Stanley: Arrangements for all off-base cruise missile exercises in this country are agreed by the relevant British and United States authorities.

Multi-launch Rocket System

Mr. Pike asked the Secretary of State for Defence if he will make a statement on the latest position on the multi-launch rocket system project.

Mr. Norman Lamont: I have nothing to add to the answer I gave to the hon. Member for Orkney and Shetland (Mr. Wallace) on 30 January 1986, at column 630.

Polaris

Mr. Andrew F. Bennett asked the Secretary of State for Defence if he remains satisfied with the reliability of the Polaris warhead.

Mr. Norman Lamont: Yes.

Partial Test Ban Treaty

Mr. Andrew F. Bennett asked the Secretary of State for Defence if Her Majesty's Government have any plans to withdraw from the partial test ban treaty.

Mr. Renton: I have been asked to reply.
No.

Small Businesses

Mr. Watts asked the Secretary of State for Defence what was the value of contracts placed by his Department with small businesses in each of the financial years since 1978-79; and what percentage of total expenditure on purchases of goods and services those amounts represented.

Mr. Norman Lamont [*pursuant to his reply*, 18 April 1986, c. *523*]: For the years 1983-84 and 1984-85 payments by my Department directly to small firms for purchases of goods and services, and the percentages of total expenditure which these purchases represent are as follows:

	1983-84 expenditure		1984-85 expenditure	
	£ million	Percentage	£ million	Percentage
Firms with up to 50 employees	307	4·8	315	4·4
Firms with up to 200 employees	787	12·2	827	11·5

This information was not collected before 1983-84 and the figures for 1985-86 are not yet available. These figures take no account of the significant amount of work awarded to small firms on a sub-contract basis.

Written Answers to Questions

Tuesday 22 April 1986

WALES

Agricultural Development and Advisory Service

Mr. Geraint Howells asked the Secretary of State for Wales how many of those employed by the Agricultural Development and Advisory Service in Wales are Welsh-speaking; and if he will make a statement.

Mr. Mark Robinson: The number employed by the Agricultural Development and Advisory Service in Wales who are Welsh-speaking is 121.

Mr. Geraint Howells asked the Secretary of State for Wales how many people are employed by the Agricultural Development and Advisory Service in Wales; what were the corresponding figures for the last 10 years; and if he will make a statement.

Mr. Mark Robinson: The number of people employed by the Agricultural Development Advisory Service in Wales on 1 April 1986 (the latest available date) is 347·5.

The information for 1 April in earlier years is as follows:

	Number
1977	433
1978	434½
1979	453½
1980	444½
1981	414½
1982	385½
1983	377½
1984	366
1985	352

AGRICULTURE, FISHERIES AND FOOD

Rabbit Population

Sir John Biggs-Davison asked the Minister of Agriculture, Fisheries and Food what information he has about the current size of the rabbit population and about the trend in its growth.

Mrs. Fenner: The latest estimate available suggests that the present rabbit population in England and Wales is about 20 million. Without a greater control effort by occupiers of land, increased resistance to myxomatosis is likely to lead to an upward trend in rabbit numbers.

Sir John Biggs-Davison asked the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the scope for promoting an increase in the human consumption of rabbits as an alternative to pest control methods for the restriction of the rabbit population.

Mrs. Fenner: I do not regard human consumption of wild rabbits as a sufficient means of population control, or as a true alternative to the control of the species as a pest. The surplus over any given consumption level is properly regarded as a pest population. Nor is my Department authorised to promote the consumption of one type of meat in preference to another.

Farm Rents

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing average farm rents in £ per hectare and as a percentage of 1975 in each of the years 1981 to 1985 and at the latest available date.

Mrs. Fenner [*pursuant to her reply*, 21 April 1986]: The average farm rents and percentage change over the 1975 level in England for the calendar years 1981 to 1985 are as follows:

	Average Rent (£ per hectare)	*Percentage change over 1975*
1975	20·26	—
1981	*58·36	+188
1982	*66·14	+226
1983	73·93	+265
1984	81·27	+301
1985†	87·26	+331

* (revised)
† = provisional

EDUCATION AND SCIENCE

Teachers (Salaries)

Sir Peter Hordern asked the Secretary of State for Education and Science if he will publish a table showing the cost of teachers' salaries each year since 1978, in England; what is the average increase per teacher each year since that date; and if he will express the expenditure on teachers' salaries as a proportion of total expenditure on primary and secondary education.

Sir Keith Joseph: The table contains the information. The figures are presented in cash and real terms and they refer to maintained nursery, primary and secondary schools in England.

	*Total cost of teachers' salaries**		*Year on year increase per cent. in cost per teacher*		*Teachers salaries as per cent. of total institutional expenditure*
	Cash terms £ million	*Real terms† £ million*	*Cash terms Per cent.*	*Real terms† Per cent.*	*Per cent.*
1978-79	2,588	4,607	—	—	69·3
1979-80	2,926	4,457	+12·9	−3·4	68·7
1980-81	3,700	4,746	+28·3	+8·0	70·2

	Total cost of teachers' salaries*		Year on year increase per cent. in cost per teacher		Teachers salaries as per cent. of total institutional expenditure
	Cash terms £ million	Real terms† £ million	Cash terms Per cent.	Real terms† Per cent.	
Per cent.					
1981-82	4,099	4,780	+14·2	+3·8	70·6
1982-83	4,330	4,719	+6·4	−0·6	70·1
1983-84	4,514	4,708	+5·4	+0·9	69·7
1984-85	4,692	4,692	+5·2	+0·8	69·9

* Total cost consists of teachers' salaries, including allowances, plus the employers' national insurance and superannuation contributions.
† The real terms are the cash terms for each year repriced to 1984-85 prices using the Gross Domestic Product (Market Prices) Deflator.

Lancashire County Council

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what Lancashire country council's education capital expenditure allocation was at outturn and at constant prices in each year from 1981-82 to 1986-87; and what was the original bid received by his Department for each year.

Mr. Dunn: The information is shown in the tables:

Education prescribed capital expenditure

£ thousand

	Cash		Constant* 1984-85 prices	
	Bid†	Allocation	Bid†	Allocation
1981-82	•	11,246	•	13,114
1982-83	•	8,308	•	9,053
1983-84	•	11,119	•	11,596
1984-85	13,646	11,055	13,646	11,055
1985-86	20,050	15,156	19,095	14,434
1986-87	21,653	12,538	19,734	11,427

Notes:
* Calculated using the GDP deflators.
† Cash bids were not required in the years marked •.

Voluntary aided and special agreement schools capital expenditure

	Cash		Constant prices‡	
	Bid	Allocation†	Bid	Allocation
1981-82*	*	*	*	*
1982-83	‖+	706	—	769
1983-84	¶712	928	742	968
1984-85	2,161	1,500	2,161	1,500
1985-86	2,533	2,244	2,412	2,137
1986-87	1,471	1,302	1,341	1,222

Notes:
* Allocations for 1981-82 were made on a different basis from those for later years and have therefore been excluded.
† The allocations shown are those announced just before the start of the financial year in question and do not include later revisions.
‡ Calculated using the GDP deflator: constant 1984-85 prices.
‖ A cash bid was not made by the Authority in 1982-83.
¶ Bid relates to new work only, but allocations include on-going projects.

Cheshire County Council

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what was Cheshire county council's education capital expenditure allocation at outturn and at constant prices in each year from 1981-82 to 1986-87; and what was the original bid received by his Department for each year.

Mr. Dunn: The information is shown in the tables:

Education prescribed capital expenditure

£ thousand

	Cash		Constant* 1984-85 prices	
	Bid†	Allocation†	Bid†	Allocation
1981-82	•	8,084	•	9,427
1982-83	•	6,185	•	6,740

	Cash		Constant* 1984-85 prices	
	Bid†	Allocation†	Bid†	Allocation
1983-84	•	8,232	•	8,585
1984-85	10,594	7,366	10,594	7,366
1985-86	9,518	5,005	9,065	4,767

Notes:
* Calculated using the GDP deflator
† Cash bids were not required in the years marked •.

Voluntary Aided and Special Agreement Schools Capital Expenditure

£ thousand

	Cash		Constant prices‡	
	Bid	Allocation†	Bid	Allocation
1981-82*	*	*	*	*
1982-83	1,059	1,035	1,154	1,128
1983-84	‖366	568	382	592
1984-85	958	652	958	652
1985-86	1,615	867	1,538	826
1986-87	2,192	836	1,998	762

Notes:
* Allocations for 1981-82 were made on a different basis from those for later years and have therefore been excluded.
† The allocations shown are those announced just before the start of the financial year in question and do not include later revisions.
‡ Calculated using the GDP deflator. Constant 1984-85 prices.
‖ Bid relates to new work only, but allocations include on-going projects.

Nursery Education

Mr. Pike asked the Secretary of State for Education and Science how many nursery schools or nursery classes were opened in 1985 and how many were closed.

Mr. Dunn: This information is not collected centrally.

School Curriculum

Mr. Key asked the Secretary of State for Education and Science what are his conclusions following his consultations on the place of economic awareness within the school curriculum.

Sir Keith Joseph: I continue to hold strongly to the view, expressed in paragraph 71 of the White Paper "Better Schools", that some awareness by school pupils of economic matters is a prerequisite for citizenship and employment. I am encouraged, therefore, that the consultations indicate much support for my view that all pupils should be equipped with some economic awareness and understanding by the time they reach the age of 16. Accordingly I have today invited the School Curriculum Development Committee, in what I regard as a fitting initiative for Industry Year, to consider what additional development work it might encourage and support in this area of the curriculum; copies of the Department's letter have been placed in the Library.

EMPLOYMENT

Tourism (Royal Wedding)

6. **Mr. Dicks** asked the Paymaster General whether he has made any estimate of the possible increase in tourists visiting the United Kingdom as a result of the royal wedding taking place on 23 July.

Mr. Trippier: The royal wedding will undoubtedly have a beneficial effect on the number of visitors to the United Kingdom, not only for this summer, but in the longer term. I expect it to show to best advantage many of the aspects of Britain which attract visitors. The pageantry, ceremonial, and tradition, combined with a youthful image and vitality. It is not, however, possible to estimate these benefits in terms of visitor numbers or revenue.

Job Creation

10. **Mr. David Marshall** asked the Paymaster General what is his latest estimate of the number of jobs which will be created indirectly as a result of the job creation measures announced by the Chancellor of the Exchequer in his Budget statement.

72. **Mr. Jim Callaghan** asked the Paymaster General how many new full-time jobs he expects will flow from the recent employment measures announced by the Chancellor of the Exchequer.

85. **Mr. Haynes** asked the Paymaster General how many new full-time jobs he expects to flow from the recent employment measures announced by the Chancellor of the Exchequer.

Mr. Kenneth Clarke: The precise effect of our wide-ranging measures to encourage enterprise and employment and to provide help to long-term unemployed people will depend on how employers, entrepreneurs and others respond to them.

Pre-strike Ballots

16. **Dr. Twinn** asked the Paymaster General what information he has as to the number of pre-strike ballots that have taken place since the implementation of the Trade Union Act 1984.

Mr. Kenneth Clarke: We are aware of about 170 pre-strike ballots which we believe have complied with the provisions of the Trade Union Act 1984, but there will have beeen other ballots which we do not know about.

Labour Statistics

17. **Mr. Foulkes** asked the Paymaster General what proportion of the total unemployed in the United Kingdom have been unemployed for over six months; and how this figure compares with the equivalent statistics in May 1979.

Mr. Lang: On 9 January 1986, the latest date for which figures are available, the proportion of claimants who have been unemployed for over six months in the United Kingdom was 57 per cent. It is difficult to make a comparison with April 1979 (no figures are available for May) because of changes in the way figures are collected. However, the proportion of registrants who had been unemployed for over six months was 47 per cent.

23. **Mr. Teddy Taylor** asked the Paymaster General what has been the increase in unemployment over the most recent 12-month period for which figures are available; and if he will make a statement.

Mr. Lang: Between March 1985 and March 1986, seasonally adjusted unemployment, excluding school leavers and adjusted for discontinuities, increased by 102,900 in the United Kingdom.

51. **Mr. Flannery** asked the Paymaster General what is the latest figure of the unemployed in the United Kingdom.

61. **Mr. Parry** asked the Paymaster General if he will make a statement on the latest unemployment figures.

79. **Sir John Farr** asked the Paymaster General what is the total number of unemployed persons at the latest available date.

Mr. Lang: On 6 March 1986, the number of unemployed claimants in the United Kingdom was 3,323,776.

60. **Mr. James Hamilton** asked the Paymaster General what is the present rate of unemployment; and how this compares with the figure in March 1979.

Mr. Lang: On 6 March 1986, the seasonally adjusted unemployment rate, excluding school leavers, was 13·2 per cent. in the United Kingdom. The corresponding unemployment rate for March 1979 was 4·9 per cent.

62. **Mr. Sean Hughes** asked the Paymaster General what is his latest estimate of the total effect on the unemployment figures of the job creation measures announced in the Budget statement in their first year of operation.

Mr. Lang: I do not have any such estimates. For the reasons referred to in my right hon. and learned Friend's reply earlier today to the hon. Member for Glasgow, Shettleston (Mr. Marshall).

68. **Mr. Wareing** asked the Paymaster General how many unemployed claimants there are in the Liverpool, West Derby, constituency; and how this compares with the figure for May 1979.

Mr. Lang: On 6 March 1986, the number of unemployed claimants in the Liverpool, West Derby constituency was 9,708. Statistics of unemployment for Parliamentary constituencies are derived from the new ward-based system and are available only from June 1983.

83. **Mr. Fisher** asked the Paymaster General how many people aged 25 years and under are presently unemployed in the United Kingdom; and what this represents as a percentage of total unemployment.

Mr. Lang: On 9 January 1986, the latest date for which an analysis of unemployment by age is available, the number of unemployed claimants in the United Kingdom under 25 years of age was 1,246,892, 36·6 per cent. of the total.

Mr. Pike asked the Paymaster General how many persons *(a)* male and *(b)* female were placed in employment by Burnley and Padiham jobcentres for the last month for which figures are available.

Mr. Lang: Analysis of jobcentre placings by sex is available quarterly. Following is the available information for the period 7 October 1985 to 3 January 1986. These figures exclude placings on Government schemes.

	Male	*Female*
Burnley	635	726
Padiham	115	218

Retirement Ages

18. **Mr. Allen McKay** asked the Paymaster General if he has any plans to amend the Sex Discrimination Act in such a way as to equalise the retirement ages of men and women; and if he will make a statement.

Mr. Lang: The Government issued a consultative document on 1 April, which was placed in the Library of the House, setting out proposals for amending our legislation in the light of the recent European Court judgment concerning sex discrimination and retirement, and inviting comments by 30 April. The proposed amendments will make it unlawful for a woman to be dismissed on the grounds of age when a man of the same age and in comparable circumstances would not. We believe that this represents a desirable extension of equal opportunity in employment.

Inner Cities Initiative

19. **Mr. Soames** asked the Paymaster General what progress has been made with the inner cities initiative.

Mr. Kenneth Clarke: Since the initiative was announced on 6 February, we have set up the eight inner-city task forces and the central unit in my Department and started work. We are still establishing contact with the local communities, evaluating proposals being put to us and drawing up plans for action in each of the districts concerned.

39. **Mr. Haselhurst** asked the Paymaster General what plans he has to encourage links between industry and charitable organisations as part of his inner cities initiative.

Mr. Kenneth Clarke: The task force we have set up to implement the initiative will aim to involve all sections of the communities it covers in its work. This will certainly include local industry and charities and I hope that direct links between them will be fostered by our work.

Shipbuilding Communities

20. **Mr. Nicholas Brown** asked the Paymaster General what statistics he has relating to unemployment in shipbuilding communities in the United Kingdom.

Mr. Lang: An analysis of the claimant count by industry or occupation is not available. The labour force survey provides a national estimate of those unemployed who had previously worked in shipbuilding, but data for local communities are not produced. Monthly figures are available for the total claimant count in individual wards. These are deposited in the Library.

Printing Industry

21. **Mr. Nellist** asked the Paymaster General how many people are presently employed in the printing industry; and how this compares with the figures for 1975 and 1980, respectively.

Mr. Lang: In December 1985 there were 353,000 employees in employment in the printing and publishing industry in Great Britain.

The corresponding figures for June 1975 and December 1980 were 341,000 and 355,000 respectively.

Enterprise Allowance Scheme

22. **Mr. Baldry** asked the Paymaster General what are the most recent figures for the success rate of the enterprise allowance scheme.

Mr. Trippier: Since its introduction in August 1983, the enterprise allowance scheme has helped almost 134,000 unemployed people to start their own businesses. The latest statistics show that 89 per cent. of those who enter the scheme are still in business at the end of the year in which they receive support. Recent survey evidence has also revealed that 61 per cent. of recipients who received the allowance for a full year were still in business two years after the allowance stopped, and that for every 100 continuing businesses, 99 additional new jobs had been created.

34. **Mr. Stanbrook** asked the Paymaster General how many franchises have received support under the enterprise allowance scheme; and if he will make a statement.

Mr. Trippier: No statistics are kept of the number of franchise businesses supported under the enterprise allowance scheme.

The purpose of the allowance is to encourage unemployed people to set up new and independent businesses. Although franchise businesses are not automatically excluded from the scheme, many franchise agreements restrict the franchisee's freedom of action in important aspects such as source of supplies, prices and market area and they cannot therefore be regarded as independent businesses for the purpose of the scheme.

41. **Mr. Waller** asked the Paymaster General if he will take steps to improve business skills training for those joining the enterprise allowance scheme.

Mr. Trippier: People on the enterprise allowance scheme can take advantage of both public and private sector training, including the provision made available through the Manpower Services Commission's training for enterprise programme. In addition, the Commission has introduced a revised system of induction and follow-up of enterprise allowance participants. This new system will include a one-day self-employment awareness session to replace the present two-hour information session attended by all applicants to the scheme. One of the main purposes of the revised system is to highlight the importance of enterprise training and its benefits to the participants' businesses, as well as providing an introduction to basic business concepts. Follow-up monitoring by the MSC will be enhanced to reinforce the emphasis on training and business counselling for participants.

Mr. Freeman asked the Paymaster General if he has come to a decision as to how the increased number of places available under the enterprise allowance scheme will be distributed around the United Kingdom.

Mr. Trippier: The enterprise allowance scheme applies to Great Britain. There is a similar but separate scheme running in Northern Ireland.

From April 1986, the enterprise allowance scheme has been expanded to 80,000 entrants and places have been distributed by the Manpower Services Commission in accordance with demand, following consultation with MSC regional and area management. From September 1986, the scheme will be increased to an annual rate of 90,000 entrants and again in April 1987 to 100,000. The precise allocations of places will be determined by the MSC after consultation with their regional management.

Enterprise Agencies

24. **Mr. Kenneth Carlisle** asked the Paymaster General whether he will quantify the effect of enterprise agencies in the creation of employment.

Mr. Trippier: Local enterprise agencies are clearly making a significant contribution to job creation at the local level. The annual reports of individual agencies frequently give details of jobs that the agencies have helped to create or save, but no reliable national figures are yet available. My Department is supporting a survey, currently being undertaken by Business in the Community, which looks at both the support provided to agencies and the work they undertake; this should enable a better overall picture of the impact of agencies to be established.

Industrial Disputes

25. **Mr. Andrew MacKay** asked the Paymaster General what information he has as to how many industrial disputes there were over the last 12 months for which figures are available.

Mr. Kenneth Clarke: A provisional total of 840 stoppages of work due to industrial disputes have been recorded as being in progress in the 12 months to 28 February 1986.

58. **Mr. McKelvey** asked the Paymaster General what information he has as to how many industrial disputes involving strike action there have been in the public and private sectors, respectively, in the past 12 months.

Mr. Lang: A provisional total of 421 stoppages of work due to industrial disputes in the public sector, and 419 in the private sector, were recorded as being in progres in the 12 months to 28 February 1986.

Disabled Persons (Basildon)

26. **Mr. Amess** asked the Paymaster General how many disabled people are currently registered as unemployed in Basildon; and what encouragement his Department is giving to find them jobs.

Mr. Lang: On 4 April 1986, there were 269 unemployed disabled persons registered at Basildon jobcentre. Disabled jobseekers are encouraged to make full use of the services available to all jobseekers at jobcentres. In addition, a wide range of special help—including guidance from a specialist disablement resettlement officer — is available to assist with the particular problems which disabled people may face in getting and keeping employment.

Disabled people will, from July 1986, also be helped under the restart programme through which all those who have been unemployed for a year or more will be invited to an interview at a jobcentre and offered positive help towards finding work.

Disablement advisory service teams provide employers with advice and guidance on progressive employment policies and practices in the recruitment, retention, training and promotion of disabled people, and remind them of their obligations under the quota scheme which places a duty on those with 20 or more workers to employ a 3 per cent. quota of registered disabled people.

A new leaflet, "Action for Jobs", which contains details of the help available through my Department to unemployed people, including those who are disabled, is freely available through jobcentres, unemployment benefit offices and main post offices.

Industrial Relations

27. **Mr. Dixon** asked the Paymaster General when he next intends to meet representatives of the Trades Union Congress to discuss the operation of industrial relations legislation.

Mr. Kenneth Clarke: I have no plans at present to meet the Trades Union Congress to discuss industrial relations matters.

65. **Mr. Evans** asked the Paymaster General what further initiatives he is considering for legislation in the field of industrial relations; and if he will make a statement.

Mr. Kenneth Clarke: We have no plans at present for further legislation, but we are keeping the situation under review. A major factor in deciding whether anything further needs to be done will be the behaviour of unions themselves.

Community Programme

28. **Mr. Sheerman** asked the Paymaster General how many extra community programme places would be needed to ensure that a place was available for every eligible unemployed person.

46. **Mr. Lofthouse** asked the Paymaster General what is the ratio of eligible unemployed to available places for the extra 25,000 community programme places announced in the Budget.

Mr. Lang: The community programme is just one of a range of options available to long-term unemployed people. We are expanding the programme to 255,000 places by November which in a full year will provide opportunities for up to 330,000 participants. There are about 1·5 million unemployed people in the eligible group.

31. **Mrs. Clwyd** asked the Paymaster General if he will make a statement on the future of the training element of the community programme.

Mr. Lang: The aim of the community programme is to provide temporary employment. But training can be provided for workers both by agents and sponsors as part of their projects. And as part of the wider opportunities training programme. We shall continue to encourage sponsors to provide training on their projects and aim to provide broadly the same amount of training nationally under the wider opportunities training programme in 1986-87 as in the previous year.

49. **Mr. Colin Shepherd** asked the Paymaster General how many community programme places are currently unfilled.

Mr. Lang: On 7 February 1986, the latest available date, the number of unfilled community programme vacancies nationally was 24,258.

The total number of community programme vacancies notified to jobcentres from April 1985 to February 1986 was 224,300. During the same period, 195,700 community programme vacancies were filled by jobcentres.

Youth Training Scheme

29. **Mr. Faulds** asked the Paymaster General if he will make a statement on the premium place arrangements for the two-year YTS.

Mr. Trippier: Under two-year YTS, premium funding of £110 per month for each filled place will be paid in addition to the basic funding of £160 per filled place where appropriate. During 1986-87, around 51,000 first and one-year places and 13,000 continuation places, for those starting a second-year programme, will be payable. The Government are confident that this and the other measures contained in the new YTS will ensure that there is an adequate supply of high quality training places to provide for all eligible trainees.

53. **Mr. O'Brien** asked the Paymaster General what recent representations he has received on the future of mode B YTS provision.

Mr. Trippier: Most mode B providers will have contracts for premium places, or premium mixed with basic places, in two-year YTS; some will have additional funding for the disabled.

There have already been wide consultations over transitional funding, and the Manpower Services Commission has recently announced a further review of transitional funding to be undertaken by a sub-group of the Youth Training Board this autumn. The review will offer an opportunity for public representations.

80. **Mr. Rogers** asked the Paymaster General if he will estimate how many young people have left YTS since it began without going into a job or full-time education.

Mr. Trippier: This information is not available in the form requested. Since 1984 the Manpower Services Commission has conducted regular follow-up surveys of young people some three months after they leave YTS.

The table gives comparable information for 1984 and 1985:

	Leavers between 1 April to 31 October 1984 per cent.	*Leavers between 1 April to 31 October 1985 per cent.*
In a job or full-time education	62	62
On another YTS Scheme	5	6
Doing something else	2	7
Unemployed	31	26

All figures are rounded.

84. **Mr. Janner** asked the Paymaster General what steps are taken to seek to ensure that young people on YTS schemes receive proper training for jobs.

Mr. Trippier: Potential managing agents are required to set out in detail their proposals for training including the job skills that young people will receive. The formal contract with the managing agent refers to the agreements reached on these proposals. Thereafter, there are arrangements to monitor the acquisiton of skills and the quality of training provided. To strengthen these monitoring arrangements, the Government are introducing a new training standards advisory service, and is requiring all providers of training to apply to become approved training organisations. Only organisations who gain such status will be able to take part in YTS.

Employment Protection

30. **Sir John Biggs-Davison** asked the Paymaster General what he is planning to do to simplify the forms and leaflets produced by his Department particularly those concerning employment protection.

Mr. Kenneth Clarke: My Department is publishing a simple guide to employment legislation this afternoon, for use by advisers to small businesses. We are considering what can be done to simplify our publications.

Business Conferences

32. **Mr. Robert B. Jones** asked the Paymaster General if he will estimate the relative position of the United Kingdom in the western European business conference market; and what steps he will take to improve our current standing.

Mr. Trippier: Detailed information on the business conference market in western Europe is not available. However, the Brussels-based Union of International Associations produces annual figures on international association conferences held throughout the world which indicate that in 1985 the United Kingdom hosted more events than any other western European country. More generally, the British Tourist Authority advises that, alongside France, the United Kingdom has ranked as the premier destination for business and conference tourism in western Europe over recent years.

In order to maintain our current position, many conference and exhibition facility developments and improvements are taking place, with five major centres due for completion this year. The BTA recognises the importance of the business and conference sector both in terms of higher spending yield and as a means of achieving its objective of encouraging off-peak traffic. It will be allocating additional resources to the sector in 1986-87.

Venture Capital

33. **Mr. Fallon** asked the Paymaster General whether he will take steps to seek to increase the activity of venture capital companies outside the south-east of England.

Mr. Trippier: There is a wide range of investment opportunities throughout the United Kingdom. Some venture capital companies are represented outside the south-east and investors in industry have offices throughout the country. In recent years there have been valuable initiatives to provide venture capital to small companies on a regional basis, including the establishment of local business expansion scheme funds. Figures published in the recent report by Peat Marwick Mitchell showed that the regional distribution of investment under the business expansion scheme was broadly in line with economic activity as shown by VAT registrations. I am, however, keen to encourage the further development of venture capital facilities in all areas.

Small Businesses

35. **Mr. Rowe** asked the Paymaster General what steps he will take to improve the marketing skills of the small business sector.

Mr. Trippier: At present, advice on marketing is available to the small business sector as part of the general business advice offered by the Department's small firms service. In addition the Department of Trade and Industry provides help with marketing and market research to small businesses in areas affected by closure in the steel, shipbuilding, textile and fisheries industries through its business improvement services package, whilst the British Overseas Trade Board provides a range of assistance which can help the small exporter with marketing overseas.

The Department of Trade and Industry announced on 11 April a "Support for Marketing" scheme which will start in the autumn. Under the scheme, the cost of the first two days' consultancy will be met, as well as 75 per cent. of the cost of up to 13 days' further consultancy. I welcome this initiative, as I believe it is important to improve the marketing skills of the small business sector.

37. **Mr. Beaumont-Dark** asked the Paymaster General if he will take steps to ensure that very small businesses obtain access to funding through the business expansion scheme.

Mr. Trippier: The business expansion scheme is an important initiative to promote the flow of equity finance to unquoted companies. Inland Revenue statistics show that more than half the companies raising money under the terms of the scheme in 1983-84 obtained investments of £50,000 or less and about half of the companies employed fewer than 10 people. Some local enterprise agencies have established local funds and other measures to bring together potential investors and small companies and I hope that others will also do this. In September 1985, my Department also published a new leaflet designed to increase awareness of the benefits the business expansion scheme can offer to both potential investors and small companies.

40. **Mr. Lord** asked the Paymaster General what recent representations he has received on the situation confronting small businesses faced with large customers delaying the payment of invoices for up to five months.

Mr. Trippier: We continue to receive representations on this issue from small firms and small firms organisations. These representations confirm the adverse effects of delays in payment on the financial position of small businesses particularly.

We shall publish guidance shortly on good practice in the payment of bills.

44. **Mr. Sackville** asked the Paymaster General, what plans he has to provide help for small firms with presentation of business plans for consideration by banks.

Mr. Trippier: Advice on the preparation of detailed business plans is available from a number of sources. Professional advisers can help the small business man with the presentation of a case to financial institutions, and bank managers can advise on the information they require when considering applications for loan finance for small firms. Local enterprise agencies and small firms centres can also assist the preparation of business plans and explain the importance of planning, budgeting and control as aspects of the management of successful small firms. These services will continue to be available.

Business Counsellors (Small Firms Service)

36. **Mr. Cyril D. Townsend** asked the Paymaster General if he will give the number of business counsellors working with the small firms service for each year since 1979.

Mr. Trippier: During the course of a year, the numbers fluctuate slightly. However, on 31 March of each year, the number of counsellors in England under contract to the Secretary of State was:

	Numbers
1979	110
1980	124
1981	127
1982	148
1983	173
1984	262
1985	250
1986	300

In Scotland and Wales, business counselling is provided by the Scottish and Welsh Development Agencies.

Loan Guarantee Scheme

38. **Mr. Leigh** asked the Paymaster General what proportion of companies applying under the small firms loan guarantee scheme for support are successful.

Mr. Trippier: Since the inception of the loan guarantee scheme in 1981, 68 applications, 0·4 per cent. of the total have been rejected by my Department on technical grounds. The Department does not assess the commercial viability of proposals, which is a matter for participating lenders. The Department has no record of loan applications declined by participating lenders which do not result in an application for a guarantee.

42. **Mr. Chope** asked the Paymaster General if he will take steps actively to promote the new small firms loan guarantee scheme.

Mr. Trippier: Many small business men will no doubt become aware from the banks of the more attractive terms now applying to the loan guarantee scheme. Information on the scheme forms part of a recently launched "Action for Jobs" promotion. I am considering what further promotion of the scheme is required.

86. **Mr. Franks** asked the Paymaster General how many firms have so far received assistance under the loan guarantee scheme.

Mr. Trippier: At 31 March 1986, a total of 16,642 guaranteed loans had been issued under the scheme to approximately 16,000 firms. Firms are permitted to receive more than one guaranteed loan, up to a maximum of £75,000.

Work Permits

43. **Mr. Nicholas Baker** asked the Paymaster General if he has any plans to alter the requirements upon companies obtaining work permits for the employment of foreign nationals; and if he will make a statement.

Mr. Lang: I am satisfied that the present requirements adequately protect job opportunities for resident labour and ensure that overseas nationals are admitted for employment only when their presence here is essential.

Business Starts

45. **Mr. Ashby** asked the Paymaster General what is the latest figure for firms setting up in business in the United Kingdom.

Mr. Trippier: Using the number of new registrations for VAT, it is estimated that there were 177,000 new business starts in the United Kingdom in 1984. Over the period 1980-84, there were some 830,000 new business starts in the United Kingdom. Full details were published in an article in *British Business* on 23 August 1985, a copy of which has been placed in the Library.

City Action

Mr. Peter Bruinvels asked the Paymaster General what evidence he has that his Department's city action teams and inner-city initiatives are improving the lot of small businesses.

Mr. Kenneth Clarke: The city action teams have been active in promoting enterprise and business initiatives in their areas and there are several encouraging signs of progress. The inner cities initiative has only been operating for just over a month and it is too early for results. But the encouragement of small business will be high on their agenda.

Tourist Information Centres.

48. **Mr. Burt** asked the Paymaster General what he is doing to increase the number of tourist information centres.

Mr. Trippier: As a result of the increase in its grant-in-aid, the English Tourist Board has been able to allocate additional resources in 1986-87 to the improvement and extension of tourist information centre facilities, including at points of entry.

New Technologies

50. **Mr. Fatchett** asked the Paymaster General to what extent new job creation measures announced recently by his Department will involve training in new technologies.

Mr. Trippier: It is not possible to assess the extent to which the measures to encourage enterprise and employment announced in the Budget will lead to jobs involving training in new technologies.

66. **Mr. Weetch** asked the Paymaster General when he next intends meeting representatives of the Confederation of British Industry to discuss employment prospects in the new technologies.

Mr. Kenneth Clarke: Ministers in this Department meet CBI representatives frequently to discuss matters of mutual interest. We have no plans at present to convene a meeting specifically on this subject.

English Tourist Board

52. **Mr. Forth** asked the Paymaster General what steps he will take to improve the value for money obtained from grant-in-aid to the English tourist board.

Mr. Trippier: I have already asked the board to make proposals in the course of this year for the introduction of performance measures and value for money criteria, in line with the principles of the financial management initiative. Ways of improving value for money will also be among the aspects covered by a financial management survey shortly to be undertaken jointly by my Department, the ETB and the British Tourist Authority, under the general arrangements for periodic reviews of the activities and performance of non-departmental public bodies.

Benefit Offices (Computers)

54. **Mr. Wainwright** asked the Paymaster General what proportion of unemployment benefit offices are now fully equipped with individual staff video screens and up-to-date computers; and by what date he expects all offices to be so equipped.

Mr. Lang: As at 11 April 1986, the new equipment is installed in 252 unemployment benefit offices; 159 of these offices are still undergoing training; 93 (representing 11 per cent. of the total) are providing the full service to the public. About 10 additional offices come into the programme each week. All offices should be fully equipped by the end of September 1987, and fully operational by December 1987.

Trade Union Act 1984

55. **Mr. Ottaway** asked the Paymaster General what information he has as to how many unions have now amended their constitutions in order to comply with the terms of the Trade Union Act 1984.

Mr. Kenneth Clarke: Most of the requirements of the 1984 Trade Union Act apply whether or not union constitutions have been amended to take them into account. Most rule books are silent on the question of ballots before strikes and neither prevent nor require them. Press reports indicate, however, that at least 38 unions have conducted ballots believed to comply with the Act.

In practice, constitutional changes are most likely to be adopted to give effect to the new requirements for the election of members of their executives. Twenty-one unions are reportedly to make permanent changes and a further four to comply by issuing temporary regulations. For some unions no change of policy is required.

Trade unions wishing to retain political funds must conduct review ballots under rules expressly approved for that purpose by the Certification Officer. Thirty-eight trade unions have now had such rules approved.

Rest Homes

56. **Mr. Patrick McNair-Wilson** asked the Paymaster General whether he has made any estimate of the number of hotel and guest house bed spaces which will be lost to rest home accommodation as a result of the proposed changes in the use classes order.

Mr. Trippier: These effects have not been estimated, but my right hon. Friend. The Secretary of State for the Environment has received comments on this aspect of the use classes order from representatives of the hotel and guest house industry. I know that my right hon. Friend, the Secretary of State for the Environment, will be taking careful account of these and other representations when considering his response to the Property Advisory group's proposals.

Restart Scheme

57. **Mr. Stern** asked the Paymaster General what national and local publicity campaigns are planned for the restart scheme, other than publicity through jobcentres.

Mr. Lang: The Manpower Services Commission is currently developing plans for national and local publicity about the restart scheme This will be carried forward in a variety of ways, including newspaper and media coverage.

Trade Union Ballots

59. **Mr. William Powell** asked the Paymaster General how many unions have received funds for trade union ballots.

Mr. Kenneth Clarke: I am informed by the Certification Officer that 29 trade unions have received public money towards the costs of ballots under the provisions of section 1 of the Employment Act 1980.

Long-Term Unemployed (MSC Places)

63. **Mr. Galley** asked the Paymaster General if he has any plans to guarantee places for the long-term unemployed on a Manpower Services Commission scheme after a specified period of unemployment.

Mr. Lang: Our response to the recent report of the Employment Committee has made it clear why we regard its proposal to provide a guarantee for the long-term unemployed as neither practicable nor cost-effective compared with our own approach to the problem of long-term unemployment. In July this year, we are launching the nationwide restart programme under which every person who has been unemployed for 12 months or more will be invited to come for an interview at a jobcentre, which will provide him or her with individual help and advice, leading in as many cases as possible to submission

to a job. A place on the community programme, a training course, entry to the enterprise allowance scheme or membership of a job club.

County Hall (Tourist Centre)

64. **Mr. Whitfield** asked the Paymaster General if he has given consideration to the Greater London council building, county hall, being used as the national tourist centre.

Mr. Trippier: The British Tourist Authority, in partnership with British Rail and other private sector interests, are opening a new British travel centre in Lower Regent street on 1 May. This centre is intended to play a key role in encouraging overseas visitors to travel to all parts of the country. It will enable them to obtain information and purchase all the services they require under one roof. In view of this development, I have not given consideration to the use of county hall for this purpose.

I can assure my hon. Friend that a number of potential purchasers have already expressed an interest in county hall, with a variety of uses in mind. The London Residuary Body is now working at all the options open, with a view to securing the best deal for London's ratepayers.

United Kingdom Advertising Expenditure

67. **Mr. Patrick Thompson** asked the Paymaster General what has been the level, at constant prices, of United Kingdom advertising expenditure around the world intended to increase incoming visitors each year since 1979.

Mr. Trippier: Advertising aimed at increasing tourism to the United Kingdom is carried out by a wide variety of organisations including the tourist boards, trade associations, local authorities, carriers and individual providers of tourist services. Information relating to the expenditure on such advertising is not available.

Pay Settlements

69. **Mr. Cunliffe** asked the Paymaster General what was the average pay settlement in 1985 for workers earning over £200 a week.

70. **Mr. Clelland** asked the Paymaster General what was the average pay settlement in 1985 for workers earning less than £100 a week.

Mr. Lang: Comprehensive information relating to average pay settlements for all workers at particular levels of earnings is not available. Details on changes in minimum pay rates determined by particular national collective agreements and wages orders affecting manual workers are published in the Department of Employment loose-leaf volume, "Time Rates of Wages and Hours of Work", a copy of which is available in the Library. Details on changes in average earnings between April 1984 and April 1985 for selected occupational and collective bargaining groups are given in part A of the report, "New Earnings Survey 1985", a copy of which is also in the Library.

Health and Safety Executive

71. **Mr. Eastham** asked the Paymaster General how many inspectors are presently employed by the Health and Safety Executive; and how many of these are on site inspectors in area offices.

Mr. Trippier: On 1 April 1986, the Health and Safety Executive employed 1,231 inspectors; 850 of these are engaged in inspection activity in the field. There were also 99 inspectors in the nuclear installations inspectorate based at HSE's London and Bootle headquarters, many of whom visit field sites regularly.

74. **Mr. Pike** asked the Paymaster General how many inspectors are presently employed by the Health and Safety Executive; and how this figure compares with that for April 1980.

Mr. Trippier: On 1 April 1986 the Health and Safety Executive employed 1,231 inspectors. On 1 April 1980 it employed 1,444.

77. **Mr. Andrew F. Bennett** asked the Paymaster General how many staff are presently employed by the Health and Safety Executive; and how this compares with the figure for April 1980.

Mr. Trippier: On 1 April 1986, the Health and Safety Executive employed 3,585 permanent staff. On 1 April 1980, it employed 4,110.

Deregulation

73. **Mr. Park** asked the Paymaster General if he will estimate how many jobs have been created as a result of Government policies of deregulation.

Mr. Trippier: The White Paper "Lifting the Burden" (Cmnd. 9571) indicated that it is not possible to prove a direct causal relationship between deregulation and job creation, and no reliable estimate can therefore be given of the effect on jobs of progress to date. The available evidence suggests, however, that there is a link between deregulation and jobs through stimulating economic activity.

We will be publishing a second White Paper within the next few months, with further proposals for removing outdated and unnecessary regulations. The White Paper will also show what steps have been taken to ensure that, in framing new regulations, account is taken of their implications for business and for employment.

Travel-to-work Areas

75. **Mr. Beith** asked the Paymaster General whether he has commissioned any recent studies of the basis for determining travel-to-work areas.

Mr. Lang: The travel-to-work areas, and the methods used to determine them, were reviewed in 1984. The Department has not commissioned any more recent studies of the basis for determining travel-to-work areas. The areas are next scheduled for review in the early 1990s, when the results of the 1991 census of population become available.

Tourism (Dispersal of Visitors)

76. **Mr. Bevan** asked the Paymaster General which areas of the United Kingdom he has particularly in mind when seeking, as part of tourism policy, to encourage the dispersal of foreign visitors away from London.

Mr. Trippier: I have asked the British Tourist Authority and the English tourist board to pay particular attention to areas of the country which could attract more tourists and where unemployment is high.

The BTA will be receiving almost £3·5 million of additional funding in 1986-87 and will be devoting the majority of this to campaigns concentrating on regions with above-average unemployment. Around 20 per cent. will go to Scotland, and 15 per cent. to Wales. In England, the North of England and the west country will each receive about 20 per cent., and the heart of England 15 per cent. The remaining 10 per cent. will go to more specific problem areas such as the Isle of Wight and Thanet.

With its additional funding (£1·5 million for grant in aid activities and £1·5 million for the section 4 scheme) the ETB will be devoting additional resources to their tourism development action programmes which are planned for Bradford, Tyneside, Kielder, Birmingham and Exmoor. A major North of England promotion is to be mounted and other areas to receive special attention will include Cumbria, Merseyside and Stoke, which is of course building up to next month's opening of the 1986 National Garden Festival. The resorts will also benefit, in particular Bridlington and Torbay, the joint winners of the board's "Resorts 2000" competition.

Incomes

78. **Mr. Ron Davies** asked the Paymaster General what proportion of the populatiom eligible for employment presently have an income below £100 a week.

Mr. Lang: Precise recent information is not available. However, according to the Family Expenditure Survey for 1984, excluding those aged under 16, the retired and those not seeking employment, about 46 per cent. of the persons surveyed had a gross weekly income of less than £100.

Gross income in this context did not include housing benefits or rate rebates. Also, the percentage covers persons seeking or in part-time employment.

Conference Market

81. **Mr. Gregory** asked the Paymaster General what has been the estimated value of the conference market in England for each year since 1980.

Mr. Trippier: The English Tourist Board has made broad estimates of the overall value of conference business in the United Kingdom as a whole for each year since 1981. The board's figures are as follows:

	£ million
1981	500
1982	600
1983	650
1984	740

Estimates for 1985 are still in preparation. There are no separate figures available for the value of conference business in England.

London Visitor and Convention Bureau

82. **Mr. Porter** asked the Paymaster General whether he proposes to provide financial support to the London visitor and convention bureau, following the abolition of the Greater London Council.

Mr. Trippier: The Government already provide financial support to the London visitor and convention bureau through the English tourist board, and this support will continue.

Wages (Payment)

87. **Ms. Clare Short** asked the Paymaster General what information he has as to the proportion of workers who were paid in cash in 1976 and at the latest available date.

Mr. Trippier: Fifty-nine per cent. of workers were paid in cash in 1976 compared with 39 per cent. in 1984, which is the latest date for which figures are available.

Factory Inspectors

Mr. Skinner asked the Paymaster General how many factory inspectors were employed by the Health and Safety Executive in 1979; and what is the number at the latest available date.

Mr. Trippier: On 1 April 1979, there were 951 factory and specialist inspectors employed by the Health and Safety Executive. On 1 April 1986, there were 825.

Mr. Skinner asked the Paymaster General whether he will now increase the number of factory inspectors employed by the Health and Safety Executive by 50 per cent. from the 1975 level; and if he will make a statement.

Mr. Trippier: Decisions on the number of inspectors employed by the Health and Safety Executive are a matter for the executive, subject to the limits set by the Government on its total salary expenditure and manpower.

Machinery Accidents

Mr. Skinner asked the Paymaster General what was the number of injuries from power presses per year from 1956 until the introduction of the Power Presses Regulations 1965; and how many injuries occurred in 1979 and 1983.

Mr. Trippier: Information is not available in the form requested and could only be obtained at disproportionate cost.

The available information is listed below for power presses as defined in the Power Presses Regulations 1965, which include mechanical presses with a flywheel and clutch and and mechanical press brakes:

Year	*Number of accidents reported*
1956	235
1962	299
1963	350
1964	498
1965	441
1979	48
1983	27

Skilled Manpower

Mr. Thurnham asked the Paymaster General what representations he has received about shortages of skilled manpower in *(a)* manufacturing industry and *(b)* the chemical industry in particular; what action he is taking; and if he will make a statement.

Mr. Trippier: I have not received any direct representations about the shortages of skilled manpower in the manufacturing and chemical industries.

Current information on skill shortages indicates that overall, there is no shortfall of skilled workers although there are shortages of workers with particular skills, especially those associated with the application of new technology. In the chemical industry in particular a recent survey conducted by the Confederation of British Industry and the Manpower Services Commission reported that only 2 per cent. of respondents expected that skill shortages would limit output over the next four months.

However, the Government are very concerned that, in the long-term, shortages of skills do not become a barrier to increased output and to individuals' work opportunities, so that positive action is being taken to help alleviate them. A number of the Manpower Services Commission's adult training schemes are designed to address immediate skill needs by focusing directly on the needs of local employers, as well as action to increase the supply of skills in the longer term through two-year YTS, the non-advanced further education initiative and other adult training policies. Nevertheless, the Government remain convinced that training to meet skill needs is primarily the responsibility of industry itself and consistently urge employers to see that training is an investment rather than an overhead.

Small Firms (Payment of Bills)

Mr. Heddle asked the Paymaster General when he intends to publish practical guidance notes on the late payment of bills to small firms.

Mr. Trippier: A guidance booklet on payment of bills will be published on 20 May. It will give practical advice to purchasers and suppliers designed to ensure that bills are paid on time.

ENERGY

Sellafield (Incident)

Mr. Cook asked the Secretary of State for Energy which of the recommendations of the Health and Safety Executive contained in its report entitled "The Contamination of the Beach Incident at British Nuclear Fuels plc, Sellafield, November 1983" published in February 1984, have been implemented fully by British Nuclear Fuels plc.

Mr. Goodlad: I am advised by the Health and Safety Executive that the recommendations in its report on the 1983 beach incident were that British Nuclear Fuels should revise operating instructions and carry out examinations, investigations and reviews as soon as practicable; and that this was done by BNF, which submitted findings to NII.

Resulting from this, the need was identified for improved administrative arrangements and engineering modifications to be carried out by BNF. Some of these had to be carried out before the reprocessing plant was permitted to restart; others were to be implemented on a longer time-scale.

Most of the latter requirements have been completed. Some work, including part of the refurbishing of the B211 complex, is still in progress. In addition, a third sea tank is under construction.

Energy Audits

Mr. Greenway asked the Secretary of State for Energy if, when he next meets the chairman of the British Gas Corporation, he will raise with him the possibility of the corporation introducing free energy audits, coupled with interest-free loans for the installation of energy-saving measures; and if he will make a statement.

Mr. David Hunt: Since 1983, the British Gas Corporation has offered free basic home energy audits, on an experimental basis, in its south-eastern region; the public response has been minimal. My right hon. Friend welcomes the support which the corporation is giving to Energy Efficiency year, but has no plans to raise with the chairman the provision of interest-free loans to consumers.

British Business (United States Laws)

Mr. Ashdown asked the Secretary of State for Energy if he is prepared to recommend to private sector companies in the energy industry that they should adopt a policy similar to his own when faced with computer suppliers in the United Kingdom insisting on extraterritorial restraints; and if he will support such actions.

Mr. Buchanan-Smith: This is a matter for the industry, which will, however, no doubt take account of the Government's policy on extraterritoriality as confirmed in the answer which my right hon. Friend gave to the hon. Member on 27 March 1986 at columns *556-7*.

Mr. Ashdown asked the Secretary of State for Energy what is his policy on the acquisition for the use of his Department of computers and equipment supplied by companies which seek to impose extraterritorial United States controls on their United Kingdom staff or on non-Government United Kingdom customers or on United Kingdom exports; and if he will make a statement.

Mr. Buchanan-Smith: My Department makes its purchases of computers and related equipment on the basis of value for money and related considerations. The Department's position on extraterritorial constraints is as described in the answer which my right hon. Friend gave the hon. Member on 27 March 1986 at columns *556-7*.

Nuclear Industry (Computers)

Mr. Ashdown asked the Secretary of State for Energy what is the policy of the Central Computer and Telecommunications Agency towards the supply of detailed information on the United Kingdom nuclear industry to United States computer subsidiaries, and towards recommending or causing United Kingdom nuclear installations to provide such information, as a precondition for the supply by United States subsidiaries of computers to the United Kingdom nuclear industry.

Mr. Buchanan-Smith: Subject to the requirements of the Official Secrets Acts, this is a matter for the industry.

which will no doubt take account of the Government's policy on extraterritoriality, as confirmed in the answer which my right hon. Friend gave to the hon. Member on 27 March 1986 at columns *556-7*.

Oil Exports

Mr. William Shelton asked the Secretary of State for Energy how Her Majesty's Government's policy on the distribution of North sea oil exports is communicated to oil exporting companies; what are the criteria by which established patterns of trade are determined for the purposes of this policy; and which non-European Economic Community or International Energy Agency countries are included within these patterns.

Mr. Buchanan-Smith: I, and also my officials, are frequently in touch on matters of mutual interest with the companies active in the North sea. On the other two parts of the question, I have nothing to add to my reply of 8 December 1983 to my hon. Friend the Member for Southend, East (Mr. Taylor) at column *222*.

Power Stations

Mr. Allen McKay asked the Secretary of State for Energy (1) if he will list the number, type of output and location of those power stations which will be in need of replacement in the next 20 years;

(2) if he will list the annual amount of coal burn at each of the power stations scheduled for closure during the next 20 years.

Mr. Goodlad: Decisions on closures of power stations in England and Wales are the responsibility of the Central Electricity Generating Board. For planning purposes, the board assigns a notional operating lifetime of 40 years to its fossil-fired power stations and of 30 years to its Magnox nuclear power stations. Because of the relatively low level of generating plant commissioned in recent years, a high proportion of plant of all types now in operation will complete its full notional lifetime during the next 20 years. Decisions on closures are not taken until the year before and are made in the light of various factors including electricity demand, the relative costs of primary fuels and the availability of more economic generating capacity elsewhere on the board's system.

The board has identified the following stations for decommissioning in October 1986:

Plant	*Capacity MWso*	*Type of firing*	*Close (C) or Reserve (R)*
Westwood*	60	Coal	C
Belvedere HP	230	Oil	R
Belvedere LP*	115	Oil	C

* Final part.

Offshore Production Licensing

Mr. Yeo asked the Secretary of State for Energy whether he has any proposals for further off-shore production licensing.

Mr. Buchanan-Smith: My proposals for a tenth round of offshore licensing are as follows.

The round will offer a mix of blocks spread across various areas of the United Kingdom continental shelf and all awards will be made at the discretion of the Secretary of State for Energy. The aim will be to consolidate on the ninth round and provide further opportunities for exploration, particularly in areas which have seen relatively little licensing in recent years. There are many such areas, including some on the fringes of existing mature areas which would benefit from more intensive examination.

My intention would be to license blocks in the following broad areas:

Area	*Quadrants*
Northern North Sea	210, 211, 3, 8, 9
Inner and Outer Moray Firth	11, 12, 13, 14, 17, 18, 19
Central North Sea	15, 16, 20, 21, 22, 23
Mid North Sea High	36, 37, 38, 39
Southern North Sea	41, 42, 43, 44, 47
Rockall Trough	165, 166
Faeroes Trough/North and West of Shetlands	206, 207, 208, 209, 214
North of 62 deg. N.	219

The quadrants are given as a guide only; not all the available blocks will be put on offer.

The terms will probably follow the same general lines as in the ninth round, although I am considering some adjustment of rental payments.

In the coming weeks, I shall be discussing my proposals with those involved, with particular reference to areas where special care and attention may be needed in the conduct of exploration and development for environmental, fishing or other reasons. The timing of the formal invitation to apply will be determined in the light of the outcome of these consultations.

SCOTLAND

Greater Glasgow Health Board

Mr. Maxton asked the Secretary of State for Scotland how many letters or cards he has received concerning cuts in the Greater Glasgow health board's services; and if he will provide extra money to the board.

Mr. John MacKay: Over 7,000 representations have been received, nearly all of which are on preprinted postcards which were, I understand, provided by the health board's trade union committee.

There have been no cuts in Greater Glasgow's financial allocation. Indeed, Greater Glasgow is now the best-funded health board in Scotland, both per head of population and in terms of demand for health care. Any extra funding could only be provided at the expense of other less well-funded boards; it is therefore for the board to provide its services within its existing allocation.

Hamilton College

Mr. George Robertson asked the Secretary of State for Scotland what criteria were used to assess Hamilton college private school in granting it approval by his Department.

Mr. Allan Stewart: Before the proprietor of an independent school is given notice of final registration of that school under the provisions of the Education (Scotland) Act 1980, my right hon. and learned Friend requires to be satisfied that—

(a) efficient and suitable instruction is being provided at the school, having regard to the ages and sex of the pupils attending;

(b) the school premises are suitable for a school;

(c) the accommodation provided at the school premises is adequate and suitable having regard to the number, ages and sex of the pupils attending; and

(d) the proprietor of the school and any teacher employed at the school is a proper person to be the proprietor of an independent school or to be a teacher in any school.

Higher Education

Mr. Wilson asked the Secretary of State for Scotland if he will give figures showing the proportion of 17-year-olds in Scotland who entered higher education in each of the past 10 years.

Mr. Allan Stewart: Information of the kind requested is normally presented in the form of an age participation index, showing the number of entrants aged under 21 to higher education in any particular year expressed as a percentage of the 17-year-old population in the preceding year. The age participation indices for the years requested are given below.

	Age participation index
1975-76	17·5
1976-77	16·8
1977-78	17·0
1978-79	17·0
1979-80	16·8
1980-81	18·0
1981-82	18·1
1982-83	18·0
1983-84	18·7
1984-85	19·3

Acid Rain (Galloway)

Dr. David Clark asked the Secretary of State for Scotland if he will make a statement on the effect of acid rain on the quality of fresh water in Galloway; and what plans he has to alleviate the problem.

Mr. Ancram: The acid waters review group of the Department of the Environment, on which the Scottish Office is represented, has been reviewing the available data on the biological and chemical status of United Kingdom freshwaters. The group's interim report, which is due to be published shortly, included the current data on the effects in Galloway. I understand that the group's final report, which is expected by early 1988, will aim to assess the probable causes of freshwater acidification and the possibilities for remedial measures.

Criminal Offences

Mr. Kaufman asked the Secretary of State for Scotland, pursuant to his reply of Thursday 17 April, *Official Report*, column 462, if he will list in respect of each police force area in Scotland in 1978 the total number of *(a)* offences notified to the police, *(b)* offences of violence against the person, *(c)* burglaries, *(d)* thefts, *(e)* offences of fraud and forgery, and *(f)* offences of criminal damage.

Mr. John MacKay: The table sets out the requested figures on crimes recorded by the police, using the best available approximations in the Scottish crime classification to the categories listed in the question.

Crimes Recorded by Police Force Area, Scotland 1978

Crime	*Central*	*Dumfries and Galloway*	*Fife*	*Grampian*	*Lothian and Borders*	*Northern*	*Strathclyde*	*Tayside*	*Scotland Total*
Total Crimes	13,461	5,167	11,903	21,904	58,748	8,126	192,348	23,330	334,957
Violence against the person	273	253	258	525	756	252	4,563	586	7,466
Burglary	2,711	810	2,193	3,264	11,712	1,037	49,811	4,072	75,710
Theft	6,594	2,544	6,098	11,603	33,740	4,100	93,878	12,066	170,623
Fraud and forgery	501	337	646	1,067	3,976	541	5,542	968	13,578
Criminal damage	2,745	1,021	1,998	4,038	6,610	1,453	28,825	4,297	50,987

Notes:

The categories listed above have been derived from the categories of the Scottish crime classification as follows:

"Violence against the person": all non-sexual crimes of violence (group 1 of the standard classification) apart from robbery, those crimes of indecency (group 2) which contain a violent element, and certain crimes involving malicious and reckless conduct.

"Burglary": housebreaking.

"Theft": opening lockfast places and clandestine removal in addition to theft per se.

"Fraud and forgery": fraud, forgery and uttering, bankruptcy and currency offences.

"Criminal damage": fire-raising, vandalism and other crimes of malicious and reckless conduct not involving violence against the person.

PRIME MINISTER

EC (Surplus Food Disposal)

Q105. **Mr. Teddy Taylor** asked the Prime Minister if she will raise at the next meeting of the European Council the policy of providing European Economic Community subsidies for the export of cheap food to East Europe and Libya; and if she will make a statement.

The Prime Minister: The European Council has agreed a budgetary guideline for agriculture and the Community is now working to apply measures in the common agricultural policy which bring supply and demand into better balance so that the need for sales of surplus food can in future be reduced.

Ministry of Defence (MSC Programmes)

Mr. Thurnham asked the Prime Minister what contact has been made by the Manpower Services Commission with the Ministry of Defence within the last six months concerning job creation and community programme arrangements; and if she will make a statement.

The Prime Minister: In September last year the Ministry of Defence provided the Manpower Services

Commission with suggestions for work on the defence estate which could be considered suitable for community programme projects. Negotiations between the Manpower Services Commission, Property Services Agency and Ministry of Defence over possible projects are in progress in a number of localities. Commission and Ministry of Defence officials are due to meet again on 1 May to explore further opportunities which would provide jobs under the community programme.

Engagements

Mr. Peter Bruinvels asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

Mr. Flannery asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

Mr. Robert C. Brown asked the Prime Minister if she will list her official engagements for Tuesday 22 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. I was present at Windsor for the arrival of their Majesties the King and Queen of Spain. In addition to my duties in this House I shall be having further meetings later today. This evening I will be attending a state banquet in honour of their Majesties the King and Queen of Spain.

National Dock Labour Scheme

Mr. Parry asked the Prime Minister if the recent speech of the Secretary of State for Transport to the National Association of Port Employers, concerning changes to the national dock labour scheme, represents the policy of Her Majesty's Government; and if she will make a statement.

The Prime Minister: My right hon. Friend's speech did not propose changes to the national dock labour scheme, but I entirely share the views he expressed about the future.

Computers (Procurement Policy)

Mr. Gould asked the Prime Minister if she will make a statement on the co-ordination between the Department of Trade and Industry and other Departments of Her Majesty's Government's procurement policy in so far as it has implications for the future growth of the United Kingdom computer industry.

The Prime Minister: Departments are responsible for their own purchasing decisions, but the Department of Trade and Industry offers guidance, within the framework of the public purchasing initiative, on the Government's procurement policy. This aims to ensure that Departments use the influence of their purchases to help develop the design, technology and competitiveness of their suppliers.

The United Kingdom computer industry has benefited from this policy and I am confident its growth will continue.

Dr. Kurt Waldheim

Mr. Freeson asked the Prime Minister if she will authorise the release of British papers relating to the wartime activity of Dr. Kurt Waldheim.

The Prime Minister: Records of the Foreign and Commonwealth Office and its predecessor Departments relating to the years prior to 1956 are with very few exceptions available at the Public Records Office. Certain categories of documents have been withheld from public inspection. However, no papers withheld by the Foreign and Commonwealth Office contain any material on this matter which is not already public knowledge.

Terrorist Incidents

Mr. Kaufman asked the Prime Minister if she will list all terrorist incidents which have taken place in Great Britain since 4 May 1979 with, for each, the numbers of those killed and injured, together with details and cost of damage caused.

The Prime Minister: I will reply to the right hon. Gentleman shortly.

HOME DEPARTMENT

Police Dogs

Mr. Kilroy-Silk asked the Secretary of State for the Home Department what information he has on the numbers, type and function of dogs used by the British Transport police, the harbour police, and the United Kingdom Atomic Energy Authority police.

Mr. Giles Shaw: None, since my right hon. Friend has no responsibility, under the terms of the Police Act 1964, for the British Transport police, the various harbour police forces or for the United Kingdom Atomic Energy Authority police.

Mr. Kilroy-Silk asked the Secretary of State for the Home Department what information he has on the number of police dogs nominated for the Police Dog Action of the Year Award for each of the last three years; and what the award was for in each case.

Mr. Giles Shaw: There were 24, 14 and 12 nominations in 1983, 1984 and 1985 respectively for the Police Dog Action of the Year Award.

In 1983, the award was won for persistence in conducting a search of a foreign ship which eventually resulted in the discovery, in a secret compartment, of 111 packets of cannabis having an estimated street value of £500,000.

In 1984 and 1985, the award was won by dogs which showed outstanding persistence and bravery in tackling violent criminals who were determined to avoid arrest. In each case, despite being attacked themselves, the dogs were able to play the major part in effecting the arrest of the suspects concerned.

Channel Islands

Mr. Murphy asked the Secretary of State for the Home Department if he will make a statement on his recent visit to Jersey, Guernsey, Sark and Alderney.

Mr. Mellor: My right hon. Friend visited the islands of Jersey, Guernsey, Sark and Alderney during the period 1 to 4 April in his capacity as the Privy Councillor with special responsibility for these dependencies of the Crown. The main purpose of his visit was to see the islands and to meet informally the lieutenant governors and

representatives of the island authorities, in order to acquaint himself with a range of matters of mutual interest and concern.

Mr. Murphy asked the Secretary of State for the Home Department if he will place in the Library transcripts of his statements made in Jersey and Guernsey, respectively, regarding Her Majesty's Government's assessment of the constitutional relationship between the two bailiwicks and the United Kingdom; and if he will make a statement.

Mr. Mellor: No verbatim record was kept of the comments my right hon. Friend made during his recent visit to the Channel Islands. On a number of occassions he reaffirmed that Her Majesty's Government had no desire to change the long-standing constitutional relationship which exists between the Channel Islands and the United Kingdom.

News International Plant, Wapping

Sir Eldon Griffiths asked the Secretary of State for the Home Department if he will publish in the *Official Report* a list of the weapons taken from demonstrators at Wapping by the Metropolitan police.

Mr. Giles Shaw: The following items have been taken from demonstrators or recovered by the police in the course of the News International dispute at Wapping.

a rope harpoon
a number of live shotgun cartridges
a rubber hose embedded with nails
a number of beer glasses
nails
stones
bricks
eggs
darts
iron bars
scaffolding clips
iron railing tops
bottles
a length of hard rubber
marbles
a screwdriver
a knife
a bottle of paraffin
a thunder-flash

Animal Experiments

Mr. McCrindle asked the Secretary of State for the Home Department (1) what conditions he plans to attach to applications for a project licence involving animals to develop or study the use, hazards or safety of tobacco and its substitutes; and if he will make a statement;

(2) what conditions he plans to attach to applications for a project licence involving animals to select, develop or study the use, hazards or safety of beauty preparations; and if he will make a statement.

Mr. Mellor: Standard conditions for project licences are set out in annex D to the draft Home Office guidance note on the administration of the Animals (Scientific Procedures) Bill, which is available to Members. Other licence conditions will be added wherever appropriate.

Featherstone Prison

Mr. Rooker asked the Secretary of State for the Home Department if, pursuant to his reply to the hon. Member for Birmingham, Perry Barr, of 10 March, *Official Report*, columns *331-32*, he will publish the relevant figures from the segregation unit occurrence book at Featherstone prison in respect of items *(a)* to *(e)* since May 1985, together with a comparison with a convenient period for which figures are available.

Mr. Mellor: My noble Friend will write to the hon. Member.

Torture

Mr. Wallace asked the Secretary of State for the Home Department what steps his Department has taken towards issuing a unilateral declaration against torture in accordance with the United Nations Resolution 32/64 of 8 December 1977.

Mr. Mellor: I would refer the hon. Member to the reply given to a question from the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 20 February 1986, at column *302*.

Gas and Chemical Explosions

Mr. Skinner asked the Secretary of State for the Home Department how many persons have been killed due to *(a)* gas explosions and *(b)* chemical explosions since 1979.

Mr. Trippier: I have been asked to reply.

The information is not available in the form requested and could be obtained only at disproportionate cost. The available information is as follows:

Deaths reported to enforcing authorities

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*Total*
								1979-80
Deaths due to fire and/or explosions involving mains gas*	25	19	33	28	36	26	42	209
								1981-82
Deaths due to fire, flame, or smoke from explosives or flammable substances†	n.a.	n.a.	12	16	20	‡39	n.a.	87

* Resulting from fire and/or explosions incidents in domestic premises related to mains gas.

† Resulting from work activities in which the source of injury was fire, flame or smoke from explosives or flammable substances, and reported to Her Majesty's Factory Inspectorate.

‡ This figure includes 16 fatalities at Abbeystead.

n.a. Figures not available.

ATTORNEY-GENERAL

Fatal Accidents Act 1982

Mr. Rhodes James asked the Attorney-General whether he proposes to seek to amend the Fatal Accidents Act 1982 to extend the definition of dependants to include parents or parent of a deceased person of any age.

The Attorney-General: The category of those for whose benefit damages for bereavement may be claimed under section 1A of the Fatal Accidents Act 1976, was fully considered both in this House and in another place during the passage of the Administration of Justice Act 1982. The Government have no present plans further to amend the law.

Family Law Reform

Mr. Allen McKay asked the Attorney-General if he plans to introduce a family law reform bill with particular reference to the law on illegitimacy in the next Session of Parliament; and if he will make a statement.

The Attorney-General: In its report No. 118 on illegitimacy, published in 1982, the Law Commission made a number of recommendations aimed at removing the legal disadvantages suffered by illegitimate children. These recommendations have been accepted by the Government and will be brought into effect at the earliest possible opportunity.

FOREIGN AND COMMONWEALTH AFFAIRS

Food Exports (Spain)

Mr. Austin Mitchell asked the Secretary of State for Foreign and Commonwealth Affairs whether he is satisfied with the discharge of his responsibilities in relation to the promotion of British food exports to Spain by the agricultural attaché at the office of the United Kingdom permanent representative to the European Community during the negotiations on Spanish accession.

Mr. Renton: Throughout the negotiations it was an important objective of the Government to secure the best possible access for British exporters of both industrial and agricultural goods to the Spanish and Portuguese markets. As my right hon. and learned Friend told the House during the Second Reading of the Spanish and Portuguese Accession Bill *[Lords]* on 4 December at column *316*, the terms negotiated by the Government, to which the office of the United Kingdom permanent representative to the European Community made a valuable contribution, are very satisfactory.

TRADE AND INDUSTRY

Exports (United States Controls)

Mr. Ashdown asked the Secretary of State for Trade and Industry if there has been any contact, formal or informal, between his officials and employees or representatives, of *(a)* IBM, *(b)* Hewlett Packard, *(c)* the Sperry Corporation since January 1985 on the matter of United States export controls in the United Kingdom; and if he will make a statement.

Mr. Alan Clark: My officials have from time to time had contact with representatives of IBM, Hewlett Packard and Sperry Corporation during this period. A number of subjects were discussed including United States re-export controls and Her Majesty's Government's objections to their extraterritorial nature.

Mr. Meadowcroft asked the Secretary of State for Trade and Industry whether he or his Department has had any contact with the Digital Equipment Corporation relating to United States export controls in the United Kingdom since January 1985; and if he will make a statement.

Mr. Alan Clark: Officials from this Department have met representatives of DEC on various occasions since January 1985 and Her Majesty's Government's objections to United States re-export controls have been discussed.

HOTOL Concept (Studies)

Mr. Richard Page asked the Secretary of State for Trade and Industry when he envisages the initial studies of the horizontal take-off and landing proof of concept will be completed; and how the results will be processed.

Mr. Pattie: The proof of concept studies I announced in February are part of a 24 month effort to probe the key technical aspects of this innovatory spaceplane. The studies will also provide essential market and cost analyses.

The magnitude of the technological challenge involved, and the attraction of HOTOL's high-launch capability, make it a natural candidate for international partnership. Accordingly, another purpose of the studies will be to consider the possibilities of international co-operation in this project, which I intend to discuss with Ministers and other member states of the European Space Agency later this year.

EC (Imports and Exports)

Mr. Gould asked the Secretary of State for Trade and Industry (1) if he will publish in the *Official Report* a table showing United Kingdom imports and exports of manufactures from the first nine other members of the European Economic Community in each year from 1970 and in 1986 to date, together with the trade balance in crude and in balance of payments terms;

(2) if he will publish in the *Official Report* a table showing United Kingdom imports and exports of manufactures from the other 11 countries which are now members of the European Economic Community each year from 1970 and in 1986 to date, together with the trade balance in crude and in balance of payments terms;

(3) if he will publish in the *Official Report* a table showing United Kingdom imports and exports of manufactures from the first nine other members of the European Economic Community each year from 1970 in terms of 1985 import and export values, respectively.

Mr. Alan Clark: Trade in manufactures with the European Community is only available at current prices. The information is in the tables.

United Kingdom trade with the European Community in manufactures†*

	BOP basis			*OTS basis*		
	Exports £ billion	*Imports* £ billion	*Visible balance* £ billion	*Exports* £ billion	*Imports* £ billion	*Crude balance* £ billion
1970	2·1	1·5	+0·6	2·2	1·6	+0·6
1971	2·3	1·8	+0·4	2·3	1·9	+0·4
1972	2·5	2·5	+0·1	2·6	2·5	+0·1
1973	3·3	3·7	−0·4	3·4	3·7	−0·3
1974	4·7	5·2	−0·5	4·6	5·2	−0·6
1975	5·1	5·7	−0·6	5·2	5·8	−0·5
1976	7·3	7·7	−0·5	7·4	7·9	−0·5
1977	9·3	9·8	−0·5	9·5	10·1	−0·7
1978	10·3	12·0	−1·7	10·5	12·5	−2·0
1979	12·6	15·2	−2·6	12·8	16·0	−3·1
1980	14·1	15·2	−1·2	14·2	15·9	−1·7
1981	13·3	15·9	−2·6	13·5	16·5	−3·0
1982	14·6	18·9	−4·3	14·8	19·8	−5·0
1983	15·9	23·1	−7·2	16·0	24·1	−8·1
1984	18·9	26·9	−8·1	19·0	27·9	−8·8
1985	21·8	30·5	−8·7	22·1	31·6	−9·5
1986‡	n/a	n/a	n/a	3·5	5·4	−1·9

* Present membership throughout.
† Standard International Trade Classification Sections 5 to 8.
‡ January to February.
n/a Not available.

Source:
United Kingdom Trade Statistics.
Department of Trade and Industry.

United Kingdom trade with the European Community in manufactures†*

	BOP basis			*OTS basis*		
	Exports £ billion	*Imports* £ billion	*Visible balance* £ billion	*Exports* £ billion	*Imports* £ billion	*Crude balance* £ billion
1970	2·0	1·4	+0·5	2·0	1·5	+0·5
1971	2·1	1·7	+0·3	2·1	1·8	+0·3
1972	2·3	2·3	−0·1	2·4	2·3	+0·0
1973	3·0	3·5	−0·5	3·1	3·5	−0·4
1974	4·3	5·0	−0·6	4·2	5·0	−0·8
1975	4·7	5·4	−0·7	4·8	5·5	−0·6
1976	6·8	7·4	−0·7	6·9	7·6	−0·7
1977	8·7	9·4	−0·8	8·8	9·7	−0·9
1978	9·7	11·5	−1·8	10·0	12·0	−2·0
1979	12·0	14·6	−2·6	12·2	15·3	−3·1
1980	13·3	14·5	−1·2	13·4	15·2	−1·7
1981	12·5	15·2	−2·6	12·8	15·8	−3·0
1982	13·7	18·1	−4·4	13·9	18·9	−5·0
1983	15·0	22·1	−7·1	15·1	23·1	−7·9
1984	17·9	25·5	−7·6	18·1	26·4	−8·4
1985	20·6	28·8	−8·2	20·9	29·8	−9·0
1986‡	n/a	n/a	n/a	3·3	5·1	−1·8

* Other nine members, prior to 1 January 1986.
† Standard International Trade Classification Sections 5 to 8.
‡ January to February.
n/a Not available.

Source:
United Kingdom Overseas Trade Statistics.
Department of Trade and Industry.

Biological Washing Powders (Tests)

Dr. Glyn asked the Secretary of State for Trade and Industry what tests are required by his Department for possible skin injury or damage before a new biological washing powder is placed on the market; and if he will make a statement.

Mr. Michael Howard: None. The enzymes in biological washing powders may aggravate allergies in some cases, but are otherwise harmless. The suppliers warn users on the packet to protect their skin against washing powders. They have now agreed to label washing powders in order to show clearly whether or not they have biological action. This will enable allergy sufferers to avoid the biological product.

Steel (EC Aids)

Mr. Hickmet asked the Secretary of State for Trade and Industry (1) if he will identify those indirect state aids in the European Economic Community which are given to European Economic Community steel producers; and what steps he is taking to ensure that they are eliminated;

(2) if he will make a statement on the implications of the indirect state aid in the European Economic Community, identified in the report of the National Economic Development Office, for the British Steel Corporation and independent British steel producers.

Mr. Peter Morrison: I welcome the report prepared by Environmental Resources Ltd. for the National Economic Development Office on indirect aids to steel firms as an important contribution on this very difficult subject. As it makes clear, the identification, quantification and elimination of indirect aids is not straightforward, since the aid is provided to another industry or activity. Since the 25 July 1985 Council of Ministers, the United Kingdom has emphasised that the relative importance of indirect aids would increase after most direct aids were prohibited at the end of 1985. At the 29 October Council of Ministers, the Commission undertook to reinforce its monitoring of indirect aids which might have a distortive effect on competition in the steel industry. The United Kingdom fully supports the Commission's intention to minimise distortions to competition.

Trade Statistics

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for 1970 and 1985 United Kingdom imports from and exports to the European Economic Community and to the rest of the world of, respectively, textiles, clothing, footwear, motor cars, buses and coaches, heavy goods vehicles, plastics, ships, steel and domestic electrical appliances.

Mr. Alan Clark [*pursuant to his reply*, 21 April 1986, c. *11*]: Information which is readily available and which can be provided within acceptable cost limits is as follows:

United Kingdom trade with the EC and the rest of the world: 1970 and 1985

Value: £ million

	Imports				*Exports*			
	1970		*1985 (January to December)*		*1970*		*1985 (January to December)*	
Sitc Division	*EC*	*Rest of world*	*EC*	*Rest of world*	*EC*	*Rest of world*	*EC*	*Rest of world*
1–Textiles (26, 65)	115	326	2,006	1,689	140	353	958	1,171
2–Clothing (84)	34	95	759	1,335	37	86	555	617
3–Footwear (85)	17	24	359	313	5	30	90	69
4–Motor Cars (78 part)	69	17	3,028	1,137	77	253	398	944
5–Buses and Coaches (78 part)	0·8	0·3	31	6	0·7	5	3	17
6–Heavy goods vehicles (78 part)	4	10	500	226	24	114	115	224
7–Plastics (58)	57	54	1,359	406	40	103	638	693
8–Ships (79 part)	28	4	43	32	24	38	44	192
9–Iron and Steel (67)	67	155	1,190	526	74	275	774	1,083
10–Domestic electrical appliances (77)	21	7	534	280	19	28	96	82

Source:
United Kingdom Overseas Trade Statistics.

Notes:
(1) Numbers in parenthesis refer to the Divisions of the Standard International Trade Classification (Rev2) used for 1985 figures. Figures for 1970 are on a comparable basis.
(2) Imports are valued cif; exports are valued fob.

ENVIRONMENT

Local Enterprise Agencies

89. **Mr. Key** asked the Secretary of State for the Environment what action he proposes to improve links between the Council for Small Industries in Rural Areas and local enterprise agencies.

Mrs. Rumbold: I am satisfied that the close links already established between CoSIRA and the Local Enterprise Agencies which operate in rural areas work well, to the mutual benefit of both organisations and of the small business man in securing a complementary yet comprehensive advice service. I have no plans, therefore, to alter existing arrangements.

90. **Mr. Bellingham** asked the Secretary of State for the Environment whether he plans to increase the funding of local enterprise agencies in rural areas.

Mrs. Rumbold: The Development Commission previously provided assistance towards the start-up costs of local enterprise agencies in rural areas. In the light of the Government's new five-year scheme administered by the Department of employment the commission is currently reviewing its assistance in this field and will issue revised guidelines in due course.

Sites of Special Scientific Interest

Mr. Corrie asked the Secretary of State for the Environment whether the proposed sites of special scientific interest, alleged by the Nature Conservancy Council in its paper, "Topical Issues," volume No. 2, of March 1986, to have been destroyed and damaged had been formally notified to the owners concerned.

Mrs. Rumbold: No Sir. As indicated in the paper referred to, these sites were proposed for notification as sites of special scientific interest. The Nature Conservancy Council is currently considering the formal notification of two of the sites concerned. The third is no longer considered as meeting the criteria for notification.

A1(M) Park Plaza Development

Mr. Murphy asked the Secretary of State for the Environment why he decided to override the advice of the inspector relating to the proposed park plaza development over the A1(M).

Mr. Tracey: My right hon. Friend's reasons for granting outline planning permission for the Park Plaza development are given in his decision letter of 20 March, a copy of which was sent to my hon. Friend.

Municipal Incineration

Dr. Roger Thomas asked the Secretary of State for the Environment if he will give details of the results of the report of the Warren Spring laboratory on municipal incineration in December 1984.

Mrs. Rumbold: Assuming that the hon. Member is referring to the Warren Spring laboratory report entitled "The Incineration of Municipal Refuse" Ref. No. LR 498 (AP) M produced in late 1984, the report contains detailed data on emissions to atmosphere for eight incinerators, and I have arranged for a copy to be made available in the Commons Library.

London Residuary Body

Mr. Tony Banks asked the Secretary of State for the Environment from which date the first year of the London Residuary Body will run for the purposes of its annual report.

Mr. Tracey: Residuary bodies have been asked to prepare their first annual reports for the part-year from their establishment to 31 March 1986, and to adopt the financial year thereafter. The London Residuary Body was established on 12 August 1985.

Mr. Tony Banks asked the Secretary of State for the Environment what matters will be included in the annual report of the London Residuary Body.

Mr. Tracey: Paragraph 10 of schedule 13 to the Local Government Act 1985 requires residuary bodies' annual reports to cover the discharge of their functions. I refer the hon. Member to the answers I gave him on 21 April, which listed the main responsibilities of the London Residuary Body, indicated that residuary bodies' annual reports were under discussion, and gave an assurance that the aim would be for them to provide as full an account as necessary.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for the Environment, pursuant to the answer of 15 April, *Official Report*, column *336*, if he will provide the latest evidence on which he bases his estimate of savings of £50 million annually arising from the abolition of the Greater London Council; and what means he is employing to monitor costs and savings following abolition.

Mr. Tracey: The estimate of savings of £50 million was made in 1984 and its basis was set out then. Apart from the estimates of initial redundancies referred to in my previous answer, manpower in the new structure will be monitored, in part through returns from boroughs to be required under section 56 of the Local Government Act 1985. Expenditure and rates will also be monitored, but these will be affected by many factors apart from the abolition of the GLC.

EC (Environmental Assessment Directive)

Mr. Michael Brown asked the Secretary of State for the Environment if he will make a statement on the implementation of the European Communities environmental assessment directive.

Mr. Waldegrave: I have today published, and placed in the Library, a consultation paper which sets out proposals for implementing the European directive on environmental assessment. They would apply to developments which are subject to planning procedures. The arrangements proposed will ensure that, for projects of major potential impact, comprehensive environmental data will be provided by the developer with the assistance of other bodies as necessary. Experience of the use of environmental assessment procedures has shown that they can help to resolve environmental problems at an early stage and avoid unnecessary delay and frustration when the planning application has been submitted.

The proposals are based on advice from a working party which included representatives of industry, local authorities and environmental groups. It was the unanimous view of the working party that the requirements of the directive could be met within the framework of the existing land use planning system. My right hon. and learned Friend, the Secretary of State for Scotland, and my right hon. Friend, the Secretary of State for Wales, are publishing consultation papers making similar proposals for Scotland and Wales which are also being placed in the Library.

NORTHERN IRELAND

Supplementary Benefit

Mr. Archer asked the Secretary of State for Northern Ireland how many supplementary benefit recipients in Northern Ireland are recorded as caring for sick or disabled dependants.

Mr. Needham: I regret that the information is not readily available and could be obtained only at disproportionate cost.

SERPS (Statistics)

Mr. Archer asked the Secretary of State for Northern Ireland what are the latest available figures on the numbers of men and women in Northern Ireland who are contracted out of the state earnings related pension scheme; and what proportion they form of the total number of employed men and women in Northern Ireland.

Mr. Needham: The latest available figures are those for the tax year ended 5 April 1983 and are as follows:

	Contracted out	*Percentage of total number employed*
Men	146,165	49·60
Women	82,405	38·27

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will now specify the benefits obtained from the Anglo-Irish agreement in the campaign against terrorism.

Mr. Scott [*pursuant to his reply*, 21 April 1986]: The Irish Government have signed the European convention on the suppression of terrorism. The Chief Constable of the Royal Ulster Constabulary and the Commissioner of the Garda Siochana are making good progress in their programme of work to improve security co-ordination, and my right hon. Friend expects a report soon.

TRANSPORT

Transport Act 1985 (Registered Services)

Mr. Pike asked the Secretary of State for Transport if he will estimate those services registered in England under the Transport Act 1985 in percentage terms as compared to the existing services *(a)* in route miles covered and *(b)* in level of service provision on those routes.

Mr. David Mitchell: It would be highly misleading to publish any such information since at this stage only commercially viable services have been registered by operators. Only when these have added to them, the services to be provided under contract to local authorities and to passenger transport executives for which substantial amounts of money are available, will it be possible to make sensible comparisons. An analysis of this nature will be made by the Transport and Road Research Laboratory as soon as practicable.

Motorway Construction

Mr. Pike asked the Secretary of State for Transport how much has been spent in constant terms on new motorway construction in each of the past 10 years.

Mr. Peter Bottomley: The information requested is as follows. The first column shows constant prices in relation to general inflation and, for the second the expenditure has been revalued to reflect changes in the costs of road construction.

£ million

	1983-84 prices GDP deflator	*1983-84 prices Roads Output Index*
1976-77	310	295
1977-78	222	230
1978-79	225	219
1979-80	213	188
1980-81	201	160
1981-82	230	204
1982-83	292	283
1983-84	291	291
1984-85	295	306
1985-86*	253	264

* Provisional.

Volvo 300

Mrs. Dunwoody asked the Secretary of State for Transport how many road traffic accidents involving Volvo 300 series automatics have been recorded by his Department.

Mr. Peter Bottomley: The road traffic accident statistics requested are not available. During the last three years the Department's vehicle inspectorate has received details of 185 incidents involving Volvo 300 series automatics.

Mrs. Dunwoody asked the Secretary of State for Transport what conclusions his Department has reached following its investigation of traffic accidents involving Volvo 300 automatic cars; and what changes in training manuals of servicing procedures have been suggested to the company.

Mr. Peter Bottomley: The vehicle inspectorate has concluded that if the gear selector lever is inadvertently located between the designated gear engagement positions, the vehicle could move away in reverse if the throttle is depressed. An engineering solution has been developed by the manufacturer and evaluated by the inspectorate. The manufacturer will institute a recall during May of this year to fit this equipment to Volvo 300 automatics manufactured after 1978. The manufacturer has highlighted the correct driving procedures and produced a new supplementary handbook for issue as part of the recall action.

British Transport Police

Dr. Hampson asked the Secretary of State for Transport how many British transport police are stationed at King's Cross, Leeds, Sheffield and York railway stations.

Mr. David Mitchell: The deployment of British Transport police officers is a matter for the chief constable of the force; my Department does not have detailed information of this kind.

National Dock Labour Scheme

Mr. Parry asked the Secretary of State for Transport if his Department has had any discussions with the port employers concerning the proposed changes to the national dock labour scheme; and if he will make a statement.

Mr. Ridley: No, I have at present no such proposals to discuss.

SOCIAL SERVICES

Mental Patients

Mr. Warren asked the Secretary of State for Social Services if he will institute an inquiry into the dispersal of former mental hospital patients from London to seaside towns.

Mr. Whitney: We have no plans to institute such an inquiry. We are aware that some local authorities in the south-east have expressed concern at the numbers of former patients being discharged from distant mental illness and mental handicap hospitals into their areas, but we have had no direct representations from those authorities; nor have we had any indication of the numbers of people involved or of their current degree of dependency. If we receive evidence suggesting that a particular hospital is acting less than responsibly in the discharge of long-stay patients, we will look into the situation.

Contact Lenses

Mr. Kirkwood asked the Secretary of State for Social Services, further to his answer of 10 December 1985, *Official Report*, column *609*, whether any further information has come to his attention regarding corneal damage or destruction caused by soft contact lenses.

Mr. Hayhoe: The use of extended wear soft contact lenses is being monitored by the various means described in my reply to the hon. Member on 10 December 1985 at column *609*. No new information of substance has been received since then but I understand that a study at Moorfields eye hospital will be reported shortly.

Benefits

Mr. Frank Field asked the Secretary of State for Social Services if he will estimate the annual cost of *(a)* raising the single retirement pension by £5 a week and the married couple's pension by £8 and *(b)* raising child benefit by £3 a week; and if he will give the cost in both gross and net terms, together with a detailed breakdown of the savings on supplementary benefit, housing benefit and family income supplement which would result from these increases.

Mr. Major: If the rates of retirement pension and child benefit due to come into force in July 1986 were futher increased by the amounts stated, and if no corresponding adjustment were made to supplementary benefit and to housing benefit needs allowances, the gross and net effects on expenditure in 1987-88 would be:—

Retirement pension

Gross increase—£2,260 million

Net increase— £1,650 million (after taking account of a reduction of £400 million in spending on supplementary pension and £200 million on housing benefit).

Child benefit

Gross increase—£1,900 million

Net increase—£1,450 million (after taking account of a reduction of £350 million in supplementary benefit, £50 million in housing benefit and £50 million on child dependency additions).

There would be no effect on expenditure on family income supplement.

British Business (United States Laws)

Mr. Ashdown asked the Secretary of State for Social Services what is his policy on the acquisition for his Department's use of computers and equipment supplied by companies which seek to impose, in the United Kingdom, extraterritorial United States controls on their United Kingdom staff or on non-Government United Kingdom customers or United Kingdom exports; and if he will make a statement.

Mr. Major: I have nothing further to add to my reply to the hon. Member on 9 April at columns *118-119*.

Committee on Safety of Medicinces

Mr. Haynes asked the Secretary of State for Social Services what new members of the Committee on Safety of Medicines have been appointed since 3 June 1985; and what interests they have declared and in relation to which pharmaceutical companies.

Mr. Hayhoe: No new members have been appointed to the committee since 3 June 1985. The current term of office of all members expires at the end of 1986. I intend to announce later this year the arrangements for putting on the public record information about relavant interests declared by members of the committee in the terms of office which start in 1987.

Hospital Waiting Lists (Computerisation)

Mr. Heddle asked the Secretary of State for Social Services if he will publish in the *Official Report* the present state of progress made by the West Midlands regional health authority on the pilot scheme for the use of computerised hospital waiting lists.

Mr. Whitney: The pilot study of a central collection and communication system for waiting times by the West Midlands regional health authority is under way. The project co-ordinator has been in post since 1985 setting up the system. Arrangements have been made to collect information about waiting times for general surgery from the hospitals in participating districts. The computer will convert this into a form that can be readily understood by the 100 selected general practitioners in districts with long waiting times. The first batch of information should be issued shortly and this will be followed by monthly supplements.

Association of Professional Ambulance Personnel

Mr. Stern asked the Secretary of State for Social Services if he will list those district health authorities which have recognised the Association of Professional Ambulance Personnel.

Mr. Whitney: The information is as follows:

Cornwall and the Isles of Scilly
Gloucester
Hull
Oxfordshire
Preston
Somerset
Swindon
West Berkshire and Medway (in those ambulance stations where the association has substantial membership).

Mr. Stern asked the Secretary of State for Social Services what advice he has given to district health authorities in connection with recognition of the Association of Professional Ambulance Personnel.

Mr. Whitney: Regional health authorities were informed on 21 January 1985 that it is the Government's view that staff ought to be able to be represented by organisations of their choice. Individual health authorities are free to recognise the association locally, and we have encouraged a number of district health authorities to grant recognition where the association has demonstrated significant local membership. We have also made it clear that we expect authorities, where the association has a membership of 10 per cent. or more of the relevant work force, to grant the facility whereby members' contributions to the association are deducted at source.

Health Centres

Mr. Skinner asked the Secretary of State for Social Services how many rural health centres were in operation in 1979 and at the latest available date.

Mr. Whitney: I regret that this information is not held centrally in the form requested. There were a total of 895 health centres in England at 1 October 1979, and 1,120 at 1 October 1984, the latest date for which figures are available.

Ante-natal Clinics

Mr. Skinner asked the Secretary of State for Social Services how many ante-natal clinics have been closed since 1979; and what information he has regarding the number of clinics closed down in rural areas since that date.

Mr. Whitney: I regret that this information is not available centrally.

Chiropodists

Mr. Skinner asked the Secretary of State for Social Services how many chiropodists were employed by the National Health Service in 1979 and at the latest available date.

Mr. Whitney: The information is as follows:

National Health Service Chiropodists at 30 September†

	Whole-time	*Part-time*	*Total whole-time equivalents**
1979	1,220	3,330	1,930
1984‡	1,710	2,440	2,290

* All figures rounded to nearest 10.
† Figures are for England only.
‡ Latest available information

Rural Health Visits

Mr. Skinner asked the Secretary of State for Social Services how many mobile *(a)* chiropody units and *(b)* physiotherapy units are in operation in rural areas at the latest available date.

Mr. Whitney: I regret that this information is not collected centrally.

Limited List Prescribing

Mr. Pike asked the Secretary of State for Social Services if he will list in the *Official Report* all changes made in the restricted list for prescriptions since its inception.

Mr. Hayhoe: All changes to the products affected by the selected list scheme are contained in the following amending regulations: SI 1985 No. 540, SI 1985 No. 803, SI 1985 No. 1712 and SI 1986 No. 381.

Private Nursing Homes, Sheffield

Mr. Flannery asked the Secretary of State for Social Services how many private nursing homes there are in the area of the Sheffield metropolitan district council; what information he has as to how often they are officially inspected; and if the general public have any means of access to the inspectors' reports.

Mr. Whitney: At 31 December 1984, the latest date for which information is available centrally, there were eight private nursing homes registered with Sheffield health authority, all of which have to be inspected at least twice a year and some of which may be the subject of reports to the authority. For more recent figures and more detailed information, including the availability of inspectors' reports to the general public, the hon. Member may wish to approach the chairman of the authority.

Dental Treatment

Mr. Dalyell asked the Secretary of State for Social Services, pursuant to the answer to the hon. Member for Linlithgow of 25 March, *Official Report*, column *446*, if he will give reasons for his refusal to institute a review into the extent to which dental treatment is dictated by the assessment of the patient's ability to pay rather than by the dentist's clinical judgment.

Mr. Hayhoe: There is no reason why dental treatment should be dictated by ability to pay, since National Health Service dental charges have to be paid only by people who can afford them.

McColl Report

Mr. Freeman asked the Secretary of State for Social Services what representations he has received on the McColl report on artificial limbs and appliances.

Mr. Newton: We have already received a number of comments from both individuals and organisations, and expect to receive more in response to our earlier invitation to a wide range of interests to send us their views by the end of this month.

Prevention of Disablement

Mr. Alfred Morris asked the Secretary of State for Social Services what consideration he has given to the conclusions of the national seminar on the prevention of disablement, held at the Royal Society on 3 to 4 February; if there is any action he is taking; and if he will make a statement.

Mr. Newton: The conclusions reached by the seminar cover a very wide field. These are being considered at present and a response will be made to the IMPACT Foundation which promoted the seminar.

Art and Music Therapy

Mr. Hoyle asked the Secretary of State for Social Services (1) if he will outline his Department's policy in providing art and music therapy services in the community; and what arrangements the Department is making to transfer funds or provide resources for such therapists in the community.

(2) what plans there are to establish therapy and paramedical centres in the community for mentally ill or mentally handicapped people in order to prevent them being admitted or readmitted to large institutions or hospitals.

Mr. Whitney: It is for health authorities and social services authorities jointly to plan local services for mentally ill and mentally handicapped people, including increasing community provision designed to reduce the need to admit people to in-patient care. In general it is for those authorities to decide what facilities and professional staff they will provide within their services, and details are not centrally available, but I am aware that a number of authorities make good use of art and music therapy.

Mr. Hoyle asked the Secretary of State for Social Services how many music and art therapists are employed in the community.

Mr. Whitney: Information on the number of art and music therapists employed in the community is not collected centrally.

Mr. Hoyle asked the Secretary of State for Social Services what steps are being taken to ensure that professional standards and requirements for employment of music and art therapists as outlined in PM(82)6 are being applied in the community.

Mr. Whitney: The standards and professional requirements in art and music therapists who are employed by health authorities and who are working in the community are set out in PM(82)6. Responsibility for determining appropriate standards for such therapists employed in the community services of local authorities is a matter for the local authority concerned.

Mr. Hoyle asked the Secretary of State for Social Services how many residents discharged from mental illness or mental handicap hospitals, over the last five years, who were given art or music therapy whilst in hospital, do not receive this treatment in the community.

Mr. Whitney: This information is not collected centrally.

Benefits

Mr. Wigley asked the Secretary of State for Social Services (1) what was the per capita expenditure on social security benefits in England in the last year for which figures are available;

(2) what was the per capita expenditure on social security benefits in Wales in the last year for which figures are available;

(3) what was the per capita expenditure on social security benefits in Scotland in the last year for which figures are available.

Mr. Major [*pursuant to his reply*, 17 April 1986, c. *452*]: Estimated per capita expenditure on social security benefits in 1984-85 was as follows:

	£
England	641
Wales	714
Scotland	700

This analysis covers about 95 per cent. of total benefit expenditure in Great Britain. A breakdown of the remainder is not available.

THE ARTS

Roundhouse Black Arts Centre

Mr. Tony Banks asked the Minister for the Arts whether he intends to take any action in respect of the future funding of the Roundhouse Black Arts Centre.

Sir George Young: My right hon. Friend the Minister for the Arts is currently abroad, and he will reply as soon as possible.

CIVIL SERVICE

Accountants

Mr. Richard Wainwright asked the Minister for the Civil Service how many qualified accountants in the Civil Service are expected to retire during the next five years.

Mr. Brooke: My right hon. Friend the Minister for the Civil Service is currently abroad. I have been asked to reply.

A precise forecast is not possible. Central statistics show that there were 130 qualified staff aged 55 or above on 1 January 1986. However, not all these staff can be expected to retire in the next five years, as in some areas staff may expect to, and often do, work beyond the age of 60.

Mr. Wainwright asked the Minister for the Civil Service what progress has been made towards the Government's target number of qualified accountants in the Civil Service; and what further measures in this respect are now planned.

Mr. Brooke: My right hon. Friend the Minister for the Civil Service is currently abroad. I have been asked to reply.

Excluding staff employed by the royal ordnance factories, who have since left the Civil Service, there were some 600 qualified accountants employed in 1982. There are now about 700, an increase of approximately 16 per cent. A number of further measures have been taken to improve the recruitment, training and retention of such staff. In particular, the number of internal trainees has significantly increased, and will grow still further with the establishment this year of a central training pool offering an additional 60 to 70 places a year. Substantial increases in allowances for qualified staff have been offered this year, and very many more staff are now eligible for such allowances than in 1982.

NATIONAL FINANCE

Pay Negotiations (Profit-Sharing)

88. **Mr. Ryder** asked the Chancellor of the Exchequer what plans he has to discuss with employers the feasibility of introducing a greater element of profit sharing into pay negotiations.

Mr. MacGregor: As foreshadowed in my right hon. Friend's Budget speech, there will be preliminary discussions with employers and others over the next few weeks about the feasibility and benefits of introducing a measure of temporary tax relief to encourage profit sharing agreements which link a significant part of an employee's pay to profits. If these preliminary discussions are sufficiently encouraging, we would prepare a consultative document setting out a detailed scheme for wider consultation.

Petrol and Vehicle Excise Duty

Mr. Nicholas Winterton asked the Chancellor of the Exchequer if he will estimate the yield in 1985-86 and 1986-87 from *(a)* petrol duty, *(b)* derv duty, *(c)* vehicle excise duty, *(d)* value added tax on petrol and derv sales and *(e)* value added tax on motor vehicle sales.

Mr. Brooke: Estimates are as follows:

	£ million 1985-86	*£ million 1986-87*
(a) Petrol duty	5,050	5,700
(b) Derv	1,250	1,450
(c) Vehicle excise duty	2,415	2,445
(d) VAT on petrol and Derv sales	1,005	1,125
(e) VAT on motor vehicle sales	1,690	1,850

Accountants (Pay)

Mr. Wainwright asked the Chancellor of the Exchequer what is his response to the claim for a special pay allowance for qualified accountants at principal level; and if he will make a statement.

Mr. Brooke: No final response has yet been given; discussions are continuing with the trade unions concerned.

Income Tax

Mr. Meacher asked the Chancellor of the Exchequer what has been the gain from the 1p cut in the £ in income tax to a taxpayer with a wife and two children aged five and 11 years earning £5,000, £7,500, £10,000, £15,000, £20,000, £30,000, £50,000 and £100,000 per annum respectively.

Mr. Moore [*pursuant to his reply*, 14 April 1986, c. *314*]: Compared with statutory indexation of allowances and thresholds, the Budget proposals for income tax comprise a 1p reduction in the basic rate and lower threshold for tax rates above 40 per cent. The net effects of these proposals for a married man at the specified levels of earnings are shown below. It is assumed that the wife has no earnings and that no allowances and reliefs are available other than the married man's allowance.

Gains from Budget income tax proposals compared with indexation

Earnings £ per annum	*£ per annum*	*£ per week*	*As percentage of earnings*
5,000	13·45	0·26	0·27
7,500	38·45	0·74	0·51
10,000	63·45	1·22	0·63
15,000	113·45	2·18	0·76
20,000	163·45	3·14	0·82
30,000	137·00	2·63	0·46
50,000	12·00	0·23	0·02
100,000	12·00	0·23	0·01

Mr. Michael Marshall asked the Chancellor of the Exchequer what is the estimated effect of the reduction of 1p in the standard rate of income tax on the disposable income of state pensioners; and how many pensioners he estimates will be affected.

Mr. Moore [*pursuant to his reply*, 8 April 1986, c. *92*]: I regret that information in the form requested in not available for all state pensioners. However, in a full year, at 1986-87 income levels, taxpayers aged 65 and over will gain about £155 million from the Budget proposals, compared with statutory indexation of allowances and thresholds. This includes the effects of the reduction of 1p in the basic rate of income tax and the increases of less than statutory indexation to the second and subsequent higher rate thresholds. All 2·7 million elderly single people and married couples who pay tax will gain.

Exchange Rate

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing, for each member of the European monetary system, the change in the real exchange rate measured in terms of export prices compared to the first quarter of 1979 and the first quarter of 1973 to the latest possible date in each case; and if he will also give the figures at each date in index form based on 1980=100.

Mr. Brooke [*pursuant to his reply*, 21 April 1986]: Indices of relative export prices in manufacturing as estimated by the International Monetary fund are published in "International Financial Statistics". The following information is derived from that source:

Relative export unit values 1980=100

	1973 Q1	*1979 Q1*	*1985 Q3*	*Per cent. change 1973 Q1/1985 Q3*	*Per cent. Change 1979 Q1/1985 Q3*
Belgium	97·4	100·2	86·4	−11	−14
Denmark	101·4	104·4	101·9	+ ½	− 2
France	97·3	98·3	97·7	+ ½	− 1
Germany	103·3	107·4	87·9	−15	−18
Greece	n/a	n/a	n/a	n/a	n/a
Ireland	n/a	n/a	n/a	n/a	n/a
Italy	101·5	91·3	93·9	− 7	+ 3
Luxembourg	n/a	n/a	n/a	n/a	n/a
Netherlands	94·0	93·2	95·4	+ 1	+ 2
United Kingdom	78·3	85·8	95·6	+22	+11

n/a=Not available.

DEFENCE

Small Arms Ammunition

Mr. Neil Hamilton asked the Secretary of State for Defence what are the size, numbers and names of Portuguese manufacturers who have supplied small arms ammunition to the United Kingdom in the years 1981-82, 1982-83, 1983-84 and 1984-85.

Mr. Norman Lamont: The Ministry of Defence purchased no small arms ammunition from Portuguese manufacturers in the years 1981-82 to 1984-85.

Signals Regiments

Mr. McNamara asked the Secretary of State for Defence how many former members of the 9 Signals Regiment have been discharged since 3 February 1984.

Mr. Stanley [*pursuant to his reply*, 4 December 1985, c. *278*]: I regret that, due to computer programming error, incorrect information was given. The number of those serving in 9 Signals Regiment on or after 3 February 1984 who had subsequently been discharged from that regiment was 63, rather than 121 as originally stated.

Mr. McNamara asked the Secretary of State for Defence how many former members of 9 Signals Regiment have been discharged before completion of their engagement since 3 February 1984.

Mr. Stanley [*pursuant to his reply*, 4 December 1985, c. *277*]: I regret that, due to computer programming error, incorrect information was given. The number of those serving in 9 Signals Regiment on or after 3 February 1984 who had been discharged from that regiment before completion of their engagements was 38, rather than 83 as originally stated.

Mr. McNamara asked the Secretary of State for Defence how many Army personnel have been discharged or are bing discharged as a result of the inquiry into breaches of security at 9 Signals Regiment.

Mr. Lee [*pursuant to his reply*, 28 January 1986, c. *446*]: I regret that, due to a misunderstanding, incorrect information was given. A further check has shown that the number of Army personnel who had been discharged as a result of the inquiry was one, rather than four as originally stated.

Mr. McNamara asked the Secretary of State for Defence how many former members of 14 Signals Regiment have been discharged since 3 February 1984.

Mr. Stanley [*pursuant to his reply*, 4 December 1985, c. *278*]: I regret that, due to a computer programming error, incorrect information was given. The number of those serving in 14 Signals Regiment on or after 3 February 1984 who had subsequently been discharged from that regiment was 62, rather than 81 as originally stated.

Mr. McNamara asked the Secretary of State for Defence how many former members of 14 Signals Regiment have been discharged before completion of their engagement since 3 February 1984.

Mr. Stanley [*pursuant to his reply*, 4 December 1985, c. *278*]: I regret that, due to a computer programming error, incorrect information was given. The number of those serving in 14 Signals Regiment on or after 3 February 1984 who had been discharged before completion of their engagements was 28, rather than 50 as originally stated.

Written Answers to Questions

Wednesday 23 April 1986

TRANSPORT

Singapore Airlines

Mr. Arnold asked the Secretary of State for Transport what evidence is available to his Department about Singapore Airlines receiving subsidies from the Singapore Government to promote the activities of Singapore Airlines in competition with British carriers.

Mr. Michael Spicer: None.

Tolls (Abolition)

Mr. Roy Hughes asked the Secretary of State for Transport what representations he has received from national road user organisations calling for the abolition of tolls on estuarial crossings following the recommendation of the Transport Committee.

Mr. David Mitchell: The Freight Transport Association, also representing the Automobile Association, the Bus and Coach Council, the Road Haulage Association, the Royal Automobile Club and the Royal Scottish Automobile Club, has asked to discuss the Select Committee's report with my right hon. Friend the Secretary of State. He is prepared to do so once he has responded to the Chairman of the Committee.

Motorways (Repairs)

Mr. Greg Knight asked the Secretary of State for Transport if he will make a statement on his policy on the current phasing of motorway repair work.

Mr. Peter Bottomley: Most motorway major repairs are carried out in the Spring and Summer months when conditions are favourable to the handling of bituminous materials. The longer daylight hours also permit shorter contract times, thus reducing the overall delays to motorway users.

In programming the works, we require them wherever possible to be spaced out over the system in order to reduce congestion. We also normally restrict working lengths to about 2½ miles at major repair sites and about 1¼ miles at smaller scale sites.

Useful reductions in contract times have been obtained by the use of lane rental contracts which give contractors an incentive to finish schemes early.

M1 (Lane Closures)

Mr. Greg Knight asked the Secretary of State for Transport why two stretches of lane closures have been allowed to take place concurrently at or near junction 15 and 16 of the M1 motorway.

Mr. Peter Bottomley: The two sets of lane closures were part of a major maintenance contract involving resurfacing and installation of lighting. One contractor was responsible for these works which were carried out simultaneously to save time and reduce delays for the public. The road closures and associated contraflow conformed to the Department's required standards for minimum spacing between roadworks.

North Devon Link Road (Inquiry)

Mr. Speller asked the Secretary of State for Transport when he received the report on stage 2b of the North Devon link road inquiry; and by what date he expects to be able to announce a decision.

Mr. Peter Bottomley: My right hon. Friends received the inspector's report last August. Their decision will be announced as soon as possible.

MARPOL Convention

Mr. Hicks asked the Secretary of State for Transport if, pursuant to his answer of 17 April, *Official Report* Volume 95, column *479*, he will make a statement on the ratification by the United Kingdom of Annexes III and V of the MARPOL Convention on the carriage of harmful substances in packaged forms and the disposal of garbage from ships.

Mr. Ridley: The Government have now decided that the United Kingdom should ratify annexes III and V of the MARPOL Convention. Annex III is concerned with the packaging, labelling, stowage and documentation of packaged harmful substances carried at sea, and the effect of the provisions is to minimise the risk of pollution at sea and on shore through the loss of such packages. Annex V prohibits the discharge of certain types of garbage within specified distances from the coast. It also imposes a total prohibition on the discharge of plastics anywhere at sea.

The provisions of the annexes do not come into force until they have been ratified by a certain proportion of maritime nations. With ratification by the United Kingdom that proportion should soon be reached.

Hazardous Materials (Transportation)

Mr. Roy Hughes asked the Secretary of State for Transport if he will make a statement on the level of staff available to the Health and Safety Executive to enforce the regulations governing the transportation of hazardous materials; and if he will make a statement on the consequent level of protection of the public in the event of an accident.

Mr. Trippier: I have been asked to reply.

Responsibility for enforcing the regulations governing the transport by road of dangerous substances is currently shared between the Health and Safety Executive, local authorities and the police. Figures for the number of staff involved in this work are not available. I am satisfied that these arrangements provide an adequate level of enforcement.

HOME DEPARTMENT

Hong Kong

Mr. Moynihan asked the Secretary of State for the Home Department whether he is yet in a position to respond to the requests made by the Legislative Council of Hong Kong concerning the draft Hong Kong (British Nationality) Order in Council.

Mr. Hurd: The Government have carefully considered the requests made by the Legislative Council and have held detailed discussions with the Hong Kong Government. We have also taken fully into account the views expressed in the debates in Parliament in January and in the Legislative Council, a well as representations put to us by organisations and individuals in Hong Kong.

The Council's first request was that we should provide an endorsement in the British National (Overseas) passport making it clear that the holder did not require a visa or entry certificate to visit the United Kingdom. The Government will meet this request. As we have made clear on many occasions, visitors from Hong Kong are welcome to come to the United Kingdom. British Dependent Territories citizens do not have to obtain a visa in advance to visit the United Kingdom. This is the position under the current immigration rules and this Government have no intention of introducing any visa requirement for such visitors. This is understandably a matter of great importance to people in Hong Kong. In response to their wishes, therefore, the Government have agreed that an endorsement reflecting this position should be placed in the new British National (Overseas) passports. The endorsement will read:

"In accordance with the United Kingdom Immigration Rules, the holder of this passport does not require an entry certificate or visa to visit the United Kingdom."

A leaflet will be issued with each passport explaining the endorsement and the position under the immigration rules

The Council's second request was that former service men in Hong Kong who served in the defence of Hong Kong in the second world war should be granted British citizenship. The number involved is about 270. In view of their particular service the Government will meet the spirit of this request. It is not possible under the British Nationality Act 1981 to confer British citizenship on them all regardless of the nature of their service or their present citizenship. But I will consider sympathetically applications for registration as British citizens under section 4(5) of the British Nationality Act 1981 from any who are eligible under this provision because they are British Dependent Territories citizens or other British nationals and because they served under the Government of Hong Kong, for example in the Hong Kong Volunteers. The number who might be eligible is likely to be about 60. I am also ready from today to accept and grant applications from any of the 270 or so former service men in Hong Kong together with their dependants who wish to come to the United Kingdom for settlement.

The Council's third request was that those British Dependent Territories citizens who were not ethnically Chinese should be granted British citizenship rather than British Overseas citizenship if after 1 July 1997 they would otherwise be stateless. There are at present about 11,500 British Dependent Territories citizens who might be affected by this provision. The Government have carefully considered all the arguments put forward in support of this request, but we have concluded that the granting of British citizenship is not justified in the present circumstances. We are satisfied that we shall be able properly to meet the needs of these citizens, their children and their grandchildren for an accepted citizenship status and for a place to call their home. This will be ensured through the guarantees of right of abode in Hong Kong after 1997 provided in the agreement with the People's Republic of China, and through the provision of British Overseas citizenship status for any who would otherwise be stateless, down to the second generation born after 1997. British citizenship would not strengthen the position of those communities in Hong Kong. If, however, any British national were in the future to come under pressure to leave Hong Kong, we would expect the Government of the day to consider sympathetically the case for admission to the United Kingdom.

We believe our response to the legislative Council has shown that we pay close attention to the views expressed by the Council and the people of Hong Kong and that, as a result, the nationality provisions for Hong Kong have been clarified and improved. We believe it would be right now to put in place the nationality provisions which have been extensively discussed in Parliament and in Hong Kong so that detailed planning work can continue without delay. I intend therefore to lay the draft Order in Council before the House in the next few days.

Local Elections

59. **Mr. Holt** asked the Secretary of State for the Home Department what has been the average turnout of the electorate in local government elections over the last five years.

Mr. Mellor: Information of this kind is not collected by central Government.

Prison Officers

Mr. Alton asked the Secretary of State for the Home Department how many prison officers are currently employed in England and Wales; and if he will make a statement on recent talks on their pay and conditions of service.

Mr. Mellor: The number of staff in post in the prison officer class in England and Wales on 1 April 1986 was 18,890 full-time and 24½ part-time.

The second part of the hon. Member's question is a matter for my right hon. Friend the Chancellor of the Exchequer.

Brixton Prison (Strip Searches)

Mr. John Fraser asked the Secretary of State for the Home Department on how many occasions strip-searching of women in Brixton prison has led to the discovery of any prohibited materials.

Mr. Mellor: The justification for strip searching (which is a routine security measure to which all prisoners —male and female—are subject) lies not only in the fact that staff do discover items (such as drugs, syringes, plastic knives sharpened into daggers, and scissors) which they would not otherwise find, but also in the deterrent effect which such searching undoubtedly has. As regards the three women prisoners who are on remand in Brixton, on no occasion, up to and including Friday, 18 April, has a strip search led to the discovery of prohibited articles.

Foreign Visa Holders (Passports)

Sir John Farr asked the Secretary of State for the Home Department if he will take steps to simplify and clarify the statement stamped on the passports of foreign visa holders by his immigration department, namely:

"This will apply unless superseded to any subsequent leave the holder may obtain after an absence from the United Kingdom within the period limited as above".

Mr. Waddington: The purpose of the endorsement is to enable the holder of the passport to be readmitted on the same conditions after a trip abroad. In order to achieve this result the endorsement follows the wording of section 3(3)*(b)* of the Immigration Act 1971.

Criminal Injuries

Sir Eldon Griffiths asked the Secretary of State for the Home Department how many applications for criminal injuries compensation are now in front of the Criminal Injuries Compensation Board; what is the average length of time it now takes to deal with them; and what steps he is taking to expedite the processing of those less complicated cases presented by injured police officers.

Mr. Mellor: The number of applications before the Criminal Injuries Compensation Board at the end of March 1986 was about 51,000. Information is not available about the average time taken to deal with applications. As stated in the board's last annual report (Cmnd. 9684, paragraph 5), three quarters of the cases resolved in the 1984-85 financial year were resolved within a year of receipt. Less complicated cases, which require fewer inquiries to be made, will usually be resolved more quickly than others, but all applications, whether or not from police officers, and whether complicated or straightforward, are dealt with as expeditiously as possible given the resources available.

Inner City Policing

Mr. Peter Bruinvels asked the Secretary of State for the Home Department what recent requests he has received for increasing police establishments citing as one ground an increased requirement for policing inner city areas.

Mr. Giles Shaw: The new police authorities for Merseyside, Northumbria and South Yorkshire, which took over responsibility on 1 April 1986, included proposals for increases in their police establishments in their manpower plans for the financial year 1986-87. The additional posts were intended for a range of purposes, including in some instances deployment in inner city areas. My right hon. Friend approved 72 additional police posts for Merseyside and nine for South Yorkshire.

Libyan Nationals

Mr. Dicks asked the Secretary of State for the Home Department if he will arrange for the immediate deportation of all Libyans now resident in the United Kingdom; and if he will make a statement.

Mr. Hurd: I would refer my hon. Friend to the reply I gave to his question yesterday, at column 173.

EDUCATION AND SCIENCE

Mature Students

Dr. Hampson asked the Secretary of State for Education and Science if he will publish for each year from 1979 the numbers of mature students in higher education, the proportion they formed of total student numbers and his estimates of the proportion they will form over the next five years.

Mr. Walden: Information for full-time and sandwich home students in Great Britain higher education is as follows:

	1979	*1980*	*1981*	*1982*	*1983*	*1984*
Mature students (000's)	179	184	193	195	202	206
Mature students as a percentage of all home students	39·7	39·5	39·5	38·7	39·0	39·3

The proportion of mature students in the total students population is expected to rise by one or two percentage points in the next five years.

Adult Education

Dr. Hampson asked the Secretary of State for Education and Science (1) what percentage of the educational budget is spent on adult education;

(2) how much is spent each year on *(a)* adult education and *(b)* extra-mural university departments.

Mr. Walden: The information is as follows:

	Estimated expenditure in 1984-85 £ *million*	*As a percentage of total expenditure on education percentage*
Maintained adult education centres*	96	0·71
University extra-mural departments†	5	0·04
Other bodies‡	8	0·06
TOTAL	109	0·81

* Does not include expenditure on adult and continuing education provided in polytechnics and other maintained further education establishments.

† Does not include expenditure on adult and continuing education provided within other university departments or in the Open University.

‡ Includes expenditure by the Workers' Education Associaton, long-term residential colleges and national associations involved in the promotion or provision of adult education.

Youth Service

Mr. Lawler asked the Secretary of State for Education and Science if he will make a statement on the scope and objectives of his Department's circular 1/85 "Youth Service".

Mr. Dunn: Replies from 76 local education authorities have so far been received. Steps are being taken to assemble the remaining responses and to obtain any further information necessary to a proper study of the matters raised in circular 1/85. I shall write further to my hon. Friend about this in due course.

Mr. Lawler asked the Secretary of State for Education and Science how many local education authorities have yet to respond to his Department's circular 1/85 "Youth Service".

Mr. Dunn: Twenty-two local education authorities have not yet replied substantively.

Mr. Lawler asked the Secretary of State for Education and Science what steps are being taken to ensure that all local education authorities respond to his Department's circular 1/85 "Youth Service".

Mr. Dunn: The majority of all authorities have now responded to this circular and others are being asked to respond in the near future. Some responses have been delayed pending local reviews of youth service arrangements.

Staffordshire

Mr. Fisher asked the Secretary of State for Education and Science what was the Staffordshire education capital expenditure allocation at outturn and constant prices in each year from 1981-82 to 1986-87; and what was the original bid received by his Department for each year.

Mr. Dunn: The information is as follows:

TABLE 1
Allocations of local education authority prescribed expenditure

	Cash		*Constant* 1984-85 prices*	
	Bid† (£000's)	*Allocation (£000's)*	*Bid† (£000's)*	*Allocation (£000's)*
1981-82	•	11,912	•	13,891
1982-83	•	8,428	•	9,184
1983-84	•	7,676	•	8,005
1984-85	15,277	10,691	15,277	10,691
1985-86	13,621	9,717	12,972	9,254
1986-87	17,485	9,313	15,935	8,488

Notes:
* Calculated using the GDP deflator.
† Cash bids were not required in the years marked •.

TABLE 2
Allocations for capital expenditure by governors of aided schools

	Cash		*Constant prices‡*	
	Bid (£000's)	*Allocation† (£000's)*	*Bid (£000's)*	*Allocation (£000's)*
1981-82*	*	*	*	*
1982-83	700	588	763	641
1983-84	‖431	431	449	449
1984-85	784	435	784	435
1985-86	699	239	666	228
1986-87	627	181	571	165

Notes:
* Allocations for 1981-82 were made on a different basis from those for later years and have therefore been excluded.
† The allocations shown are those announced before the start of the financial year in question and do not include later revisions.
‡ Calculated using the GDP deflator: constant 1984-85 prices.
‖ Bid relates to new work only, but allocations include on-going projects.

ATTORNEY-GENERAL

Exports (US Controls)

Mr. Ashdown asked the Attorney-General if the Lord Chancellor will accept tenders for the computerisation of his Department and the United Kingdom judicial system for companies which seek to impose United States extraterritorial controls on their United Kingdom staff, or on United Kingdom exports, or on United Kingdom non-Government customers; and if he will make a statement.

The Attorney-General: Acquisitions of computer equipment will be made by the Central Computer and Telecommunications Agency, whose policy was set out in the answer given by the Minister of State, Treasury, in response to a question from the hon. Member on 8 April, at column 95.

Mr. Ashdown asked the Attorney-General what is his policy on the acquisition for the use of his Department of computers and equipment supplied by companies which seek to impose extraterritorial United States controls on their United Kingdom staff or on non-Government United Kingdom customers or on exports from the United Kingdom; and if he will make a statement.

The Attorney-General: Acquisitions of computers for my Department are made by the CCTA, whose policy was

set out in the answer given by the Minister of State, Treasury in response to a question from the hon. Member on 8 April, at column 95. My policy in respect of any high technology equipment purchased directly by my Department would be the same.

Member's Correspondence

Mr. Ashdown asked the Attorney-General when the hon. Member for Yeovil can expect a reply to his letters of 7 and 26 February.

The Attorney-General: As I told the hon. Member in my letter of 4 March, his letters touched on matters which went beyond the responsibilities of my Department and had to be looked into. This has now been done and I have replied.

PRIME MINISTER

Libya (United States Raid)

Mr. Nellist asked the Prime Minister how many representations the Government have now received for and against the United Kingdom's support for the American bombing of Libya.

The Prime Minister: Up to and including Tuesday 22 April the Government have received about 9,750 representations against, and about 3,130 representations for the United Kingdom's support of the United States action.

Mr. Austin Mitchell asked the Prime Minister whether the Government of the United States of America have provided her with any information to substantiate their claim that the civil aircraft destroyed on the ground at Tripoli airport had been used to ferry terrorists and terrorist materials to their objectives; and if she will make a statement.

The Prime Minister: As far as we are aware no civil aircraft were destroyed in the United States attack on Tripoli military airport.

EMPLOYMENT

Departmental Staff

Mr. Arnold asked the Paymaster General if he will list the responsibilities of each of the deputy secretaries in his Department and the number and ranks of staff reporting to each.

Mr. Lang: The information at 1 April 1986 is as follows:

Deputy Secretary:
Inner cities initiative, small firms and tourism, manpower policy, economic and social division and European Community Business.
Three grade 3, one grade 4, 15 grade 5 and 447 other staff.

Deputy Secretary:
International employment issues and labour attaché service, health and safety, industrial relations, unemployment benefit service, statistics division and information division.
Four grade 3, one grade 4, 12 grade 5 and 28,208 other staff.

Deputy Secretary:
Solicitors Office
Four grade 5, and 25 other staff.

Departmental Offices

Mr. Ralph Howell asked the Paymaster General if he will give details of the numbers employed in each of the following offices in Norfolk *(a)* unemployment benefit offices and *(b)* jobcentres.

Mr. Lang: At 1 April 1986 in Norfolk there were *(a)* 299 staff employed in unemployment benefit offices and *(b)*112·5 staff employed in jobcentres.

Mr. Ralph Howell asked the Paymaster General if he will give details of the numbers employed in the unemployment benefit office and in the jobcentre in *(a)* Cromer, *(b)* North Walsham and *(c)* Fakenham.

Mr. Lang: At 1 April 1986 the following numbers of staff were employed:
(a) Cromer unemployment benefit office 23 (including staff at the linked part-time office at North Walsham), Cromer jobcentre 3; *(b)* North Walsham jobcentre 1·5; *(c)* Fakenham unemployment benefit office 9, Fakenham jobcentre 2.

Young Workers' Scheme

Ms. Clare Short asked the Paymaster General if he will provide figures showing the total number of jobs covered by the young workers scheme and the annual costs of the scheme in each year since it was first started; how many jobs are currently covered by the scheme and what is its cost; and if he will estimate the net job creation effect of the scheme.

Mr. Lang: There have been over 436,000 approved applications since the schemes inception at an annual cost of:

£ million

1982-83 Outturn	*1983-84 Outturn*	*1984-85 Outturn*	*1985-86 Total*	*1986-87 Supply estimate*
41	58	41	*32	19

* Provisional.

The coverage at the end of February 1986 was 55,000. it is estimated that the net job creation effect of the scheme is 27 per cent.

EC Economic and Social Committee

Mr. Knox asked the Paymaster General whether he is considering appointing representatives from the managerial, professional and staff liaison group to group II of the Economic and Social Committee of the European Community; and if he will make a statement.

Mr. Lang: I have received a nomination from the managerial, professional and staff liaison group for membership of Economic and Social Committee. The nomination will be considered, together with other nominations, in due course.

Self-employed Persons (Incomes)

Mr. Sheerman asked the Paymaster General what is the distribution of incomes among the 457,000 new jobs that have been created since March 1983 that are classified as self-employed.

Mr. Moore [*pursuant to his reply*, 21 April 1986, c. *28*]: I regret that the information requested is not available.

OVERSEAS DEVELOPMENT

Famine Relief

Mr. Pike asked the Secretary of State for Foreign and Commonwealth Affairs if he will give his most recent assessment of the priority objectives for food aid and its distribution in the drought-affected countries of Sub-Saharan Africa.

Mr. Raison: We hold firmly to the view that famine relief should be given priority in determining the use of food aid.

Following abundant rains in many parts of Africa last year the need for emergency food aid is greatly reduced, but there is still a number of countries needing assistance. Together with other donors we are concentrating our bilateral food aid on those that remain most seriously affected, and on ensuring that it is distributed to the people who need it.

TRADE AND INDUSTRY

Surgical Dressings

Mr. Peter Griffiths asked the Secretary of State for Trade and Industry what representations his Department has received from the Surgical Dressings Manufacturers' Association on the multi-fibre arrangement, and, in particular, on the exclusion of gauze dressings from the European Economic Community's current classification for multi-fibre arrangement purposes; and if he will make a statement.

Mr. Alan Clark: The Surgical Dressings Manufacturers Association has made a number of representations about the treatment of gauze dressings. The classification of these products within the pharmaceuticals chapter of the tariff means they are not included in the bilateral agreements negotiated by the European Community under the multi-fibre arrangement. China, the main exporter of these products, agreed (outside its bilateral agreement) to restrain its exports of these products for the period 1984 to 1988.

Mr. Peter Griffiths asked the Secretary of State for Trade and Industry if he is satisfied with the observance by the Chinese authorities of the voluntary restraint arrangement applying to exports of gauze dressings to the United Kingdom and other European Economic Community countries; and if he will make a statement.

Mr. Alan Clark: China has agreed, outside the scope of its bilateral MFA agreement with the Community, to limit its exports of gauze dressings for the period 1984-88. The agreement is being monitored closely by the Community. In 1985 there appear to have been some overshipment to the United Kingdom, but the quantity concerned is relatively small. The matter has been raised with the Chinese authorities.

Mr. Peter Griffiths asked the Secretary of State for Trade and Industry if he will publish in the *Official Report* a table showing United Kingdom imports from 1982 to 1985 of gauze dressings under tariff heading 30.04.3100 from China and other countries with which the European Economic Community has agreements under the multi-fibre arrangement.

Mr. Alan Clark: The information is as follows:

	1982		*1983*		*1984*		*1985**	
	kg	*£*	*kg*	*£*	*kg*	*£*	*kg*	*£*
India	29,380	134,509	4,179	18,932	26,378	148,098	13,627	65,905
China	30,560	131,010	26,879	105,732	55,965	253,728	81,605	424,946
Malaysia	—	—	—	—	22	293	—	—
Hong Kong	—	—	—	—	—	—	359	2,693
Taiwan	—	—	87	974	—	—	485	3,702

* Provisional.

NORTHERN IRELAND

Social Security Payments

Mr. Archer asked the Secretary of State for Northern Ireland what are the latest available figures for the numbers of single social security payments in Northern Ireland per annum to *(a)* pensioner couples, *(b)* single pensioners, *(c)* unemployed people with children, *(d)* unemployed people without children, *(e)* lone parents, *(f)* sick and disabled people and *(g)* the remaining categories of people, including in each category the average size of payment, and the regulations under which payments were made.

Mr. Needham: Information in the precise form requested is not readily available and could be obtained only at disproportionate cost. The latest available information is as follows:

TABLE 1

	*Single payments awarded during 1985**	
	Estimated Numbers	*Average payment* £
Pensioners	36,400	109·59
Unemployed	148,900	116·27
Others	91,500	117·17

TABLE 2

Item	Regulation Number‡	Breakdown of single payments—1984† Pensioners Number	Pensioners Average Payment £	Unemployed Number	Unemployed Average payment £	Others Number	Others Average payment £
Maternity needs	(7)	—	—	7,230	98·90	2,355	112·37
Funeral expenses	(8)	868	276·92	481	258·49	299	296·76
Purchase, repair and installation of essential furniture and household equipment	(10)	13,859	125·90	46,833	137·16	31,214	140·33
Bedclothes	(12)	7,611	54·18	18,620	76·98	11,483	71·40
Removal expenses	(13)	308	55·54	466	73·74	656	64·85
Draughtproofing	(18)	1,704	53·18	2,231	52·75	1,279	54·88
Redecoration	(19)	3,280	46·41	9,635	55·60	6,138	51·60
Fuel Cost	(26)	235	78·74	246	101·76	357	139·89
Clothing and footwear	(27)	4,418	81·61	13,587	78·70	10,203	77·76
Others		2,157	91·68	5,256	84·36	2,947	85·34

* The 1985 figures are estimated as some returns were incomplete due to industrial action.

† The figures relate only to single payments awarded during the preceding 12 months to people on supplementary benefit at 12 December 1984 (*Source:* 5 per cent. sample).

‡ The Supplementary Benefit (Single Payments) Regulations (Northern Ireland) 1981.

WALES

NHS (Consultants)

Mr. Gwilym Jones asked the Secretary of State for Wales how many additional consultants have been appointed to the National Health Service in Wales since 1979; in what specialties; and what effect this has had on the respective waiting lists.

Mr. Mark Robinson: The table gives, by speciality, the numbers of hospital consultants employed by the National Health Service in Wales, in terms of whole-time equivalents at 30 September 1979 and 30 September 1985. Information is also provided on the change in inpatient and outpatient waiting lists over this period and on changes in the throughput of inpatient and outpatient cases between 1979 and 1984.

Specialties	Consultants at 30 September (whole-time equivalents) 1979	1985	Change in number of patients on waiting lists 30 September 1979 to 30 September 1985 Inpatients	Outpatients	Change in annual throughput (numbers) 1979 to 1984 Inpatient discharges and deaths	New outpatient attendances
Accident & Emergency	8·2	10·2	n/a	n/a	n/a	+79,307
Cardiology	4·5	4·2	+65	+264	+630	+280
Cardio-thoracic surgery	2·1	3·1	+79	+12	+284	−103
Dental specialties*	19·5	27·1	+662	+2,315	+1,671	+4,675
Dermatology	10·1	10·7	−2	+7,477	+89	+1,918
Ear, Nose & Throat†	20·0	21·6	+50	+6,156	+3,881	+4,559
General Medicine‡	54·3	66·2	+25	+1,137	+6,711	+1,100
General Surgery‖	61·2	64·2	+996	+3,905	+9,806	+6,441
Genito-Urinary Medicine	5·3	4·0	n/a	n/a	n/a	+3,165
Geriatric Medicine	24·0	33·2	+184	+24	+11,086	+1,113
Haematology	10·7	19·3	−22	+26	+1,053	+645
Mental Handicap	10·0	8·5	−49	Nil	+464	−50
Neurology	4·2	6·1	+24	+281	+46	+1,213
Neurosurgery	4·6	4·3	+55	+269	+342	+77
Obstetrics & Gynaecology	39·7	41·8	−322	+3,281	+9,419	+3,007
Ophthalmology	20·0	25·0	+228	−376	+1,187	+8,464
Paediatrics¶	28·8	34·9	+67	+438	+2,499	+1,645
Plastic Surgery	3·2	3·9	−480	+198	+966	+1,018
Psychiatric Specialties**	61·3	80·7	−38	+268	+1,719	+491
Radiotherapy	8·6	11·3	+20	+26	+1,537	+649
Rheumatology	8·0	11·5	+85	−510	+561	+1,439
Thoracic Medicine	18·1	6·6	−12	+25	−315	−8,495
Traumatic & Orthopaedic Surgery	32·5	34·6	+1,278	+2,643	+4,540	+11,584
Other Acute Specialties	n/a	n/a	+211	+205	+4,995	+6,269
Support Specialties††	174·7	209·1	n/a	n/a	n/a	n/a
Total	633·6	742·1	+2,736	+28,064	+63,171	+130,339

* Includes Oral Surgery, Orthodontics, Restorative Dentistry and Paediatric Dentistry.
† Includes Audiological Medicine.
‡ Includes Endocrinology, Gastroentorology, Clinical Genetics, Clinical Pharmacology and Nephrology.
‖ Includes Urology.
¶ Includes Paediatric Neurology and Paediatric Surgery.
● Includes Child & Adolescent Psychiatry, Forensic Psychiatry, Mental Illness, Occupational Health and Psychotherapy.
■ Includes Anaesthetics, Blood Transfusion, Chemical Pathology, General Pathology, Histopathology, Medical Microbiology, Neuropathology, Radiology, Clinical Physiology and Other.
n/a=Not applicable.

ADAS (Welsh Language)

Mr. Geraint Howells asked the Secretary of State for Wales how many employees of the Agricultural Development and Advisory Service in *(a)* Dyfed, *(b)* Powys and *(c)* Gwynedd are unable to converse in Welsh; and if he will make a statement.

Mr. Mark Robinson: The numbers of Agricultural Development and Advisory Service advisers who do not speak Welsh in Dyfed, Powys and Gwynedd respectively are 43, 28 and 11. These figures do not include veterinary investigation centres and headquarters specialist staff.

Mr. Geraint Howells asked the Secretary of State for Wales how many employees of the Agricultural Development and Advisory Service in *(a)* Ceredigion, *(b)* Pembroke, *(c)* Carmarthen, *(d)* Meirion, *(e)* Arfon and *(f)* Ynys Môn speak Welsh; and if he will make a statement.

Mr. Mark Robinson: Agricultural Development and Advisory Service advisors' areas do not coincide with local authority districts. The number of Welsh speaking advisors in Dyfed, which includes the districts of Ceredigion, Pembroke and Carmarthen, is 27. The number of Welsh speaking advisors in Gwynedd, which includes the districts of Meirion, Arfon and Ynys Môn, is 23. These figures do not include veterinary investigation centres and headquarters specialist staff.

Outgoers Scheme

Mr. Geraint Howells asked the Secretary of State for Wales if he has come to an agreement with the Farmers Union of Wales and the National Farmers Union on the milk outgoers scheme; and if he will make a statement.

Mr. Mark Robinson: Discussions on the proposed EC outgoers' scheme have taken place with all interested parties, including the Farmers Union of Wales and the National Farmers Union in Wales.

We have noted their views and will take account of these in the further negotiations on the current CAP price-fixing proposals.

Dairy Industry

Mr. Geraint Howells asked the Secretary of State for Wales if he has any further plans to help the Milk Marketing Board and dairy farmers in Wales; and if he will make a statement.

Mr. Mark Robinson: Dairy farmers in Wales continue to benefit from the England and Wales arrangements of the Milk Marketing Board.

Private Sewers

Mr. Gareth Wardell asked the Secretary of State for Wales if he will introduce legislation to provide for grants to be available towards the cost of laying private sewers where a local authority has served a notice requiring execution of works of drainage and so on in existing buildings under section 59 of the Building Act 1984 on the grounds that existing on-site drainage is inadequate; and if he will make a statement.

Mr. Mark Robinson: The provision and maintenance of private sewers is currently a matter for the owners of the properties concerned. The Government have no plans at present to provide grants to deal with cases which arise under section 59 of the Building Act 1984. The Government have recently issued a consultation paper on the review of water and sewerage law in which it is proposed that all private sewers should be taken into the ownership of water service public limited companies.

Hospital Waiting Lists

Mr. Ron Davies asked the Secretary of State for Wales what is the current size of the waiting list for treatment of all kinds in Welsh hospitals; and how this figure compares with those for April 1983 and April 1979.

Mr. Mark Robinson: Waiting list figures are not available for the months requested, but the following table gives the nearest equivalent figures:

	In-patient	*Out-patient*
31 March 1979	37,955	56,540
31 March 1983	38,735	64,079
30 September 1985	41,212	88,608

Hospital Closures

Mr. Ron Davies asked the Secretary of State for Wales how many hospitals have been closed in Wales in each year since 1975; and if he will name them.

Mr. Mark Robinson: I refer the hon. Gentleman to the reply I gave to the hon. Member for Caernarfon (Mr. Wigley) on 15 April 1986, at column *348*.

NHS Beds

Mr. Ron Davies asked the Secretary of State for Wales what is the ratio of National Health Service beds to population in Wales; and how this compares with the figures for April 1983 and April 1979.

Mr. Mark Robinson: The information is not available for the months requested. For the nearest equivalent dates the figures are as follows:

Ratio of staffed beds allocated per 1,000 population, Wales (all specialties)

	Ratio
31 March 1979	8·4
31 March 1983	8·1
30 September 1985	7·9

The reduction largely is due to the move towards community care for the mentally ill and mentally handicapped, thereby reducing hospital beds for such categories.

EUROPEAN COMMUNITY

Budgetary Procedure

Mr. Pike asked the Secretary of State for Foreign and Commonwealth Affairs what discussions there have been with European Economic Community counterparts concerning reform of budgetary procedure.

Mrs. Chalker: The Foreign Affairs Council had a general discussion of the Community's budgetary situation on 21 April. My right hon. and learned Friend and I have had a number of bilateral discussions with our EC colleagues. Budget issues are on the agenda of the Council of Finance Ministers on 28 April.

FOREIGN AND COMMONWEALTH AFFAIRS

Twinning

58. **Mr. Peter Bruinvels** asked the Secretary of State for Foreign and Commonwealth Affairs if he will issue guidelines to local authorities on the criteria for selection of foreign cities or countries as partners in twinning arrangements; and if he will make a statement.

Mr. Eggar: The United Kingdom's twinning agency is the Joint Twinning Committee of Local Authority Associations of Great Britain and Northern Ireland (the JTC), whose secretariat is staffed and housed by the British Council. The JTC gives guidance and practical assistance to British localities which are seeking a partner.

Cyprus (Stolen Car Sales)

Sir Dudley Smith asked the Secretary of State for Foreign and Commonwealth Affairs why he has refused permission for a senior police officer and an expert witness to travel to northern Cyprus to give evidence in a case concerning many stolen British cars which have been taken to that island and then sold illegally.

Mr. Eggar: No such request has been made, but I understand that the two police forces are in touch about the best way to proceed. We are naturally concerned that those responsible for these thefts should be brought to justice.

Overseas Court Cases (British Witnesses)

Sir Dudley Smith asked the Secretary of State for Foreign and Commonwealth Affairs what criteria he exercises and what advice he gives when material witnesses of British nationality are asked to give evidence in court cases in countries which the United Kingdom does not recognise officially at the present time.

Mr. Renton: We regard the situation where a British national is asked to give evidence in a court in a foreign country as a matter between that person and the relevant foreign authority. If my hon. Friend would like to write with specific details of any particular case we will be happy to look into the matter.

EC (Third World Food Aid)

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs what quantities of beef, butter and wheat have been exported to Libya in the current year under the EEC programme for assistance to the Third world; what has been the cost; from what fund the subsidy is met; what consideration has been given to halting this trade; whether he will now introduce an embargo on all trade with Libya; and if he will make a statement.

Mrs. Chalker: Libya is not one of the authorised recipient countries qualifying for European Community food aid and has received no such aid. My right hon. and learned Friend has raised with his EC colleagues the urgent need to examine what uncovenanted benefits Libya may have received from the Community's management of agricultural markets. The possibility of a trade embargo has been considered on a number of occasions; we have always concluded that it would be inappropriate and ineffective.

SOCIAL SERVICES

Foreign Visitors (Social Benefits)

Mr. John Carlisle asked the Secretary of State for Social Services what social benefits are available to visitors to the United Kingdom or to those granted leave to enter for a definite period.

Mr. Major: I assume that my hon. Friend is referring to social security benefits. People granted limited leave to enter or remain, which includes visitors to the United Kingdom, would not be able to fulfil the various residence and contribution tests, or other specific tests, which are attached to most social security benefits. Such people have to show that they can be maintained and accommodated without recourse to public funds. In some circumstances, where a person has been given limited leave and the Home Office has his status under consideration, supplementary benefit—which has no residence or contribution tests—may be paid on an urgent needs basis.

Alcoholism

Mr. Michael Brown asked the Secretary of State for Social Services what resources and assistance the Health Education Council is making available to Action on Alcohol Abuse.

Mr. Whitney: The Health Education Council is making no resources or assistance available to Action on Alcohol Abuse.

Conductive Education

Mr. Pawsey asked the Secretary of State for Social Services which Ministers from his Department, and which civil servants, have visited Hungary since 1979 to study conductive education; at what cost; for how long the visit lasted; what was the itinerary of the visit; what were the findings; if he will place details of the outcome of the visit in the Library; and what discussions took place subsequent to the visit with *(a)* the Spastics Society or *(b)* any other body on the findings.

Mr. Whitney: During an official visit to Hungary in November 1984, at the invitation of the Hungarian

Minister of Health, my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), the then Minister for Health, visited the Peto Educational and Training Institute for children with motor disorders in Budapest as part of a programme of visits to various health establishments in Hungary. He was very impressed by the training programmes being undertaken to help motor and neurologically impaired children. No officials from this Department have visited Hungary since 1979 to study conductive education. Since my right hon. and learned Friend's visit however officials have had discussions with the Spastics Society and the Parkinsons Disease Society about conductive education. They have also met the district physiotherapist of Barnet health authority and a member of the Chartered Society of Physiotherapists, who gave details of their visits to the Peto Institute. Officials from this Department and the Department of Education and Science will shortly be discussing with the Spastics Society its application for funding in respect of a study of current provision and an evaluation of the implications of wider development of the system in this country.

McColl Committee

Mr. Peter Griffiths asked the Secretary of State for Social Services what information he has about the patient to prosthetist ratio in the countries visited by members of the McColl committee on artificial limbs and appliances.

Mr. Newton: The McColl committee did not collect this information for countries outside the United Kingdom.

Mr. Peter Griffiths asked the Secretary of State for Social Services when he expects to publish his considered response to the McColl report on artificial limbs and appliances.

Mr. Newton: I refer my hon. Friend to my reply to the hon. Member for Sheffield, Hillsborough (Mr. Flannery) on 25 March, at column *451*.

Nurses

Mr. Soames asked the Secretary of State for Social Services what steps he is taking to reduce the national shortage of qualified intensive care unit nurses.

Mr. Hayhoe: It is for health authorities to decide, in the light of local needs and priorities and the resources available to them, how many nurses they should employ who have received training in intensive care and how many trainees they should second to meet those needs. Most regional health authorities have been asked to refine the manpower planning and training components of their strategic plans and in considering these particular attention will be paid to proposals for staff groups who may be in short supply.

AGRICULTURE, FISHERIES AND FOOD

Council of Agriculture Ministers

Mr. Maclennan asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the Council of Agriculture Ministers meeting on 21 and 22 April.

Mr. Jopling: I shall reply to the hon. Member as soon as possible.

Food Sales

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food (1) what sales of food have been concluded to date by the EC under regulation 765/86; and if he will give details of the countries to which such sales have been concluded and, in each case, the amount of food and the price of sale expressed in terms of pence per pound;

(2) to which countries the EC was authorised to export food at special prices under regulation 765/86; and if any sales to Libya have been contracted under this regulation;

(3) if he will propose at the next meeting of the Council of Ministers that no further export rebates should be paid by the EC in respect of exports of food to Libya; and if he will make a statement;

(4) if the EC is authorised under the meeting of the protocol committee of 1 May 1985 to sell butter to Libya at prices below the minimum specified by the general agreement on tariffs and trade; and if any such sales have been contracted for;

(5) what sales of butter to the Union of Soviet Socialist Republics have been completed under regulations 765/86.

Mr. McQuarrie asked the Minister of Agriculture, Fisheries and Food (1) if he will take steps to cease the shipment of beef and other commodities from Scotland to Libya; and if he will make a statement;

(2) what was the total cost to the taxpayer for the half value of the 700 tonnes of beef which was shipped to Libya from Troon in Aryshire on 19 April; and what further liabilities will be borne by the British taxpayer in planned future dispatches;

(3) why Her Majesty's Government paid half the cost of shipment of 700 tonnes of beef despatched from Troon, Scotland, on 19 April consigned to Libya; and if he will make a statement.

Mr. Gummer: I shall reply to my hon. Friends as soon as possible.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what amount of food has been exported by the EEC to Libya over the most recent 12 months for which figures are available; what were the comparable figures in each of the previous four years; and what was the total of export rebates provided in respect of each year's sales, respectively.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Export Refunds

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each agricultural product the amount of export refunds per tonne granted to British exporters at the most recent available date and tne total spent by way of such refunds in 1985.

Mr. Gummer: I shall reply to the hon. Member as soon as possible.

ENVIRONMENT

Local Government Finance

2. **Mr. Corbyn** asked the Secretary of State for the Environment when he next expects to meet the local authority associations to discuss the Green Paper, "Paying for Local Government".

Mr. Kenneth Baker: I am next due to meet the associations at the Consultative Council on Local Government Finance on 7 July.

7. **Mr. Caborn** asked the Secretary of State for the Environment how many submissions he had received by 18 April in response to the Green Paper, "Paying for Local Government".

Mr. Kenneth Baker: Over 400.

17. **Mr. Roy Hughes** asked the Secretary of State for the Environment if he will extend the consultation period in respect of the Green Paper, "Paying for Local Government".

Mr. Waldegrave: Following representations from the local authority associations, I announced on 19 March that the consultation period would be extended to 31 October. I see no justification for any further extension.

41. **Mr. Stern** asked the Secretary of State for the Environment how many responses he has so far received to the Green Paper, "Paying for Local Government".

Mr. Waldegrave: I refer my hon. Friend to the answer which my right hon. Friend gave today to the hon. Member for Sheffield, Central (Mr. Caborn).

Rates

11. **Mr. Campbell-Savours** asked the Secretary of State for the Environment what was the average increase in domestic rates and non-domestic rates in *(a)* London and *(b)* the remainder of England in April 1986.

Mr. Kenneth Baker: On average, in London, domestic rates fell by 3·9 per cent. and non-domestic rates by 2·3 per cent.; in the rest of England there were rises of 18·3 per cent. and 16·4 per cent. respectively. The average increase for domestic rates in the whole of England is 13½ per cent., and for non-domestic rates 10·4 per cent., but these figures of course conceal wide variations.

34. **Mr. Terry Lewis** asked the Secretary of State for the Environment what was the average increase in domestic and non-domestic rates in England in April 1986.

Mrs. Rumbold: Domestic and non-domestic rates in England rose by 13·5 and 10·4 per cent. respectively.

52. **Mr. Simon Hughes** asked the Secretary of State for the Environment if he will give a figure for the losses to local authorities in London due to the late setting of rates in 1985; and if he will make a statement.

Mrs. Rumbold: It is for the independent district auditor to decide whether or not losses arose and, if so, to what extent, in those authorities which delayed setting a rate for 1985-86.

District Auditors

21. **Mr. Tony Banks** asked the Secretary of State for the Environment if he will introduce legislation to remove the power of district auditors to initiate further proceedings against councillors for delays in setting a rate; and if he will make a statement.

55. **Mr. Parry** asked the Secretary of State for the Environment if he has any plans to seek to amend the legislation governing the role of district auditors; and if he will make a statement.

Mr. Waldegrave: We have no plans to introduce legislation to change the role and powers of auditors appointed by the Audit Commission.

Multiple Occupation

22. **Mr. Kirkwood** asked the Secretary of State for the Environment if he will make a statement on progress to resolve the problems associated with houses in multiple occupancy.

Sir George Young: My Department is undertaking a major research project on houses in multiple occupation. The results of the first stage were announced in February; those of the main survey are expected later this year. I wish to see the outcome of this research before deciding whether further measures are necessary to deal with problems associated with houses in multiple occupation. In the meantime, I hope to publish in May a new circular on houses in multiple occupation about the wide-ranging powers already available to local authorities.

Rented Accommodation

23. **Mr. Squire** asked the Secretary of State for the Environment if he has further proposals to increase the provision of assured tenancies.

Mr. John Patten: I tabled amendments to the Housing and Planning Bill on 18 March to extend the assured tenancy scheme. These will allow approved landlords to let existing property on assured tenancy terms provided the property has first been substantially improved or repaired, or has been converted.

25. **Mr. Nicholls** asked the Secretary of State for the Environment whether he will take steps to seek to relax the operation of the Rent Acts in relation to private tenancies; and if he will make a statement.

Mr. John Patten: The Government have no proposals for any major reform of the Rent Acts in this Parliament. However, it remains our wish to encourage the supply for more homes to let in the private rented sector. In order to provide greater scope for responsible landlords approved by my right hon. Friend the Secretary of State to invest in rented accommodation, I tabled on 18 March amendments to the Housing and Planning Bill to extend the assured tenancy scheme to improved property.

Listed Buildings (Demolition)

24. **Mr. Chapman** asked the Secretary of State for the Environment how many listed buildings were demolished in the last 12 months for which figures are available; and what proportion of the total this represents.

Mr. Tracey: In the 12-month period ending on 31 December 1985 consent was granted for the demolition of 204 listed buildings and the partial demolition of a further 2,372. These figures represent 0·06 per cent. and 0·7 per cent. respectively of the 338,079 buildings on the statutory list at the start of that period.

Council House Sales

26. **Mr. Leigh** asked the Secretary of State for the Environment what is the latest figure available of council house sales under the legislation granting tenants the right to buy their rented accommodation.

Mr. John Patten: A total of 520,000 local authority and new town houses and flats had been sold in England under the right-to-buy legislation by the end of December 1985. Over the period 1979 to 1985 there have been a further 167,000 sales by agreement to sitting tenants, on terms comparable with the right to buy.

Local Government

27. **Mr. Marlow** asked the Secretary of State for the Environment if he will introduce legislation to define and confine the role and competence of local government.

Mrs. Rumbold: I have no plans to do so at present.

Football Crowds

28. **Mr. Canavan** asked the Secretary of State for the Environment when he next expects to meet representatives of the football authorities to discuss crowd behaviour.

Mr. Tracey: No formal meeting is currently planned, but we continue to co-operate closely and informally with the football authorities. In particular, we are taking forward arrangements for the Mexico World Cup.

Car Rallies (Spectator Safety)

29. **Mr. Roger King** asked the Secretary of State for the Environment if he plans to hold talks with the organising body of motor sport in the United Kingdom, the Royal Automobile Club, on the safety of spectators during car rally events; and if he will make a statement.

Mr. Tracey: I have no plans to do so.

Rallies are authorised by the Royal Automobile Club Motor Sports Association Ltd. on behalf of my right hon. Friend the Secretary of State for Transport under the Road Traffic Act 1972.

Marine Nature Reserve

30. **Mr. Kenneth Carlisle** asked the Secretary of State for the Environment whether he is yet in a position to announce the establishment of the first marine nature reserve.

Mr. Waldegrave: The Nature Conservancy Council expects to commence formal consultations on detailed proposals for at least one site next month. If there are no unforeseen difficulties, the council is expected to put formal proposals to my right hon. Friend later in the summer.

Voluntary Organisations (Funding)

31. **Mr. Pavitt** asked the Secretary of State for the Environment if he proposes meeting representatives of voluntary organisations to discuss the arrangements made in London and the metropolitan areas for continued funding of voluntary organisations.

Sir George Young: I refer to the answer I gave earlier today to the hon. Member for Coventry, North-East (Mr. Park).

Local Government Services (Privatisation)

32. **Mr. David Atkinson** asked the Secretary of State for the Environment whether he proposes to publish a White Paper on the privatisation of local government services.

Mr. Waldegrave: We have no plans to publish a White Paper on this subject.

Tobacco Companies (Sports Sponsorship)

33. **Mr. Forth** asked the Secretary of State for the Environment if he will give the latest figures for the level of sponsorship of sport by tobacco companies; and if he will make a statement.

Mr. Tracey: I refer my hon. Friend to the answer given on 10 April to the hon. Member for Oldham, West (Mr. Meacher), at column 169.

49. **Mr. John Carlisle** asked the Secretary of State for the Environment what recent discussions have taken place between the Minister with responsibility for sport and representatives of the tobacco industry regarding the sponsorship of sport.

Mr. Tracey: I met representatives of the tobacco industry on 19 March formally to open the renegotiation of the voluntary agreement on sports sponsorship.

Regional Government

35. **Mr. Greg Knight** asked the Secretary of State for the Environment whether he has any plans to consider the introduction of regional government in England.

Mrs. Rumbold: My right hon. Friend has no such plans.

Water Authorities (Privatisation)

36. **Mr. Eastham** asked the Secretary of State for the Environment how many submissions he has received in response to the White Paper on water privatisation published in February.

51. **Mr. Sedgemore** asked the Secretary of State for the Environment how many responses he has received to the White paper "Privatisation of the Water Authorities in England and Wales", published in February 1986.

Mr. John Patten: My Department has received 112 letters from organisations and others interested following publication of the White Paper.

42. **Mr. Blair** asked the Secretary of State for the Environment when he next intends meeting representatives of the water authorities to discuss the White Paper on privatisation of the water authorities in England and Wales.

Mr. John Patten: I expect to have a meeting with the water authority chairmen within the next few weeks, at which privatisation will not doubt be discussed.

Single-tier Local Government

37. **Mr. Teddy Taylor** asked the Secretary of State for the Environment if he has any plans to extend single-tier local government to areas outside the metropolitan areas; and if he will make a statement.

Mrs. Angela Rumbold: I refer my hon. Friend to the answer given to the hon. Member for Burnley (Mr. Pike) on 17 April, at column 475.

Reema PRC Homes

38. **Mr. Chope** asked the Secretary of State for the Environment when he expects an approved repair scheme to be available for Reema PRC homes.

Mr. John Patten: A method of repair for Reema hollow panel houses is now being appraised by PRC Homes Ltd. I understand that this will involve repairing one house as a prototype and will therefore take some weeks yet. I cannot of course say what the outcome of PRC Homes' appraisal will be.

Housing Defects

39. **Mr. Penhaligon** asked the Secretary of State for the Environment if he will indicate the number of houses repaired to date under the Housing Defects Act.

Mr. John Patten: I regret that reliable information is not currently available. Arrangements are in hand to collect more detailed information and results should be available by the autumn.

45. **Mr. Amess** asked the Secretary of State for the Environment what representations he has received about defective properties in Basildon.

Mr. Tracey: My hon. Friend has himself made representations about potential structural problems affecting saleability of Lindsay Parkinson HSSB houses built by the Basildon development corporation. My Department has also recently received a letter from the Vange Action Group about these houses. As my hon. Friend the Minister for Housing, Urban Affairs and Construction said in reply to my hon. Friend on 27 March, at column 616, and as I said in the course of his Adjournment debate on 9 April, at column 324, we are carefully considering possible ways of dealing with this situation.

Local Authority Capital Receipts

40. **Mr. Fisher** asked the Secretary of State for the Environment what is the latest estimate of the total amount of money held by local authorities in capital receipts.

Mrs. Rumbold: I refer the hon. Member to my reply of 6 February to the hon. Member for Portsmouth, South (Mr. Hancock) at column 249. It will shortly be possible to revise the estimate I gave then in the light of information currently being collected from local authorities on their accumulated capital receipts.

Rate Support Grant

44. **Mr. Loyden** asked the Secretary of State for the Environment what criteria he used in deciding the level of rate support grant for Liverpool for 1986-87; and if he will make a statement.

Mrs. Rumbold: The amount of rate support grant payable to Liverpool city council in 1986-87 depends principally upon its budgeted total expenditure for the year as reported to my Department, and its GRE, the second highest per head amongst metropolitan district councils. The same criteria apply to every other local authority.

National Parks (Planning Restrictions)

45. **Mr. Livsey** asked the Secretary of State for the Environment what representations he has received on his Department's proposals for planning restrictions on farm buildings in national parks.

Mr. Tracey: My Department and the Welsh Office received a number of helpful responses, mainly from local authorities and from agricultural, forestry and conservation interests, to the consultation paper which we published last year. On 26 March this year we announced our intention to extend the landscape areas special development order to all national parks.

Superstore Developments

46. **Mr. Watts** asked the Secretary of State for the Environment if he will issue fresh guidance on policy on planning applications in respect of superstore developments.

Mr. Tracey: No. My right hon. Friend sees no need to add to what the then Secretary of State said in his statement of 5 July 1985.

Central Council for Physical Recreation and Sports Council

47. **Mr. Pendry** asked the Secretary of State for the Environment when he next plans to meet the chairman of the Central Council for Physical Recreation and the Sports Council to discuss the future of those bodies in the light of the report of the Environment Committee (HC 241).

Mr. Tracey: My plans and proposals in the light of the Select Committee's recommendations will be set out in our formal response to the report.

Audit Commission

48. **Mr. Spencer** asked the Secretary of State for the Environment what recent representations he has received on the working of the Audit Commission.

Mr. Waldegrave: The only recent representations have been about the audit consequences of late rate making by some local authorities. However, this is entirely a matter for the Audit Commission and its auditors, who are independent of central and local government.

Merseyside Residuary Body

50. **Mr. Wareing** asked the Secretary of State for the Environment what has been the cost to public funds so far of the Merseyside Residuary Body; and if he will make a statement.

Mr. Tracey: The cost of the Merseyside Residuary Body until 31 March was £106,000. This was funded from short-term borrowing, which will be financed within the Residuary Body's 1986-87 budget of £11 million.

SSSIs and Ancient Monuments

53. **Mr. John Mark Taylor** asked the Secretary of State for the Environment if he will consider seeking to integrate the provisions protecting sites of special scientific interest with the separate provisions protecting ancient monuments.

Mr. Waldegrave: No. The statutory provisions serve different purposes.

Housing (London and South-East)

54. **Mr. Maples** asked the Secretary of State for the Environment what estimates are available to his Department of the current demand for housing in London and the south-east.

Sir George Young: The Department does not make estimates of housing demand, but it publishes information on recent trends in housing, and the Office of Population Censuses and Surveys does the same for population.

Local Authority Capital Expenditure

56. **Mr. Flannery** asked the Secretary of State for the Environment how many submissions were received by 14 April in response to the consultation document on the review of local authority capital expenditure controls.

Mrs. Rumbold: 210.

Arts and Voluntary Sector (Merseyside)

57. **Mr. Allan Roberts** asked the Secretary of State for the Environment what representations he has received about the consequences of the abolition of Merseyside county council for the arts and the voluntary sector in Merseyside.

Sir George Young: 266 representations have been received. Well over half of these related to the Philarmonic hall, which was transferred on 1 April to the Merseyside Residuary Body until final decisions are taken on its ownership and management.

Waste Disposal

Dr. Roger Thomas asked the Secretary of State for the Environment if he will list the number of incidents in each year since 1980 in which there has been evidence of re-emergence of contaminants, including the build-up of land-filled gases on former land-filled waste disposal sites and locations of previous industrial activity, together with information as to the usage of such redevelopment sites.

Mr. Waldegrave: There is no statutory requirement to notify this Department when such incidents occur, but its advice is sought from time to time by local authorities and others on the redevelopment of contaminated land. The advice in such cases is that a full chemical survey of the land should be made before plans for redevelopment are prepared, or remedial action is taken to overcome existing problems. Since 1980 we have given such advice on 39 such sites (none of them in Wales) where there had been a reported release of contaminants either by emissions of gas, leachate or materials breaking through the ground cover.

The breakdown by year is as follows:

	Number
1980	10
1981	5
1982	8
1983	5
1984	6
1985	5
TOTAL	39

Only a small number of these were former landfills; the majority were industrial or other sites where reclamation work was, or had been, necessary to restore the land to use. In some cases the intention was only to make the sites safe, but in the majority of cases redevelopment of the site was intended.

Baguley Hall, Manchester

Mr. Alfred Morris asked the Secretary of State for the Environment if he is now in a position to make a statement about the future use of Baguley Hall in south Manchester, further to his letter to the right hon. Member for Manchester, Wythenshawe, of 28 January and the letter to the right hon. Member from the chairman of English Heritage dated 25 March.

Mr. Tracey: A decision on the future of Baguley Hall is dependent upon further discussions between Manchester city council and the Historic Buildings and Monuments Commission. I understand that the commission is awaiting confirmation of a date for a meeting.

Housing (Exchequer Payments)

Mr. Favell asked the Secretary of State for the Environment what was the total sum received by local authorities from the Exchequer in the form of rate and rent rebates and housing benefit in the year 1979-80 and the last year for which figures are available.

Mrs. Rumbold: The total amounts of housing benefit received by English local authorities in 1979-80 and 1985-86 (the latest year for which information is available) are as follows:

	£ million
1979-80	533
1985-86	*3,755

* Provisional.

These amounts cover rent rebates, rent allowances and rate rebates and are derived from central records of payments made by DOE in respect of 1979-80 and by DHSS in respect of 1985-86.

The figures for 1979-80 and 1985-86 are not comparable. Since 1982-83, payments made to local authorities by DHSS have included amounts for rent and rate relief which would previously have been paid direct to individuals, particularly to supplementary benefit recipients.

Voluntary Bodies (London)

Mr. Tony Banks asked the Secretary of State for the Environment (1) if he will direct the London Residuary Body to allocate funds, now available following the Law Lords' ruling, to the Richmond scheme;

(2) if he intends to advise the London Residuary body to allocate funds, now available following the Law Lords' ruling, to the 900 voluntary organisations in London which had expected to receive such funds from the Greater London council.

Mr. Tracey: My right hon. Friend will wish to consider the effects of the Law Lords ruling on the legality of GLC forward funding and of other similar proposals which are currently at issue. This will include consideration by the London Residuary Body of the

estimated size of the GLC's closing balances. The provision of assistance for voluntary bodies in London is now primarily a matter for the London boroughs and the City of London to consider in the light of the resources which will be available to them.

Mr. Tony Banks asked the Secretary of State for the Environment when he expects to have set up the trust fund arising from the sale of Greater London council properties to fund voluntary groups in London.

Mr. Tracey: My right hon. Friend expects to begin consultation soon on a draft order under section 49 of the Local Government Act 1985 to provide a grant to the Trust for London. The timing of a grant to the trust will depend on the results of this consultation.

Radioactive Waste

Mr. Austin Mitchell asked the Secretary of State for the Environment how long the preparation of the report on the "Assessment of Best Practicable Environmental Options for Management of Intermediate and Low-Level Solid Radioactive Wastes" took to complete; and what were the reasons for its publication at the present time.

Mrs. Rumbold: The study took about 15 months. The final report was published in March once we had held consultations on the draft.

Chair of State

Mr. David Atkinson asked the Secretary of State for the Environment when he expects the Chair of State to be returned permanently to the Palace of Westminster; and if he will make a statement.

Sir George Young [*pursuant to his reply*, 21 April 1986, c. *69*.]: I understand that the Chair of State made for Prince Albert was recently purchased by the National Heritage Memorial Fund. The trustees of the fund intend to restore the chair with a view to its return to the Palace of Westminster.

SCOTLAND

Nurses

Dr. Godman asked the Secretary of State for Scotland how many community psychiatric nurses were employed in *(a)* Strathclyde and *(b)* Scotland as a whole in each of the past six years.

Mr. John MacKay: The statistical information is available for the years 1981 to 1985. The numbers of qualified nurses employed as community psychiatric nurses in Strathclyde and for Scotland for each year are set out in the table:

Year	*Strathclyde*	*Scotland*
1981	56	143
1982	68	166
1983	77	181
1984	102	223
1985	113	239

Local Government Finance

Mr. Millan asked the Secretary of State for Scotland if he will estimate, for each local authority in Scotland for the year 1985-86, the needs grant per adult and the safety net per adult that would apply under the proposals in "Paying for Local Government", Cmnd. 9714, stating the assumption as to the amount of standard grant per adult and the estimate as to the supplement to standard grant per adult from non-domestic rates used in the calculations.

Mr. Rifkind: I shall reply to the right hon. Member as soon as possible.

Health Boards (Staff)

Mr. McQuarrie asked the Secretary of State for Scotland if he will list in the *Official Report* the number of unfilled notified vacancies in each of the health boards in Scotland as at 30 March.

Mr. John MacKay: The information requested is not available centrally.

DEFENCE

Exports (United States Controls)

Mr. Ashdown asked the Secretary of State for Defence what is his policy on the acquisition for his Department's use of computers and equipment supplied by companies which seek to impose in the United Kingdom extraterritorial United States controls on their United Kingdom staff or on non-Government United Kingdom customers or on United Kingdom exports; and if he will make a statement.

Mr. Norman Lamont: I have nothing to add to the answer which I gave the hon. Gentleman on 8 April, at column 102.

Privatisation

Mr. Steen asked the Secretary of State for Defence how many displaced staff at the Britannia Royal Naval college, Dartmouth, have been employed by private contractors who have taken on work formerly carried out by his Department.

Mr. Lee: Compass Services (UK) Ltd, Banda House, Cambridge Grove, London W6 0LE, which took over the catering task in BRNC Dartmouth on 16 April 1986, is currently working up to meet the full staff capacity required when the new term commences later this month. It is thus not possible to give an answer at this stage.

Mr. Steen asked the Secretary of State for Defence if he will make a statement as to the global figure that his Department has saved in putting work out to private contract.

Mr. Norman Lamont: Savings amount to about £28 million a year.

Strategic Defence Initiative

Mr. Dalyell asked the Secretary of State for Defence what discussions his Department has had with the authorities of the Federal Republic of Germany about the terms of the agreement entered into by both countries with the United States of America for strategic defence initiative research.

Mr. Norman Lamont: There have been some general exchanges, but none of detail, with officials of the Federal

Republic of Germany about the respective agreements between the Government of that country and Her Majesty's Government with the United States Government for SDI research.

Small Arms Ammunition

Mrs. Dunwoody asked the Secretary of State for Defence what were the sizes, numbers and names of foreign manufacturers who supplied small arms ammunition to the United Kingdom in 1985-86.

Mr. Norman Lamont: In 1985-86 the Ministry of Defence purchased small arms ammunition from:

Size	*Number Purchased by MOD (millions)*	*Manufacturers*
·303 inch	1·0	Greek Powder & Cartridge Company
·50 inch	0·7	Greek Powder & Cartridge Company
5·56 mm	4·0	FN Herstal—Belgium
7·62 mm	2·2	FN Herstal—Belgium
7·62 mm	4·0	Metallwork Elisenhutte—FR Germany
7·62 mm	0·5	Dynamit Nobel—FR Germany
7·62 mm	33·0	INDEP—Portugal
7·62 mm	0·4	Dynamit Nobel—FR Germany
9.00 mm	14·0	FFV—Sweden
9.00 mm	0·2	Dynamit Nobel—FR Germany

NATIONAL FINANCE

Personal Incomes

Mr. Wigley asked the Chancellor of the Exchequer how many persons currently earn *(a)* over £10,000 per annum, *(b)* over £15,000 per annum and *(c)* over £20,000 per annum; and what is the total tax take and aggregate net income after tax, respectively, for each of these groups.

Mr. Moore: I regret the delay in answering this question.

Provisional estimates, for taxpayers of working age, are shown in respect of gross income for tax purposes in 1985-86. Each married couple is treated as a unit with a combined income.

Range of gross income in 1985-86 £ *per annum*	*Number of single people and married couples* thousands*	*Amount of gross income* £ *billion*	*Total income tax due* £ *billion*	*Total net income after tax* £ *billion*
Over:				
10,000	7,180 (3,180)	118·2	24·2	94·0
15,000	2,890 (1,610)	65·9	15·4	50·5
20,000	1,280 (700)	38·4	10·3	28·1

* The figure in brackets is the number of married couples where the wife has earned income above the wife's earned income allowance.

Income Tax

Mr. Penhaligon asked the Chancellor of the Exchequer what estimate his Department has made of the proportion of the individuals employed on rigs in the British sector of the North sea who pay United Kingdom income tax.

Mr. Moore: It is not possible to make a firm estimate but information available suggests that the overwhelming majority of employees in the United Kingdom sector of the North sea pay United Kingdom income tax.

Mr. Frank Field asked the Chancellor of the Exchequer if he will calculate the total amount of income tax reductions in money terms since 1979; and if he will present the distribution of income tax reductions in money terms since 1979; and if he will present the distribution of this total among the *(a)* top 1 per cent. of income earnings, *(b)* top 2 to 5 per cent. of income earnings, *(c)* top 6 to 10 per cent. of income earnings, *(d)* top 11 to 20 per cent. of income earnings, *(e)* top 21 to 30 per cent. of income earnings, *(f)* top 31 to 40 per cent. of income earnings, *(g)* top 41 to 50 per cent. of income earnings and *(h)* bottom 50 per cent.

Mr. Moore [*pursuant to his reply*, 10 March 1986, c. *391*]: The table shows the reductions in income tax liabilities at 1986-87 income levels of the proposed 1986-87 allowances, thresholds and rates compared with the 1978-79 regime indexed to 1986-87 levels by reference to the statutory formula. The comparisons therefore allow for budgetary changes in income tax rates and allowances, but not for any changes in the definition of the income tax base. As child tax allowances were being phased out in 1978-79 they have been excluded from the comparison.

*Points of income distribution in 1986-87** *Per cent.*	*Reduction in income tax liability compared with 1978-79 indexed regime* £ *million*
Top 1	1,670
Top 2 to 5	1,200
Top 6 to 10	790
Top 11 to 20	1,080
Top 21 to 30	820
Top 31 to 40	690
Top 41 to 50	580
Bottom 50	1,270
ALL	8,100

* By reference to the income for income tax purposes of those who would be liable to pay tax under the indexed 1978-79 regime.

Personal Taxation (Gains)

Mr. Meacher asked the Chancellor of the Exchequer what has been the gain from all the measures contained in the Budget statements from 1979 to 1986, inclusive for the top 1 per cent., 5 per cent., 10 per cent., 20 per cent., 50

per cent., and the remaining 50 per cent. of the population; how many taxpayers are in each of these categories; and what has been the gain per taxpayer in each category.

Mr. Moore [*pursuant to his reply*, 10 April 1986, c. *193*]: Information is available in the form requested only for income tax changes. The table shows the reductions in income tax liabilities at 1986-87 income levels of the proposed 1986-87 allowances, thresholds and rates compared with the 1978-79 regime indexed to 1986-87 levels by reference to the statutory formula. The comparisons therefore allow for budgetary changes in income tax rates and allowances, but not for any changes in the definition of the income tax base. As child tax allowances were being phased out in 1978-79, they have been excluded from the comparison.

*Points of income distribution in 1986-87**	*Numbers of Tax units† in 1986-87*	*Reduction in income tax liability compared with 1978-79 indexed regime*	
	million	*Amount £ million*	*Average per tax unit‡ £*
Top 1 per cent.	0·2	1,670	7,770
Top 5 per cent.	1·1	2,870	2,760
Top 10 per cent.	2·1	3,660	1,760
Top 20 per cent.	4·2	4,740	1,130
Top 30 per cent.	6·3	5,560	880
Top 40 per cent.	8·4	6,250	740
Top 50 per cent.	10·7	6,830	650
Bottom 50 per cent.	‡9·8	1,270	120
All	20·5	8,100	380

* By reference to income for income tax purposes of those who would be liable to pay income tax under the indexed 1978-79 regime.
† All information is in terms of tax units ie married couples are counted as one and their incomes combined.
‡ Excluding 900,000 who would pay tax under the 1978-79 indexed regime.

Benefits (Taxation)

Mr. Frank Field asked the Chancellor of the Exchequer what was the annual revenue gained from taxing unemployment benefit and the relevant part of supplementary benefit paid to unemployment claimants for the latest year for which figures are available.

Mr. John Moore [*pursuant to his reply*, 21 April 1986, c. *38*]: The revenue yield from taxing benefits paid to the unemployed in 1985-86 is estimated at approximately £600 million.

Acceptances in Lieu of Tax

Mr. Faulds asked the Chancellor of the Exchequer whether he will add to his answer to the hon. Member for Warley, East of 8 April, *Official Report*, column *101*, further Treasury announcements in the *Official Report* of acceptances of items in lieu of tax which specify the individual amounts of tax satisfied; whether he will give a complete list, including those announcements already figuring in his answer of 8 April, covering the period from the answer of 4 November 1977, *Official Report*, column 3, to that of 30 April 1980, *Official Report*, columns *549-50*, inclusive; and whether he will rectify his statement that a Treasury answer on this subject appeared in column *358* of the *Official Report* on Sunday 26 October 1980.

Mr. Moore [*pursuant to his reply*, 21 April 1986, c. *37-38*]: A further list is set out below.

I regret that the reference to 26 October 1980 was a printing error. The correct date (26 October 1979) will be shown in the Bound Volume.

4 November 1977, column *3*
9 March 1978, column *763*
22 June 1978, columns *304-5*
27 November 1978, columns *68-69*
30 November 1978, column *342*
20 February 1979, columns *151-52*
28 March 1979, column *235*
12 June 1979, columns *183-84*
28 June 1979, columns *312-13*
10 July 1979, column *156*
18 July 1979, columns *721-22*
25 July 1979, column *289*
27 July 1979, column *559*
26 October 1979, column *358*
14 January 1980, columns *652-53*
7 March 1980, columns *353-54*
27 March 1980, column *645*
2 April 1980, column *248*
3 April 1980, column *325*
30 April 1980, columns *549-50*

ENERGY

Oil and Gas

Mr. Austin Mitchell asked the Secretary of State for Energy what is the relationship between the cost of natural gas in the United Kingdom and the price of oil; and if he will publish in the *Official Report* a table showing the change in the price of gas to consumers since May 1979 compared with the rate of inflation.

Mr. Buchanan-Smith: There is no simple relationship between the price of oil and the cost of gas to final consumers, since the cost to the BGC of buying gas is only partly indexed against oil and other factors, such as BGC wages, and so on, affect the delivered cost. The change in the price of gas to consumers since May 1979 compared with the rate of inflation is as follows:

	Domestic Gas Price Index 1980=100		*Retail Prices Index 1980=100*	
		Average per cent. change year on year		*Average per cent. change year on year*
May 1979	82	—	82	—
Average 1979	86	—	85	—
Average 1980	100	16	100	18
Average 1981	126	26	112	12
Average 1982	157	25	121	8
Average 1983	176	12	127	5

	Domestic Gas Price Index 1980=100		Retail Prices Index 1980=100	
		Average per cent. change year on year		Average per cent. change year on year
Average 1984	182	3	133	5
Average 1985	190	4	142	7
March 1986	192	1	145	2

	Industrial Gas Price Index 1980=100		Retail Prices Index 1980=100	
		Average per cent. change year on year		Average per cent. change year on year
Q2 1979	70	—	82	—
Average 1979	73	—	85	—
Average 1980	100	37	100	18
Average 1981	122	22	112	12
Average 1982	129	6	121	8
Average 1983	131	2	127	5
Average 1984	135	3	133	5
Q3 1985	144	7	143	8

Notes
In each series the gas price figures are the latest available.
The industrial price series is not available on a monthly basis.

Mr. McQuarrie asked the Secretary of State for Energy if he will discuss with the chairman of British Gas the reason for the latest increases in gas prices to the consumer, in view of the considerable reduction in oil prices; and if he will make a statement.

Mr. Buchanan-Smith: Gas prices are the responsibility of the British Gas Corporation. However, before making changes to tariffs it is obliged by statute to consult the National Gas Consumers Council. This it did recently. I have made a statement on the relationship between oil and gas prices in a separate answer today to the hon. Member for Great Grimsby (Mr. Mitchell).

Petrol and Derv

Mr. McQuarrie asked the Secretary of State for Energy what steps his Department takes to monitor the prices for petrol and derv throughout the United Kingdom.

Mr. Buchanan-Smith: My Department keeps in close touch with the oil companies about petrol and diesel fuel prices.

Written Answers to Questions

Thursday 24 April 1986

WALES

ADAS (Charges)

Mr. Geraint Howells asked the Secretary of State for Wales what representations he has received from farmers in Wales about the proposed Agricultural and Development Advisory Service charges for statutory work in connection with milk and dairies regulations; and if he will make a statement.

Mr. Mark Robinson: We have received a number of representations about the Government's decision to charge for statutory work under the milk and dairies regulations.

In deciding to introduce charges for this work, we were conscious of the fact that producers derive benefit from it. The high quality and reputation of our domestic milk production helps to maintain liquid consumption and this in turn benefits producer returns, which would certainly suffer if consumers had less confidence in the product.

Ritual Slaughter

Mr. Geraint Howells asked the Secretary of State for Wales how many representations he has received from Wales in favour of stunning of animals prior to ritual slaughter; and if he will make a statement.

Mr. Mark Robinson: The Farm Animal Welfare Council's report on the welfare of livestock when slaughtered by religious methods included a recommendation that the slaughter of animals without pre-stunning should be prohibited within three years. The Department has received 77 representations from Wales in support of this recommendation. The report and all the comments made on it are presently under consideration.

HOME DEPARTMENT

"Easingwold Newsletter"

10. **Dr. Blackburn** asked the Secretary of State for the Home Department when the first issue of the *Easingwold Newsletter* can be expected; and whether copies will be available in the Library.

Mr. Giles Shaw: We hope the first issue of a civil defence periodical will be available later this year. I shall be glad to arrange for copies to be placed in the Library.

Crime Prevention

11. **Mr. Cohen** asked the Secretary of State for the Home Department whether he has any new proposals to fund crime prevention schemes.

Mr. Giles Shaw: Considerable central Government resources are already available, including about £18 million currently through the community programme for places devoted to crime prevention projects and £6·3 million through the urban programme during 1985. The Government will continue to direct public funds where they can be most effective.

16. **Mr. Chris Smith** asked the Secretary of State for the Home Department what measures he intends to take to assist and encourage local authorities, housing associations, and other public bodies to undertake measures to improve crime prevention for the public.

Mr. Giles Shaw: Measures are being developed on a number of fronts.

Five local demonstration projects with Home Office funded co-ordinators have been set up.

The Manpower Services Commission has allocated some £18,000,000, under the expanded community programme, for places devoted to crime prevention projects.

The Home Office crime prevention unit, in collaboration with the Society of Local Authority Chief Executives and the Association of Chief Police Officers, has recently issued to local authority chief executives examples of good local crime prevention practice.

Five working groups covering residential burglary, car security, shop theft, commercial robbery and the prevention of violence associated with licenced premises have been set up to report to the Home Office Standing Conference on Crime Prevention in November.

27. **Mr. Ray Powell** asked the Secretary of State for the Home Department what further action he proposes to deal with the rising crime rate.

Mr. Mellor: We have before the House measures to deal with the growing menace of drugs and drug-related crime and to combat public disorder. The criminal justice White Paper published recently announced a number of proposals for changes in sentencing powers. We shall also continue to pursue vigorously our crime prevention measures which are beginning to show encouraging results. But the fight against crime requires the commitment of the whole community, not just the Government.

Crime Statistics

12. **Mr. Corbyn** asked the Secretary of State for the Home Department how many victims of violent crime in the Metropolitan police district were women or children aged under 18 years in each of the years since 1977.

Mr. Mellor: The number of women and young persons under the age of 18 who were victims of offences of violence against the person, rape or robbery was approximately 12,800 in 1983, 13,800 in 1984 and 15,300 in 1985. Figures for earlier years could be provided only at disproportionate cost. I will, with permission, publish more detailed information for 1983-85 in the form of a table in the *Official Report*.

The detailed figures are as follows:

Victims of offences recorded in the Metropolitan Police District

		Women aged 18 or over*	*Children under 18*
Violence against the person	1983	3,651	2,889
	1984	3,960	3,034
	1985	4,264	3,282

		Women* aged 18 or over	Children under 18
Rape	1983	249	68
	1984	294	71
	1985	441	129
Roberry	1983	3,604	2,292
	1984	4,212	2,266
	1985	5,022	2,201

* Includes females of unrecorded age.

22. **Ms. Richardson** asked the Secretary of State for the Home Department whether the information available to his Department indicates the extent to which *(a)* poor street lighting, *(b)* vandalised or derelict property, *(c)* absence of caretakers, park keepers and similar staff, *(d)* absence of public transport and *(e)* lack of a telephone are factors contributing to the incidence of crime; and if he will make a statement.

Mr. Giles Shaw: Research, much of which has been undertaken or commissioned by the Home Office, and experience suggest that each of the factors listed by the hon. Member may have some effect on the incidence of crime in specific localities or at particular times of day. There is, however, no information available nationally to indicate the extent of their contribution to crime levels.

26. **Mr. Clelland** asked the Secretary of State for the Home Department what was the percentage increase in the number of young people aged under 21 years *(a)* cautioned for and *(b)* found guilty of indictable offences, respectively, between '979 and 1984.

Mr. Mellor: The increase was 24 per cent. for those cautioned and 5 per cent. for those found guilty.

46. **Mr. James Lamond** asked the Secretary of State for the Home Department what was the clear-up rate for all crimes in England and Wales in each of the last seven years.

Mr. Mellor: Clear-up rates for notifiable offences recorded by the police are published each year in chapter 2 of the Command Paper "Criminal Statistics, England and Wales" (table 2.17 of the issue for 1984, Cmnd. 9621) and most recently in a Home Office statistical bulletin (table 5 of issue No. 4/86).

63. **Mr. Sedgemore** asked the Secretary of State for the Home Department if he will state the increase since 1978 in the total number of crimes of violence against the person committed in the Metropolitan police district for the most recently available year.

Mr. Mellor: Police recorded 20,200 offences of violence against the person in the Metropolitan police district in 1985—6,000 more than the corresponding figure for 1978. Numbers of offences recorded in the Metropolitan police district are published annually by type of offence in the report of the Commissioner of Police of the Metropolis and in Home Office statistical bulletins (table 6 of issue No. 4/86).

Police (Complaints)

14. **Mr. Dormand** asked the Secretary of State for the Home Department what percentage of appeals following complaints against the police have been upheld by the Police Complaints Authority; and if he will make a statement.

Mr. Giles Shaw: The Police Complaints Authority's functions are to supervise the investigation of serious complaints against the police and to examine proposals by police forces in respect of disciplinary proceedings against police officers following complaints investigations. The authority has no appellate function. The authority's first annual report covering the period from its establishment on 29 April to the end of 1985 was published on 22 April.

Data Banks

15. **Mr. Ashdown** asked the Secretary of State for the Home Department if he will introduce legislation allowing individuals access to records concerning themselves held in data banks belonging to Government agencies.

Mr. Waddington: When the Data Protection Act 1984 comes fully into force in November 1987 individuals will have the right of access, within the terms of the Act, to data about themselves which are held by Government agencies.

Drug Offences

18. **Mr. Nellist** asked the Secretary of State for the Home Department what was the total number of drug offences notified to the Metropolitan police in 1978 and in the most recently available year.

Mr. Mellor: The available information relates to persons found guilty of or cautioned for offences involving controlled drugs. The total numbers found guilty or cautioned for such offences in the Metropolitan police district, including the City of London, in 1978 and 1984 were 4,121 and 8,722 respectively.

Public Order

23. **Mr. Alex Carlile** asked the Secretary of State for the Home Department if he plans to make any changes in his policy towards the police and public order, in the light of the report entitled "The Effect of the Policing of the News International Dispute on Wapping Residents", published by the National Council for Civil Liberties, a copy of which has been sent to him.

Mr. Giles Shaw: No. The residents of Wapping have undoubtedly suffered considerable inconvenience as a result of the industrial dispute at the News International plant. The marches and demonstrations have caused particular difficulty on Saturday evenings. The Commissioner very much regrets that police action in checking those seeking access to some streets has caused inconvenience and delay to residents, but he is satisfied that this is necessary in order to limit and contain the public order problems associated with the dispute.

Police (Firearms)

24. **Mr. John Mark Taylor** asked the Secretary of State for the Home Department on how many occasions firearms were issued to police officers in England and Wales in 1985; and what were the comparable figures in the two previous years.

Mr. Giles Shaw: The available records show that the number of operations involving persons known or believed to be armed in which firearms were issued to police officers in England and Wales was 3,180 in 1983, 2,667 in 1984 and 2,488 in 1985.

32. **Mr. Greenway** asked the Secretary of State for the Home Department on how many occasions in 1985 firearms were fired by police officers during the course of operations.

Mr. Giles Shaw: The available records show that firearms were discharged on seven occasions by police officers during the course of operations in 1985. A total of 13 shots were fired.

Sunday Trading

25. **Mr. Penhaligon** asked the Secretary of State for the Home Department how many representations he has received to date against the repeal of the Sunday trading laws.

54. **Mr. Livsey** asked the Secretary of State for the Home Department how many representations he has received to date against the repeal of the Sunday trading laws.

Mr. Waddington: Since the debate on the Auld report in the House of Commons in May last year, we have received 22,667 representations in favour of our proposals and 48,904 representations against.

Police (Training)

28. **Mr. Wigley** asked the Secretary of State for the Home Department what additional resources he plans to make available for police training in the powers being conferred upon them by public order legislation.

Mr. Giles Shaw: I refer the hon. Member to the reply given earlier today to a question from the hon. Member for Cynon Valley (Mrs. Clwyd).

West Yorkshire Police Authority

29. **Mr. Madden** asked the Secretary of State for the Home Department what recent representations he has received concerning the funding of the West Yorkshire police authority.

Mr. Giles Shaw: I attended a meeting on 26 February between my hon. Friend the Parliamentary Under-Secretary of State for the Environment and representatives of the West Yorkshire police authority about the authority's funding. The representatives' primary concern was the authority's grant-related expenditure assessment, which is a matter for my right hon. Friend the Secretary of State for the Environment. We have received no representations since that meeting.

After-care Hostels

30. **Mr. Andrew F. Bennett** asked the Secretary of State for the Home Department what was the 1985-86 cost to his Department of grant-aid to voluntary after-care hostels for offenders.

Mr. Mellor: £4,422,288.

Prison Service

31. **Mr. Stephen Ross** asked the Secretary of State for the Home Department how he intends to improve morale in the prison service; and if he will make a statement.

Mr. Mellor: We shall continue to pursue the strategy of improvement in the prison estate, in working practices in the prison service, and in related aspects of the criminal justice system which my right hon. Friend set out in his address to the prison governors' conference in November last year.

Civil Defence

33. **Mr. D. E. Thomas** asked the Secretary of State for the Home Department when he last met representatives of local authorities regarding emergency control centres; and if he will make a statement.

Mr. Giles Shaw: As I said in reply to a question from the hon. Member for Carmarthen (Dr. Thomas) on 14 April at column *231*, I met members of Carmarthen district council on 3 March to discuss this subject in relation to an emergency centre at Carmarthen.

35. **Mr. Patrick Thompson** asked the Secretary of State for the Home Department what mechanisms he has developed for the deployment of civil defence volunteers in an emergency.

48. **Sir Kenneth Lewis** asked the Secretary of State for the Home Department what mechanisms he has developed for the deployment of civil defence volunteers in an emergency.

Mr. Giles Shaw: The deployment of volunteers in an emergency would be for local authorities to determine. Advice is given in the emergency planning guidance to local authorities.

56. **Mr. Terlezki** asked the Secretary of State for the Home Department if he has any plans to change the term civil defence, as used by his Department; and if he will make a statement.

Mr. Giles Shaw: I refer my hon. Friend to the reply given earlier to my hon. Friend the Member for Wansdyke (Mr. Aspinwall).

Crossbows

34. **Mr. Robert Atkins** asked the Secretary of State for the Home Department if he is yet in a position to announce his conclusions on the adequacy of the regulations governing the sale and control of crossbows; and if he will make a statement.

Mr. Evennett asked the Secretary of State for the Home Department if he is yet in a position to say whether he has any plans to introduce legislation to control the sale of crossbows; and if he will make a statement.

Mr. Giles Shaw: I am currently considering whether any steps could usefully be taken to try to prevent crossbows falling into the wrong hands. Discussions with interested parties including crossbow sporting organisations, the manufacturers and the police are taking place. My right hon. Friend will report our conclusions to the House as soon as possible.

40. **Mr. Colin Shepherd** asked the Secretary of State for the Home Department what recent representations he has received concerning the danger arising from the unrestricted sale and possession of crossbows.

Mr. Giles Shaw: Since the beginning of this year, we have received 76 letters from right hon. and hon. Members and 45 from organisations and members of the public. Among these were representations from the Association of

County Councils, the Association of District Councils, Suffolk county council, the Northumbria police authority, the National Farmers' Union, the British Veterinary Association and the National Housewives Association.

Community Relations Councils

36. **Mr. Lawler** asked the Secretary of State for the Home Department if he will make a statement on the current operations of community relations councils.

Mr. Waddington: Community relations councils engage in a wide variety of activity, but a convenient summary description of this under four main heads can be found in chapter 10 of the most recent (1984) annual report of the Commission for Racial Equality. I understand that, following consultation with the National Council of Community Relations Councils, the CRE has recently decided to commission a research project which will examine the different ways in which community relations councils currently operate and make recommendations with a view to improving the effectiveness of "race relations" work at a local level. The research will be undertaken by the Policies Studies Institute and its findings will be made public.

Metropolitan Police

37. **Mr. Tony Banks** asked the Secretary of State for the Home Department if he will review disciplinary procedures within the Metropolitan police.

Mr. Giles Shaw: No. The police disciplinary arrangements, including the procedures specifically within the Metropolitan police, were revised when the Police (Discipline) Regulations 1985 came into operation on 29 April 1985.

Prisons (Overcrowding)

38. **Mr. Eastham** asked the Secretary of State for the Home Department what action he proposes to relieve the overcrowding in Her Majesty's prisons.

Mr. Mellor: We have taken vigorous steps to cope with the rising population by acceleration of the building programme by re-occupying disused accommodation and by altering functions of establishments so as to make more intensive use of the prison estate. We are also continuing to encourage the use of non-custodial sentences whenever this is right.

The present unsatisfactory conditions in some of our prisons results from years of neglect and will not be remedied quickly. It was for this reason that in 1979 the Government embarked on the major building programme that is currently under way. This programme includes a total of 18 purpose-built new prisons which will provide some 8,000 additional places by the early 1990s. Three of these prisons have already been completed, five are currently under construction and the remainder are at various stages of planning and design. Apart from the new prisons, there are some 25 major capital projects at existing establishments and also many other smaller schemes. These projects will provide 5,500 or so places over the next few years. In addition, a former RAF camp at Lindholme near Doncaster has been acquired and converted for prison purposes and a prison previously not in use has been re-opened, providing a further 900 places early in 1986. The building programme will gradually improve conditions and bring us nearer to ending overcrowding.

Thames Valley Police Force

39. **Mr. Andrew MacKay** asked the Secretary of State for the Home Department how many representations he has received concerning his promised autumn review of manning levels in the Thames Valley police force.

Mr. Giles Shaw: Several of my hon. Friends have expressed support for a further increase in the authorised establishment of the Thames Valley Police. My right hon. Friend will take account of their views when he considers in the autumn the possibility of a further increase for Thames Valley; 370 additional police posts have already been approved for the force since May 1979.

Terrorism (Toxic Chemicals)

41. **Mr. Neil Thorne** asked the Secretary of State for the Home Department what detection equipment will be available to police and fire services and local authorities to monitor the presence of toxic chemicals in the event of terrorist use of chemical weapons or materials.

Mr. Giles Shaw: I refer my hon. Friend to the reply given today to a question from my hon. Friend the Member for Tayside, North (Mr. Walker).

Weapons (Ownership)

42. **Mr. Greg Knight** asked the Secretary of State for the Home Department if he will review the scope and operation of the law in relation to the ownership of weapons in the United Kingdom.

Mr. Giles Shaw: The Firearms Act 1968, which lays down strict controls over the possession and use of firearms in Great Britain, is kept under constant review but we have no plans at present to amend the Act. Separate stricter legislation exists in Northern Ireland and I understand that my right hon. Friend the Secretary of State for Northern Ireland also has no plans to introduce amending legislation.

Prisoners (Serious Offences)

43. **Mrs. Beckett** asked the Secretary of State for the Home Department if he intends to make any changes in the treatment of prisoners charged with serious offences.

Mr. Mellor: My right hon. Friend has no plans for any changes at present.

Victim Support Schemes

44. **Mr. Tony Lloyd** asked the Secretary of State for the Home Department what response he is now giving to requests for increased funding from his Department for local victim support schemes.

Mr. Mellor: I generally refer to my right hon. Friend's decision to provide £136,000 during 1986-87 to assist local schemes in financial difficulties, and to the various other central Government programmes under which local victim support schemes may be able to obtain funding. In 1984-85, 66 schemes received grants amounting in total to some £580,000 from central Government sources,

including the urban programme administered by the Department of the Environment and Manpower Services Commission voluntary projects and community programmes. But I also point out that the Government should not be expected to undertake general responsibility for the running costs of the schemes which, as locally based voluntary groups, should be able to look to the communities which they serve as their main sources of funds.

Police Stations (Lay Visitors)

45. **Mrs. Virginia Bottomley** asked the Secretary of State for the Home Department what is the policy of Her Majesty's Government towards the development of lay visitor schemes at police stations.

Mr. Giles Shaw: I refer my hon. Friend to the reply given to a question from my hon. Friend the Member for Halifax (Mr. Galley) on 26 February at columns 569-70.

News International (Dispute)

47. **Mr. Leighton** asked the Secretary of State for the Home Department how many police are currently required on an average Saturday night to police the News International dispute at Wapping.

Mr. Giles Shaw: The number of officers deployed on each Saturday evening since the dispute began was as follows:

	Number
25 January 1986	281
1 February 1986	233
8 February 1986	268
15 February 1986	1,009
22 February 1986	1,102
1 March 1986	1,098
8 March 1986	1,751
15 March 1986	878
22 March 1986	1,380
29 March 1986	910
5 April 1986	1,293
12 April 1986	1,050
19 April 1986	1,050

Breath Analysers

49. **Mr. Chapman** asked the Secretary of State for the Home Department if he is satisfied with the operation and effectiveness of the Intoximeter and Camic breath analysers; and if he will make a statement.

Mr. Giles Shaw: The Home Office forensic science report on the evidential breath testing machines, published on 25 June 1985, demonstrated both instruments to be fundamentally acceptable in the sense that they do not place subjects unjustly in jeopardy. Work on the modifications to the machines arising from the report's recommendations is continuing.

Remanded Persons

50. **Mr. Pike** asked the Secretary of State for the Home Department when he proposes to introduce limitations on the time spent on remand in custody awaiting trial.

Mr. Mellor: I refer the hon. Member to the reply given to a question from my hon. Friend the Member for Stockport (Mr. Favell) on 8 April at column 7.

Prison Department

51. **Mr. Maclennan** asked the Secretary of State for the Home Department if he is satisfied with the current operation of the prison department.

Mr. Mellor: Yes, but I support management's drive for improved working practices in prisons.

Police-Community Relations

52. **Mr. William Powell** asked the Secretary of State for the Home Department if he will make a statement on the contribution which the tape-recording of interviews by the police can make to improving police-community relations.

Mr. Giles Shaw: The fact that an interview is tape-recorded serves both as an additional stimulus to the interviewing officer to conduct it in a proper and effective manner, and as a safeguard against allegations that evidence has been obtained by improper means or has been falsified. Tape recording can thereby make a significant contribution both to police effectiveness and to improving relations between the police and the community they serve.

62. **Mr. Maples** asked the Secretary of State for the Home Department what measures have been taken by the Government and police forces in England and Wales to strengthen relations between the police and the community since the Scarman Report.

Mr. Giles Shaw: The police in England and Wales have made great efforts to review and, as necessary, to adapt their procedures and approach in the light of Lord Scarman's recommendations. This has included a growing emphasis on community policing and the increased use of foot patrols. Most police forces have specifically designated community constables working under the guidance of a specialist community liaison department. Improved training at all levels in community and race relations aspects of policing skills has been introduced and strenuous efforts are being made to recruit more police officers from the minority communities.

The thrust of Government policy has been to encourage these initiatives, and to develop policies designed to enhance public confidence in the police. A major objective of the Police and Criminal Evidence Act 1984 was, while providing the police with the powers they need to deal with crime, to ensure the open and accountable use of powers. The new independent Police Complaints Authority has been set up to provide reassurance that complaints against the police will be handled rigorously and impartially. The development of local consultative arrangements, for which the 1984 Act also provides, is making an important further contribution to the objective of developing public trust; in common with crime prevention initiatives like neighbourhood watch, such arrangements enable the police to be more responsive to the community's needs.

The way suspects are treated within the police station is an issue which can have a significant impact upon general public perceptions of the police: in addition to the safeguards for suspects contained in the codes of practice made under the Police and Criminal Evidence Act, therefore, the Government are encouraging the development of schemes for the tape recording of police interviews, and the establishment of panels of lay visitors who can see for themselves how suspects are treated.

Chief officers of police continue to be firmly committed to strengthening relations with the communities they serve and in this endeavour they have my fullest support.

Police (Pensions)

53. **Mr. Stern** asked the Secretary of State for the Home Department what steps he intends to take to publicise to individual police forces the effects of the provisions of the Social Security Bill, in so far as they may remove from police officers the threat of deprivation of pension in any disciplinary proceedings.

Mr. Giles Shaw: Guidance will be issued after the Bill is enacted.

Overseas Visitors

55. **Mr. Watts** asked the Secretary of State for the Home Department if he is satisfied with the arrangements for monitoring the departure of visitors to the United Kingdom at the conclusion of their permitted stay.

Mr. Waddington: The current computerised monitoring arrangements make for the most efficient and effective use of the Department's resources. Possible further uses of new technology in the immigration control are being examined as part of the computing strategy of the immigration and nationality department.

Private Land (Trespass)

57. **Mr. Heathcoat-Amory** asked the Secretary of State for the Home Department what recent representations he has received about the problem of mass trespass by itinerants on private land.

Mr. Giles Shaw: Representations have been made by a number of right hon. and hon. Members, the Association of County Councils, the Country Landowners Association, the National Farmers Union, the Central Council of Physical Recreation and the Council for the Protection of Rural England.

Prison Officers Association

58. **Mr. Spencer** asked the Secretary of State for the Home Department when he next expects to meet the Prison Officers Association.

Mr. Mellor: My right hon. Friend met the Prison Officers Association to discuss the current dispute on Monday, 21 April. We have no further plans, at present, to meet it again.

Television (Violence)

59. **Mr. Yeo** asked the Secretary of State for the Home Department if, when he next meets the chairman of the BBC he will raise the subject of violence on television.

Mr. Giles Shaw: This is one of the subjects which is likely to be discussed.

Prison Population

60. **Mr. Favell** asked the Secretary of State for the Home Department what proportion of the present prison population comprises persons awaiting trial.

Mr. Mellor: On 31 March 1986, about 17 per cent. of the total population of prison department establishments in England and Wales was untried. Information on the number awaiting commencement of their trial is not available centrally and could be provided only at disproportionate cost.

National Marriage Guidance Council

61. **Mr. Pawsey** asked the Secretary of State for the Home Department if he will make a statement on the objectives served by his Department's funding for the National Marriage Guidance Council.

Mr. Mellor: The Home Office grant to the National Marriage Guidance Council is intended to assist the council in its selection and training of new counsellors, and in the provision of continuing support and in-service training to existing counsellors.

Remands

Mr. Pike asked the Secretary of State for the Home Department what is the average time spent on remand in remand centres awaiting trial.

Mr. Mellor: Information is not available on the average time spent on remand in different types of establishment. The information available centrally relates to the average time spent on remand in custody by all untried prisoners and is published annually in "Prison Statistics, England and Wales" (table *2(g)* of the latest issue for 1984, Cmnd. 9622). Provisional estimates for 1985 were given in "The prison population in 1985" (paragraph 8 of Home Office statistical bulletin 7/86).

Entry Refusal Statistics

Mr. Tony Banks asked the Secretary of State for the Home Department what is the number of persons who were refused entry into the United Kingdom and detained in each month over the past year; and if he will identify them by country of origin.

Mr. Waddington: The following tables give the information available on the number of occasions on which passengers were taken by the immigration authorities to approved detention accommodation in each month in the year ending February 1986. They are based on returns from all ports of entry, plus returns from the detention facilities at Harmondsworth and Heathrow queens building. Passengers who were taken to different buildings at different times may have been counted more than once. These figures include passengers required to submit to further examination and cannot be broken down to identify those passengers refused entry into the United Kingdom.

Table A

Commonwealth citizens detained at port of arrival, March 1985 to February 1986

Number

Citizens of	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*Total*
Australia	3	3	1	3	5	4	2	2	1	3	6	3	36
Bangladesh	51	48	38	32	113	144	170	454	108	106	59	54	1,377
Canada	7	2	5	1	1	1	1	3	3	3	2	3	32
Cyprus	5	9	1	7	5	3	4	8	5	8	6	2	63
Ghana	112	98	107	72	119	123	162	122	147	114	148	130	1,454
Guyana	—	3	—	1	—	3	1	—	1	—	1	1	11
Hong Kong	11	19	2	19	8	9	10	9	10	4	—	12	113
India	85	83	88	83	131	106	105	115	130	156	111	85	1,278
Jamaica	1	1	1	2	4	9	7	5	6	2	8	6	52
Kenya	3	1	2	2	2	4	3	5	2	3	3	—	30
Malaysia	10	11	5	14	5	8	9	13	8	8	8	5	104
Malta	1	—	2	2	—	2	1	1	1	3	—	—	13
Mauritius	26	1	4	3	5	11	4	9	6	3	—	14	86
New Zealand	1	3	—	—	2	—	—	2	—	—	1	—	9
Nigeria	153	144	133	186	122	170	232	190	209	256	240	206	2,241
Sierra Leone	5	—	9	4	4	5	7	5	10	4	3	6	62
Singapore	—	2	1	1	12	2	—	3	2	—	1	—	24
Sri Lanka	44	61	482	75	17	20	32	10	15	28	28	16	828
Tanzania	1	1	1	5	5	5	3	—	—	5	3	1	30
Trinidad and Tobago	—	—	—	—	—	—	—	—	—	—	3	—	3
Uganda	2	—	4	3	5	1	4	—	3	9	6	3	40
Zambia	—	1	—	—	1	3	1	1	—	—	—	—	7
Zimbabwe	2	—	—	3	2	5	3	2	8	2	1	3	31
United Kingdom passport holders	—	1	—	—	1	4	—	—	3	—	1	5	15
Other countries and territories	10	12	14	11	20	14	9	10	6	10	15	21	152
Total Commonwealth	533	504	900	529	589	656	770	969	684	727	654	576	8,091

Table B

EC nationals detained at port of arrival, March 1985 to February 1986

Number

Nationals of	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*Total*
Belgium	9	2	3	1	3	15	16	1	1	2	3	5	61
Denmark	4	3	1	3	1	2	—	—	1	1	—	1	17
France	10	20	15	14	12	8	7	10	14	12	6	13	141
Germany (Federal Republic)	9	11	4	11	7	8	22	6	10	14	12	6	120
Greece	3	13	—	15	—	3	7	7	7	9	3	4	71
Italy	7	8	5	10	4	9	2	6	8	5	6	2	72
Netherlands	8	6	6	2	5	9	7	10	2	7	7	4	73
Portugal*	—	—	—	—	—	—	—	—	—	—	26	27	53
Spain*	—	—	—	—	—	—	—	—	—	—	39	18	57
Total EC	50	63	34	56	32	54	61	40	43	50	102	80	665

* Figures for 1985 are in Table C.

Table C

Non-EC foreign nationals detained at port of arrival, March 1985 to February 1986

Number

Nationals of	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*Total*
Algeria	28	24	16	48	70	83	73	49	29	35	42	25	522
Argentina	3	4	1	1	5	14	2	1	6	4	4	5	50
Austria	4	11	2	3	4	4	3	6	3	1	5	2	48
Brazil	11	14	8	6	6	11	15	14	10	11	9	14	129
Bulgaria	2	1	—	2	—	—	—	—	1	—	1	—	7
Chile	—	9	10	12	5	8	1	1	2	2	7	2	59
China	6	3	—	1	7	—	1	4	—	5	2	1	30
Colombia	80	29	30	26	26	23	35	20	37	28	31	26	391
Cuba	1	—	2	—	1	—	—	—	—	—	—	—	4
Czechoslovakia	—	—	—	—	—	—	3	—	—	1	—	—	4
Egypt	7	2	3	7	—	3	4	11	6	3	8	4	58
Ethiopia	—	1	1	2	3	1	4	19	7	10	6	—	54
Finland	3	10	—	2	1	1	2	—	4	—	—	1	24
GDR	—	—	1	—	—	—	—	—	—	—	—	—	1
Hungary	—	—	—	—	1	—	—	3	—	2	—	7	13
Indonesia	2	1	1	—	—	—	—	—	—	—	—	1	5
Iran	54	13	11	11	27	31	28	19	36	31	27	17	305
Iraq	14	1	1	5	6	11	9	11	23	7	13	4	105

Nationals of	March	April	May	June	July	August	September	October	November	December	January	February	Total
Israel	7	14	11	11	7	3	8	22	16	8	9	6	122
Japan	4	7	7	2	7	5	2	5	2	8	10	4	63
Jordan	1	1	2	—	3	1	1	—	1	2	1	—	13
Kuwait	—	—	—	—	—	2	—	—	—	—	1	1	4
Lebanon	2	—	1	8	16	2	5	7	4	5	1	2	53
Libya	1	9	5	4	12	10	13	8	4	9	9	1	85
Mexico	2	3	—	1	1	1	7	—	1	2	1	2	21
Morocco	44	26	31	54	110	95	59	50	44	65	29	30	637
Norway	5	3	3	3	4	2	—	1	3	3	3	5	35
Pakistan	68	117	89	95	112	106	92	110	144	179	104	94	1,310
Peru	—	1	2	2	3	1	3	1	1	2	3	6	25
Philippines	5	1	3	4	6	9	9	4	1	8	2	3	55
Poland	5	4	2	10	7	3	4	6	4	5	5	3	58
Portugal*	15	23	37	26	19	37	34	19	45	24	—	—	279
Romania	—	—	1	1	—	2	1	—	—	—	—	—	5
Saudi Arabia	2	4	1	3	5	6	2	1	—	—	3	—	27
Somalia	—	2	3	—	2	—	1	4	1	1	2	—	16
South Africa	3	4	6	2	4	2	3	7	5	1	4	4	45
Spain*	27	26	25	25	23	24	34	44	40	18	—	—	280
Sudan	2	—	1	—	3	5	—	2	—	2	3	—	18
Sweden	6	7	4	1	5	10	8	—	3	—	7	6	57
Switzerland	5	4	3	3	4	3	4	4	4	7	5	4	50
Syria	—	—	—	7	2	1	2	—	1	—	2	—	15
Thailand	1	—	—	4	1	3	2	2	5	4	5	—	27
Tunisia	9	26	10	13	9	15	14	12	14	22	14	4	162
Turkey	54	74	50	76	88	73	129	107	100	152	78	44	1,025
USA	31	36	30	21	26	28	24	25	29	29	32	14	325
USSR	—	—	—	1	—	—	—	—	—	—	—	—	1
Uruguay	—	—	—	—	1	—	1	4	—	—	1	—	7
Venezuala	—	1	—	—	—	—	2	—	—	1	1	2	7
Yugoslavia	5	11	2	5	9	11	13	19	6	16	9	2	108
Other foreign countries	28	23	25	39	31	40	17	40	38	51	79	28	439
Stateless	18	38	19	37	27	29	36	18	18	36	37	23	336
Non-EC total	565	588	460	584	709	719	710	680	698	800	615	397	7,525

* Figures for 1986 are in Table B.

Mr. Tony Banks asked the Secretary of State for the Home Department how many persons and from which countries are currently being detained after entry refusal into the United Kingdom; and how long each of them has been detained.

Mr. Waddington: The information available is given in the table and relates to those passengers refused entry and detained under Immigration Act powers, other than in the control areas at ports, at 3 pm on 22 April 1986.

	Period detained					
Nationality	Less than one day	Less than seven days	Less than 30 days	Less than 60 days	More than 60 days	Totals
Bangladesh	1	6	3	1	0	11
Colombia	3	0	0	0	0	3
Ghana	0	5	2	0	0	7
BDTC (Hong Kong)	0	0	0	1	0	1
India	1	0	9	2	0	12
Iran	0	0	1	0	1	2
Morocco	0	0	0	0	1	1
Malaysia	0	0	3	0	0	3
Nigeria	2	1	1	0	0	4
Pakistan	1	2	9	6	0	18
Sri Lanka	1	0	1	2	3	7
Turkey	1	0	0	0	1	2
USA	1	0	0	0	0	1
Doubtful	1	1	0	0	0	2
Totals	12	15	29	12	6	74

Of the six persons detained for more than 60 days one (Turk) has been detained for 106 days, one (Sri Lankan) for 93 days, one (Sri Lankan) for 86 days, one (Sri Lankan) for 79 days, one (Iranian) for 136 days and one (Moroccan) for 171 days.

Visitors (Representatives)

Mr. Tony Banks asked the Secretary of State for the Home Department how many representations on behalf of visitors to the United Kingdom have been made to his

office by hon. Members in each year since 1979; and what has been the number of staff employed in the relevant Minister's Office for each of the same years.

Mr. Waddington: The available information relates to the number of immigration files* created following representations by right hon. and hon. Members, and is as follows:

	Number
1979	10,395
1980	10,029
1981	8,945
1982	9,931
1983	11,456
1984	13,164
1985	16,024
†1986	4,398

† To 31 March.

The figures include representations on all categories of after entry cases as well as those arising at the ports. Not all the representations concerned visitors.

The great majority of representations were handled through my office, and that of my predecessor. The number of staff in post in that office in each year since 1979 was

	Number
1979	6
1980-85	7
1986	8

Two additional officers will join the staff of my office very shortly.

* *Notes:*

1. These figures include a small number of letters dealing with general immigration issues rather than individual cases.
2. Representations made on behalf of a single family may be counted as more than one case where the immigration circumstances of more than one member of the family are under consideration.
3. Further representations made after a reply has been sent are included separately in these figures.
4. Representations received about the same case from more than one right hon. or hon. Member are counted separately.

Police Complaints Authority

Mr. Ron Davies asked the Secretary of State for the Home Department if he will make it his policy to obtain copies of all past and future reports of the Police Complaints Authority, with a view to placing them in the Library.

Mr. Giles Shaw: My right hon. Friend is required by section 97 of the Police and Criminal Evidence Act 1984 to lay before Parliament the Police Complaints Authority's annual reports and any special reports the authority may make on matters arising out of the exercise of its responsibilities. The chairman of the authority has, in addition, agreed to provide him with a copy of any statement it might publish summarising the results of the investigation of a particular case, so that a copy may be placed in the Library. Only one such summary has so far been published. It was concerned with the circumstances surrounding the death of Mrs Cynthia Jarrett on 5 October 1985. A copy is now in the Library.

Public Assemblies (Control)

Mr. Key asked the Secretary of State for the Home Department if he will take steps to ensure that the police have power to control public assemblies on both public and private land, and if he will make a statement.

Mr. Giles Shaw: Clause 14 of the Public Order Bill seeks to give the police power, in certain circumstances, to impose conditions on those organising or participating in a public assembly in a public place. In the committee proceedings [*Official Report, Standing Committee G*, 11 and 13 March 1986], we undertook to consider further whether any change in the law was required in respect of assemblies on private land. Discussions with the police and others are continuing but, as my right hon. Friend indicated in Standing Committee, it would be wrong to rush into legislation on what is a difficult and sensitive issue. We cannot yet give any indication of when conclusions are likely to be reached.

Data Protection Act 1984

Mr. Henderson asked the Secretary of State for the Home Department if he will undertake a review of the operation of the Data Protection Act 1984 with specific reference to the consistency with which the data protection registrar applies the criteria for registration; and if he will make a statement.

Mr. Waddington: No. Reponsibility for the implementation of the registration requirements of the Act lies with the registrar and, in certain respects, the Data Protection Tribunal. The registrar will be reporting to Parliament regularly on the effects of the Act and will be keeping its requirements under constant review.

Mr. Henderson asked the Secretary of State for the Home Department if he will seek powers to direct the priorities of the data protection registrar in establishing the data protection register; and if he will make a statement.

Mr. Waddington: No. The Act clearly places responsibility for these matters on the registrar.

Mr. Henderson asked the Secretary of State for the Home Department what control his Department exercises over the public expressions of opinions, activities and expenditure of the data protection registrar.

Mr. Waddington: The status of the registrar and the position of his officers and servants is set out in part I of schedule 2 to the Data Protection Act 1984. Paragraph 6(2) of the schedule provides for the payment of his expenses by the Secretary of State with the approval of the Treasury and his activities are governed by various provisions of the Act. My right hon. Friend does not exercise control over public expressions of opinion by the registrar.

Mr. Henderson asked the Secretary of State for the Home Department if he will introduce legislation to ensure that no one other than users of computers and computer service bureaux, is required to register under the Data Protection Act 1984; and if he will make a statement.

Mr. Waddington: We have no plans at present for further legislation in this field. If my hon. Friend has in mind any particular problems relating to registration under the Act, he may wish to take them up with the Data Protection Registrar.

Wormwood Scrubs

Mrs. Renée Short asked the Secretary of State for the Home Department for how long it is anticipated that part of the prison hospital at Wormwood Scrubs is to be used as office accommodation; why it is being so used; and if he will make a statement on the progress of the modernisation of the hospital and operating theatre at the prison indicating when the modernisation is expected to be completed, the estimated total cost and when the operating theatre will be reopened.

Mr. Mellor: Neither the old hospital, which was taken out of use prior to the redevelopment of Wormwood Scrubs, nor the existing temporary hospital, is being used as office accommodation. As part of the redevelopment, we propose to provide a permanent hospital and operating theatre within a new building linking the four existing wings of the prison. Subject to the necessary financial and planning procedures, it is hoped that work on this new building will begin in 1988 and be completed in 1991. The total cost of the building is estimated at £21·8 million, but because this unit will contain a number of different facilities, it is not possible at this stage to provide an accurate breakdown of the cost of the hospital and operating theatre alone.

Walton Prison, Liverpool

Mrs. Renée Short asked the Secretary of State for the Home Department whether the operating theatre at Her Majesty's prison, Walton, Liverpool, has yet been reopened; and if he will make a statement.

Mr. Mellor: The surgical unit at Liverpool was reopened on 7 April after the completion of essential repairs and refurbishment.

Driving Licences

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many offences have been recorded and how many convictions have been recorded for *(a)* misusing and *(b)* theft of driving licences; and if he will provide figures for each of the past five years and publish them in the *Official Report*.

Mr. Mellor: Information in the form requested is not available. "Misuse" of a driving licence covers a wide variety of separate offences and the available information relates only to proceedings and findings of guilt for these offences, figures for which are published annually in "Offences Relating to Motor Vehicles, England and Wales, Supplementary Tables" (table 5 of the issue for 1984). Information on thefts of driving licences is not separately available.

Interpol

Mr. Proctor asked the Secretary of State for the Home Department if he will make it his policy to inform Parliament as soon as any application is made by the Soviet Union to join Interpol; and if he will make a statement.

Mr. Giles Shaw: In practice an application by the Soviet Union to join Interpol is likely to become public knowledge. The formal position, however, is that application for membership is made to the Secretary-General of the organisation who is, in the first instance, responsible for any decision as regards publication. The Secretary-General also notifies member countries prior to the Interpol General Assembly of any applications for membership, although this would not necessarily be immediately the application was made.

Mr. Proctor asked the Secretary of State for the Home Department what access by foreign police forces to information in Scotland Yard files and the police national computer admission to Interpol permits; if there is a common basis for disclosure to any Interpol member requesting information; and if he will make a statement.

Mr. Giles Shaw: Foreign police forces have no direct access through Interpol to information held by the police in the United Kingdom. The Interpol constitution provides that co-operation between member countries must be compatible with the legislation of their respective countries; all requests for assistance of the United Kingdom are made through the National Central Bureau which will supply information only if it is legally permissible and compatible with the United Kingdom interest to do so.

Immigration (Representations)

Mr. Spencer asked the Secretary of State for the Home Department when he intends to introduce the new arrangements for dealing with representations from right hon. and hon. Members in immigration cases.

Mr. Hurd: I can confirm that the new arrangements will be introduced on 1 May. My hon. and learned Friend is writing to all right hon. and hon. Members enclosing a copy of the guidelines, which were debated in the House on 26 March. I am placing a copy in the Library.

NORTHERN IRELAND

Supplementary Benefit

Mr. Archer asked the Secretary of State for Northern Ireland whether he will publish in full the table from the "Supplementary Benefit Statistical Enquiry (1983)" for Northern Ireland.

Mr. Needham: Tables containing data from the 1983 inquiry are to be found in section 20 of "Northern Ireland Social Security Statistics 1984", a copy of which is in the Library.

RUC (Moving Homes)

Mr. J. Enoch Powell asked the Secretary of State for Northern Ireland to how many members of the Royal Ulster Constabulary assistance in moving their homes has been given in each of the last five calendar years and in 1986 to date.

Mr. Scott: Information is not readily available prior to 1983 and could be provided only at disproportionate cost. The following figures cover members who have been given assistance in moving their homes.

Number of Removals Assisted

	Number
1983	255
1984	184
1985	195
*1986	104

* To 18 April.

Community Groups (Grant Aid)

Mr. Alton asked the Secretary of State for Northern Ireland when the Departments of Education (Northern Ireland) will use the powers in the Northern Ireland Youth Services Order 1975 to pay grant aid directly to community groups normally grant-aided by district councils; and if he will make a statement.

Dr. Mawhinney: I have no plans to use powers to make grant payments direct to community groups. District councils are best placed to take decisions on the needs of these groups. I regret that Belfast city council has recently failed to fulfil its responsibilities to its community groups. The Government have, however, taken special action to ensure the payment of grants in Belfast and will be keeping the position in this and other district council areas under review.

Auxiliary Oil Replenishment Vessel

Mr. Hayes asked the Secretary of State for Northern Ireland what steps he has taken to ensure equitable competition between Harland and Wolff and shipbuilding yards in the private sector in the contest for the auxiliary oiler replenishment vessel.

Mr. Tom King: The Government required that Harland and Wolff's tender should be unsubsidised and comprehensively costed. Harland and Wolff's tender met that requirement. This has been confirmed by an independent and internationally respected management consultancy which reviewed Harland and Wolff's bid.

While the Government are satisfied that Harland and Wolff's bid is free of subsidy and comprehensively costed we intend in addition to put the company on a similar footing to a private sector company. In placing the AOR order with Harland and Wolff Ministers have specified that Harland and Wolff's performance and costs in building the AOR will be subject to a stringent system of actual financial and performance controls monitored by independent assessors. Under this:

(1) If Harland and Wolff incurs higher costs than expected in building the vessel, the extent of the overrun will be netted directly and automatically off subsidy available for merchant shipbuilding with a direct effect on the company's ability to secure further work in the yard;

(2) If in addition those higher costs exceed 5 per cent., then Harland and Wolff will not be permitted to bid for Ministry of Defence contracts until it brings its costs again below that margin.

(3) Should extra costs exceed 10 per cent. there will be an immediate review, by Ministers, of both alternative arrangements for completing the AOR contract and of the future of Harland and Wolff itself.

Marches

Mr. John David Taylor asked the Secretary of State for Northern Ireland if he will list, by location, those parades in Northern Ireland during the Easter adjournment which *(a)* took place in contravention of a ban and *(b)* took place without the necessary statutory notice being served on the police; at which of these parades firearms were seen to be in the possession of civilians; how many plastic bullets were fired by the Royal Ulster Constabulary at each of these parades; and if he will identify which of these parades were Loyalist and which Republican.

Mr. Scott [*pursuant to his reply*, 14 April 1986, c. *243*]: During the Easter adjournment (27 March to 8 April) one Loyalist parade took place in Portadown in the early hours of 31 March in contravention of a prohibition under article 4(3) of the Public Order (Northern Ireland) Order 1981. Later in the day a number of minor Loyalist parades took place in contravention of the same prohibition. One other Loyalist parade was deemed in contravention of the law when it deviated from its customary route in Belfast.

Four Republican parades, two in Londonderry and two in Belfast, took place without the required statutory notice being given to the police.

The Royal Ulster Constabulary did not fire baton rounds at any of these parades, however, in violent incidents which occurred in the vicinity of the Portadown parades, and in rioting which followed them in the town, a total of 193 plastic baton rounds was fired by the police. On one occasion, at a Republican parade in Londonderry, firearms were observed in the possession of civilians.

Noraid

Mr. Mason asked the Secretary of State for Northern Ireland whether he or Ministers in his Department have, on visits to the United States of America, made representations to the United States Government to take legal or legislative steps against the Noraid organisation; and if he will make a statement.

Mr. Tom King: I shall reply to the right hon. Member as soon as possible.

AGRICULTURE, FISHERIES AND FOOD

Expenditure

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish a table in the *Official Report* showing the total amount spent directly and indirectly on British agriculture directly by the United Kingdom Government and indirectly under the common agricultural policy in the latest year for which figures are available.

Mr. Jopling: I shall reply to the hon. Member as soon as possible.

Intervention Stores (London)

Mr. Tony Banks asked the Minister of Agriculture, Fisheries and Food what is the location of each intervention store in the Greater London area; and what are the amounts stored.

Mr. Jopling: I shall reply to the hon. Member as soon as possible.

HOUSE OF COMMONS

Members' Travelling Expenses

Mr. Straw asked the Lord Privy Seal if he will publish in the *Official Report* tables showing the total cost of travel between Westminster and the constituencies of right hon. and hon. Members, for the latest available financial year, 1982-83 and 1979-80, with separate details relating to mode of travel, namely, car, train, plane, etc.

Mr. Biffen: This information could be obtained only at disproportionate cost.

EMPLOYMENT

Training and Skill Shortages

Mr. Pike asked the Paymaster General what recent representations he has received about training and skill shortages in British industry.

Mr. Trippier: I have not received any direct representations about training and skill shortages in British industry.

Current information on skill shortages indicates that overall there is no shortfall of skilled workers, although there are shortages of workers with particular skills, especially those associated with the application of new technology.

However, the Government are very concerned that in the long term shortages of skills do not become a barrier to increased output and to individuals' work opportunities, so that positive action is being taken to help to alleviate them. A number of the Manpower Services Commission's adult training schemes are designed to address immediate skill needs by focusing directly on the needs of local employers, as well as action to increase the supply of skills in the longer term through two year YTS, the non advanced further education initiative and other adult training policies.

Nevertheless the Government remain convinced that training to meet skill needs is primarily the responsibility of industry itself an consistently urges employers to see that training is an investment rather than an overhead.

Manufacturing Industry

Mr. Austin Mitchell asked the Paymaster General whether he will publish in the *Official Report* a table showing for the European Economic Community countries, the numbers employed in manufacturing industry in 1968, 1973, 1979 and at the latest available date in each case, together with the numbers unemployed.

Mr. Lang: The available information is given in the following table.

*European Community Countries**

Country	*Employees in Employment in Manufacturing*				*Unemployment (Thousand)*				
	1968	*1973*	*1979*	*1983*	*1968*	*1973*	*1979*	*1983*	*February 1986*
Germany	9,069	9,211	8,389	7,598	323	274	876	2,264	2,593
France	†5,186	5,599	5,254	4,803	428	394	1,350	2,042	2,434
Italy	NA	NA	4,754	4,435	684	1,005	1,653	2,475	3,203
Netherlands	NA	NA	1,037	966	84	140	280	801	750
Belgium	1,077	1,088	888	773	110	107	341	590	521
Luxembourg	NA	64	42	38	0	0	1	2	3
Ireland	193	208	228	208	60	62	80	193	239
Denmark	NA	‡507	494	436	26	18	138	277	251
Greece	NA	NA	448	466	NA	NA	‖32	62	143
Spain	2,637	2,932	2,700	2,260	NA	NA	‖1,277	2,207	2,810
Portugal	647	739	865	¶920	NA	NA	‖285	253	368
United Kingdom Total	8,242	7,861	7,259	5,608	601	596	1,296	3,105	3,382
Adjusted●					NA	545	1,141	3,866	3,161

Sources: Eurostat "Population and Employment 1950-76"
"Employment and Unemployment" annual volumes, and "Unemployment" bulletin;
OECD "Labour Force Statistics 1963-83";
Her Majesty's Stationery Office "Employment Gazette".

* The figures are not fully comparable between countries, nor from year to year because of changes in coverage.
† Relates to 1969.
‡ Relates to 1974
‖ Relates to 1980.
¶ Relates to 1982.
● For the United Kingdom, the adjusted series allows for discontinuities and is consistent with the current coverage of the unemployment count.

Restart Programme

Mr. Rowe asked the Paymaster General what proportion of the long-term unemployed he expects to take up a place on a training course under the restart programme; how long on average such a course will last; and how much is the average cost of such a course.

Mr. Lang: Of those interviewed 20-30 per cent. are expected to take up a place on the new restart course. The average length of such a course is one week with a further drop-in facility of one day per week for up to 13 weeks thereafter. The average cost per trainee week is £62 and £14 per trainee day for the drop-in facility.

Employment Committee (Report)

Mr. Michael Forsyth asked the Paymaster General whether he will make available the Government's response to the report of the Employment Committee on special employment measures and the long-term unemployed.

Mr. Kenneth Clarke: I am making the Government's memorandum publicly available today and I have arranged to put copies in the Library.

Data Protection Agency (Advertisements)

Mr. Grylls asked the Paymaster General what assessment he has made of the effect on small businesses of the current advertisements being run by the Data Protection Agency.

Mr. Waddington: I have been asked to reply.

The objective of the registrar's advertisements is to encourage computer users to consider their position under the Data Protection Act 1984 and, if necessary, register under the Act. It is too early to assess the effect of this advertising campaign on small businesses.

PRIME MINISTER

Strategic Defence Initiative

Q19. **Mr. Dalyell** asked the Prime Minister if, in view of the letter to vice-chancellors from Mr. G. Gallagher-Daggitt sent on 27 February, she will make a statement on co-ordination between the Department of Education and Science and the Ministry of Defence on the strategic defence initiative research.

The Prime Minister: I am fully satisfied with the arrangements for such co-ordination.

Caernarfon

Q37. **Mr. Wigley** asked the Prime Minister when she next intends to pay an official visit to Caernarfon.

The Prime Minister: I have at present no plans to do so.

Libya (United States Raid)

Mr. Austin Mitchell asked the Prime Minister whether she will ask the United States Government to release the pictures taken from United States planes which bombed Government targets in Libya.

The Prime Minister: I understand that some such material has already been released.

Mr. Tony Banks asked the Prime Minister what is the number of *(a)* messages of support and *(b)* expressions of opposition received at 10 Downing street in connection with the use of British bases for the United States attack on Libya.

The Prime Minister: Up to and including Wednesday 23 April the Government have received about 10,920 representations against, and about 3,780 representations for the United Kingdom's support of the United States action.

Heavy Vehicle Manufacture

Mr. Austin Mitchell asked th Prime Minister what assessment she has made of the adequacy of present and prospective arrangements for heavy vehicle manufacture in the United Kingdom in relation to the United Kingdom's defence requirements in a conventional war.

The Prime Minister: The position is continuously monitored. At present and for the foreseeable future there is more than enough heavy vehicle manufacturing capacity in the United Kingdom to meet defence requirements.

British Transport Police

Dr. Hampson asked the Prime Minister what are the responsibilities of the Secretary of State for Transport in respect of the British Transport police.

The Prime Minister: The British Transport police are appointed and employed by the British Railways Board. They have similar powers and duties to local forces, but in relation to railway premises and property. Their operations are the responsibility of the chief constable, who reports to the British Transport police committee. The force and the committee were established and are governed by statutory provisions. My right hon. Friend the Secretary of State thus has no direct responsibilities in respect of this force.

Railways (Policing)

Dr. Hampson asked the Prime Minister if she is satisfied with co-ordination between the Home Department, the Scottish Office and the Department of Transport with regard to policing of railways, and, in particular, the control of travelling football supporters.

The Prime Minister: Yes.

Shops Bill *[Lords]*

Mr. Kaufman asked the Prime Minister whether she intends to take any action concerning the continued membership of her Administration of the hon. Member for Peterborough (Dr. Mawhinney), the Parliamentary Under-Secretary of State for Northern Ireland, following his decision not to vote on the Second Reading of the Shops Bill.

The Prime Minister: The right hon. Member's question is based on a false premise.

Terrorism

Mr. Hickmet asked the Prime Minister if she will make a statement about deaths and injuries in terrorist incidents caused by the Provisional IRA, the IRA and similar organisations in mainland Britain since the recent troubles began, giving the date and place of each incident with the numbers of men, women and children killed or injured in each incident and in total to date; and if she will make a statement.

The Prime Minister: The information is not available in the form requested, but deaths in England and Wales recorded in the criminal statistics as attributable to terrorist incidents connected with Northern Ireland, and injuries known to the Metropolitan police were as follows:

	Total deaths	Men	Women	Children	Number of fatal incidents	Injuries
1972	7	2	5	—	1	*n.a.
1973	1	1	—	—	1	239
1974	43	30	11	2	6	452
1975	11	9	2	—	9	228
1976	2	1	1	—	2	113
1977	—	—	—	—	—	—
1978	—	—	—	—	—	11
1979	1	1	—	—	1	17
1980	—	—	—	—	—	5
1981	3	2	1	—	2	45
1982	11	11	—	—	2	49
1983	6	4	2	—	1	91
1984	5	2	3	—	1	31
1985	—	—	—	—	—	—
Total	90	63	25	2	26	1,281

*Not available.

Mr. Hickmet asked the Prime Minister if she will make a statement about deaths and injuries in terrorist incidents caused by the Provisional IRA, the IRA and similar organisatons in Northern Ireland since the recent troubles began, giving the date and place of each incident with the numbers of men, women and children killed or injured in each incident and in total to date; and if she will make a statement.

The Prime Minister: The number of deaths and injuries between 1969 and 1985 as a result of the security situation in Northern Ireland is in the table. Information is not available in the form requested and could be obtained only at disproportionate cost.

The security situation 1969-85

References	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Fatalities																	
RUC	1	2	11	14	10	12	7	13	8	4	9	3	13	8	9	7	14
RUC (Reserve)	—	—	—	3	3	3	4	10	6	6	5	6	8	4	9	2	9
Army	—	—	43	103	58	28	14	14	15	14	38	8	10	21	5	9	2
UDR	—	—	5	26	8	7	6	15	14	7	10	9	13	7	10	10	4
Civilians	12	23	115	321	171	166	216	245	69	50	51	50	57	57	44	36	25
Totals	13	25	174	467	250	216	247	297	112	81	113	76	101	97	77	64	54
Injuries																	
Army/UDR	54	620	390	578	548	483	167	264	188	135	153	77	140	98	88	86	31
RUC/RUC(R)	711	191	315	485	291	235	263	303	183	302	165	194	332	99	142	267	363
Civilians	—	245	1,838	3,813	1,812	1,680	2,044	2,162	1,027	548	557	530	878	328	280	513	451
Totals	765	1,056	2,543	4,876	2,651	2,398	2,474	2,729	1,398	985	875	801	1,350	525	510	866	845

Mr. Hickmet asked the Prime Minister, how many persons injured in terrorist outrages she has visited since May 1979 giving the date and place of each visit and identifying the incident in which such persons were injured.

The Prime Minister: It is not possible to state with any precision every occasion on which I have met people injured in terrorist attacks. However, I have visited in hospital victims of the following terrorist incidents:

October 1981—Chelsea Barracks bomb
July 1982—Hyde Park and Regent's Park bombs
December 1983—Harrods bomb
October 1984—Grand Hotel, Brighton bomb

In addition, on two occasions when I have visited Northern Ireland (August 1979 and December 1982) I have met victims of terrorist attacks.

Mr. Hickmet asked the Prime Minister how many letters she has written to those injured and to the dependents of those killed or injured in terrorist incidents since May 1979.

The Prime Minister: I regret to say that it would be very difficult to identify such correspondence from the records. I share this sensitive duty with my colleagues.

Mr. Hickmet asked the Prime Minister if she will make a statement about the Prevention of Terrorism Act and its role in combating terrorism.

The Prime Minister: The prevention of terrorism legislation, which was first introduced by a Labour Government in 1974, is of very great importance in combating terrorism, and the Government believe that this legislation will be necessary as long as a substantial terrorist threat remains. It cannot prevent all terrorism, but there is good reason to believe that there would have been more terrorist attacks, and that more would have been

successful, without it. A large quantity of explosives was discovered after the Act's use on one occasion last year. Also last year, the power to arrest without warrant under this legislation was used to avert a conspiracy to attack a retired army officer who had served in Northern Ireland. Since 1974, 366 persons detained under this legislation have been convicted of offences, and 308 have been excluded from Great Britain or the United Kingdom, or have been deported or removed under immigration powers. Six persons detained under the Act received life sentences for murder or attempted murder, and 36 received sentences of more than five years' imprisonment for causing or conspiring to cause explosions. Twenty persons were convicted for possession of explosives and 33 for offences under the Firearms Act. The case for continuing the legislation is considered every year and the professional judgment of the police on each occasion has been that the Act helps to prevent and detect acts of terrorism.

Libya

Mr. Hickmet asked the Prime Minister what information she has as to assistance the Libyan Government have given to the IRA and similar organisations since 1970 in the training of terrorists, the supply of arms and the supply of money; and if she will make a statement.

Mr. Mason asked the Prime Minister if she will publish the available information showing that the Libyan Government have supported the Provisional Irish Republican Army in the training of personnel, financial assistance and the supply of arms; and if she will make a statement.

The Prime Minister: Libyan support for the provisional IRA is beyond doubt. A paper on this subject was placed in the Library of the House in 1984; a revised paper is being prepared at present and will be placed in the Library as soon as possible.

Mr. Hickmet asked the Prime Minister (1) in what terrorist incidents or murders on mainland Britain the Libyan Government have been implicated since President Gaddafi came to power, giving details of all those killed or injured and property damaged with the date and place; and if she will make a statement;

(2) what information she has as to the incidence of terrorism sponsored by Libya in Europe; and what assessment she makes of the effect that this has, or is likely to have upon Britain, British subjects and the peace and security of Europe.

The Prime Minister: Whilst there have been no occasions when the Libyan authorities have claimed direct responsibility for specific acts of terrorism in this country, since the Libyan embassies in Europe were taken over by self-styled revolutionary committees in September 1979, information on recent Libyan involvement in terrorist activity is as follows:

March 1980
Libyan journalist shot in Regent's Park.

June 1980
Secretary-General of London Libyan People's Bureau states approval for killing of Libyan dissidents in Britain. He, and three other Libyans, expelled.

November 1980
Four Libyans convicted for poisoning of two children of Libyan dissident in Portsmouth.

March 1984
Bomb explosions in Manchester and London injuring more than 20 British citizens. Three Libyans convicted and six deported.

17 April 1984
WPC Fletcher shot dead by gunmen firing from Libyan People's Bureau, London. Ten Libyan dissidents injured in shooting. Resulted in seige of Libyan People's Bureau and ultimately its evacuation and closure.

21 June 1984
A Libyan student shot dead by Libyan gunmen in Athens.

July 1984
Two Libyan diplomats asked to leave London for activities incompatible with their status.

July 1984
Two Libyan dissidents, el Zawi and Fartaz, shot dead in Athens.

6 April 1985
Dinali, leading dissident shot dead in Bonn by Libyan gunman Tarhuni. Tarhuni sentenced to life imprisonment.

17 April 1985
Libyan Arab Airlines manager at Heathrow, London deported for anti-dissident activities.

17 April 1985
Libyan (Sodani) previously in United Kingdom deported from Belgium.

24 May 1985
Three Libyan students deported for anti-dissident activities.

September 1985
Egyptian police detained four-man Libyan terrorist team in Alexandria. Team were tasked to murder Bukkush, ex-Libyan prime minister. Sentenced to 25 years prison each.

27 December 1985
Shooting and grenade attacks at Rome and Vienna airports carried out by Abu Nidhal. Libya provided logistic support for attack in Vienna.

1986
Arms found in Republic of Ireland—including boxes of ammunition stamped "Libyan Armed Forces".

3 January 1986
Libyan student excluded from United Kingdom for planning anti-dissident attacks.

RECENT EVIDENCE

Berlin discotheque bombing: 5 April 1986
On 25 March instructions were sent from Tripoli to the Libyan People's Bureau in East Berlin to conduct a terrorist attack against the Americans. On 4 April the Libyan People's Bureau told Tripoli the attack would be carried out the following morning. In the early hours of 5 April a bomb exploded in a discotheque frequented by United States servicemen, killing two people and injuring 230. On 5 April the Libyan People's Bureau reported to Tripoli that the operation had been carried out successfully.

Support for IRA
Major arms find in Irish Republic, 26 January, included rifles and ammunition from Libya.

Paris—attempted bombing

In late March intelligence uncovered a plot to attack with a bomb civilians queueing for visas at the United States embassy in Paris. France expelled two members of the Libyan People's Bureau for their involvement.

The measures we and our European Community partners agreed on 21 April should reduce the threat of such activity against our citizens and interests.

Mr. Hickmet asked the Prime Minister what representations Her Majesty's Government have made to the Government of Libya about their support of the IRA since such support was identified; and if she will make a statement.

The Prime Minister: There is no doubt about Libyan support for the Provisional IRA. Since 1972 we have repeatedly protested to the Libyan Government about this, most recently at the last meeting between British and Libyan officials in Rome in March 1985.

Mr. Hickmet asked the Prime Minister what action Her Majesty's Government have taken since President Gaddafi came to power to seek to deter Libya from sponsoring state terrorism; with what result; and if she will make a statement.

The Prime Minister: Our action has included repeated representations to the Libyan authorities, diplomatic action with and through other friendly Governments, breaking off diplomatic relations, expulsion of diplomats and other Libyans from the United Kingdom, imposition of a strict visa regime and a ban on new defence contracts. These measures we have taken have had some effect in reducing the ability of the Libyan authorities to sponsor and conduct terrorist attacks in the United Kingdom.

United States Export Regulations

Mr. Meadowcroft asked the Prime Minister what guidance she proposes to give to United Kingdom citizens who become subject to the United States export regulations coming into force on 24 April.

The Prime Minister: Companies and persons doing business in the United Kingdom should be guided by United Kingdom law and their own commercial judgment.

Noraid

Mr. Mason asked the Prime Minister what representations she has made to President Reagan to outlaw Noraid; and if she will make a statement.

The Prime Minister: The United States Government have made clear their opposition to those in the United States who give support of any kind to organisations involved directly or indirectly in terrorism in Northern Ireland. They take active steps to arrest and prosecute those engaged in the export of arms to the terrorists. Representations have been made on many occasions—together with thanks for the vigorous statements by the President and leading members of Congress.

Provisional IRA

Mr. Mason asked the Prime Minister if she will list the representations she has made to the United States of America, the European Economic Community and the Libyan Government on financial aid, military training and weapons sales to the Provisional Irish Republican Army; and if she will make a statement.

The Prime Minister: The United States Government and the Governments of the European Community share our total opposition to terrorist violence of any kind. We have their close co-operation in the fight to deny all forms of support to the organisations engaged in terrorism in Northern Ireland.

Since 1972 we have repeatedly protested to the Libyan Government about their support for the Provisional Irish Republican Army, most recently at the last meeting between British and Libyan officials in Rome in March 1985.

Dr. Kurt Waldheim

Mr. Janner asked the Prime Minister if she will authorise the release of those Government documents hitherto withheld from the Public Record Office which contain references to the wartime activities of Dr. Kurt Waldheim; and if she will make a statement.

The Prime Minister: I have nothing to add to my answer on 22 April to the right hon. Member for Brent, East (Mr. Freeson).

Engagements

Sir John Biggs-Davison asked the Prime Minister if she will list her official engagements for Thursday 24 April.

Mr. Forth asked the Prime Minister if she will list her official engagements for Thursday 24 April.

Mr. Peter Bruinvels asked the Prime Minister if she will list her official engagements for Thursday 24 April.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Thursday 24 April.

Mr. Flannery asked the Prime Minister if she will list her official engagements for Thursday 24 April.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I shall attend a state banquet given by their majesties the King and Queen of Spain.

SCOTLAND

State Hospital, Carstairs

Dr. Godman asked the Secretary of State for Scotland what alterations and renovations are planned for the wards in the state hospital, Carstairs; and if he will make a statement.

Mr. John MacKay: Following discussions which I had with the state hospital management committee last year, the committee has submitted proposals to the Scottish Home and Health Department for modernising the ward accommodation at the state hospital, Carstairs. These proposals are now being considered by the Department.

Speech Therapists

Mr. McQuarrie asked the Secretary of State for Scotland what progress has been made in the scientific and professional council in the claim by speech therapists for equal pay.

Mr. John Mackay: I understand that staff side interests representing speech therapists met the management side of the scientific and professional staffs Whitley Council on 24 March to amplify their claim for pay parity with other graduate National Health Service professions.

At the same time, however, two test cases had been lodged with industrial tribunals claiming equal pay for speech therapists with the professions. The management side of the Whitley Council have therefore declined to respond formally to the claim until they are clear about the implications of these referrals to industrial tribunals and have taken the necessary advice from the sources available to them.

Commonwealth Games

Mr. Canavan asked the Secretary of State for Scotland what meetings he has had about the arrangements for the forthcoming Commonwealth Games; and if he will make a statement.

Mr. Allan Stewart: Arrangements for the Commonwealth Games are the responsibility of Commonwealth Games (Scotland 1986) Ltd. with which my right hon. and learned Friend and I remain in close touch.

Sunday Trading

Mr. McQuarrie asked the Secretary of State for Scotland why, pursuant to the answer of 17 April, *Official Report*, columns *458-9*, he is not prepared to examine Scottish legislation concerning shops opening in the context of the preservation of the traditional Scottish Sabbath; and if he will make a statement.

Mr. John MacKay: In Scotland the provisions in the Shops Act 1950 which restrict Sunday trading apply only to hairdressers and barbers. Accordingly, the law as it stands in Scotland accords generally with the view of the Government that legal sanctions should not be introduced to regulate activities which are more appropriately influenced by tradition, example and persuasion.

Prison Service

Mr. Home Robertson asked the Secretary of State for Scotland what is Her Majesty's Government's policy towards privatisation of the Scottish prison service; and if he will make a statement.

Mr. John MacKay: There are no plans to privatise the Scottish prison service.

Mr. Home Robertson asked the Secretary of State for Scotland if he is satisfied with the standards of competence and efficiency in the prison service.

Mr. John MacKay: Yes.

Drunkenness

Mr. Craigen asked the Secretary of State for Scotland what discussions he has had with Strathclyde regional council, the Greater Glasgow health board and Glasgow district council on the funding of a designated place in terms of section 5 of the Criminal Justice (Scotland) Act 1980; and if he will make a statement on measures to reduce the incidence of offences of being drunk and incapable.

Mr. John MacKay: Discussions have taken place over a number of years between officials of the Scottish Education Department and Strathclyde regional council, the appropriate social work authority. It remains the Government's policy to decriminalise drunkenness, and a decreasing proportion of such cases is now being prosecuted.

Highlands and Islands Development Board

Mr. Henderson asked the Secretary of State for Scotland when Her Majesty's Government will announce their response to the remaining recommendations made by the Committee on Scottish Affairs in its report on the Highlands and Islands Development Board.

Mr. Rifkind: I understand that the Select Committee will today be publishing the Government's response on the Committee's proposals for transfer of tourism responsibilities from the Highlands and Islands Development Board to the Scottish Tourist Board, the establishment of a rural development fund and the extension of the Highlands and Islands Development Board area. I have arranged to have copies placed in the Library of the House.

Local Government Finance

Mr. Millan asked the Secretary of State for Scotland if he will estimate, for each local authority in Scotland for the year 1985-86, the needs grant per adult and the safety net per adult that would apply under the proposals in "Paying for Local Government", Cmnd. 9714, stating the assumption as to the amount of standard grant per adult and the estimate as to the supplement to standard grant per adult from non-domestic rates used in the calculations.

Mr. Rifkind [*pursuant to his reply*, 23 April 1986, c.*173-74*]: The information requested is set out in the table. As requested, the calculations relate to 1985-86 and use the grant distribution and assessments of need relevant to that year. There have been changes in grant distribution and assessments since then and there will be further changes before the date proposed for the introduction of the proposed new arrangements for financing local government. To that extent the figures can hardly be regarded as a reliable guide to the impact that the Green Paper proposals will eventually have.

For each authority the grant payable per head is shown. The grant consists of a needs grant and a standard grant, the latter supplemented by the proceeds of non-domestic rates. The standard grant assumption is £323·66 per adult for regions and £4·30 per adult for districts. The addition for non-domestic rates would be £190·15 per adult for regions, £71·53 for districts.

As stated in the Green Paper, special consideration will have to be given to the island authorities, and figures for them are not included in the table.

Local authority area	*Needs and standard grant with non-domestic rate supplement per adult* £	*Safety net per adult* £
Borders	603	−59
Central	556	−10
Dumfries and Galloway	580	−52

Local authority area	Needs and standard grant with non-domestic rate supplement per adult £	Safety net per adult £
Fife	550	27
Grampian	564	−22
Highland	747	−17
Lothian	514	6
Strathclyde	615	9
Tayside	554	−13
Regional Total	586	0
Berwickshire	102	−45
Ettrick and Lauderdale	104	−41
Roxburgh	132	−42
Tweeddale	101	−46
Clackmannan	95	−1
Falkirk	113	−3
Stirling	110	3
Annandale and Eskdale	89	−32
Nithsdale	95	−30
Stewartry	94	−43
Wigtown	99	−46
Dunfermline	106	−35
Kirkcaldy	113	−16
North East Fife	96	−30
Aberdeen City	115	25
Banff and Buchan	99	−36
Gordon	90	−35
Kincardine and Deeside	89	−40
Moray	96	−41
Badenoch and Strathspey	100	−31
Caithness	124	−52
Inverness	102	−28
Lochaber	125	−34
Nairn	95	−21
Ross and Cromarty	130	−52
Skye and Lochalsh	125	−39
Sutherland	132	−45
East Lothian	110	−28
Edinburgh City	120	−2
Midlothian	102	−1
West Lothian	110	−24
Argyll and Bute	149	−18
Bearsden and Milngavie	103	−40
Clydebank	155	29
Clydesdale	99	−13
Cumbernauld and Kilsyth	114	−15
Cumnock and Doon Valley	108	5
Cunninghame	120	8
Dumbarton	119	10
East Kilbride	104	−23
Eastwood	95	−39
Glasgow City	152	55
Hamilton	112	21
Inverclyde	126	−1
Kilmarnock and Loudoun	111	14
Kyle and Carrick	109	−17
Monklands	130	0
Motherwell	118	5
Renfrew	116	26
Strathkelvin	118	−10
Angus	99	−32
Dundee City	131	6
Perth and Kinross	103	−34
District Total	119	0

Notes:

1. Domestic element has been split between tiers broadly in proportion to their rateborne expenditure with 6p to regions, 2p to districts.
2. The safety net is calculated in relation to 1985-86 to ensure that the total claim on domestic ratepayers is unchanged if spending remains constant.

TRADE AND INDUSTRY

Libya

Mr. Wareing asked the Secretary of State for Trade and Industry if he will list those items, and their value, entering into trade between the United Kingdom and Libya in each of the last five years.

Mr. Alan Clark: The information is as follows:

United Kingdom exports to Libya: 1981-85

Division	Value £ million
1981	
Articles of apparel and clothing accessories (84)	80·9
Road vehicles (78)	72·9
Machinery specialised for particular industries (72)	66·1
General industrial machinery and equipment, and machine parts, n.e.s. (74)	46·8
Manufactures of Metal, n.e.s. (69)	41·0
1982	
Machinery specialised for particular industries (72)	43·3
Electrical machinery, apparatus and appliances, n.e.s. (77)	28·5
General industrial machinery and equipment, n.e.s. and machine parts, n.e.s. (74)	25·7
Manufactures of metal, n.e.s. (69)	24·5
Road vehicles (78)	20·8
1983	
Machinery specialised for particular industries (72)	37·3
General industrial machinery and equipment, and machine parts, n.e.s. (74)	23·7
Electrical machinery, apparatus and appliances, n.e.s. (77)	21·7
Other transport equipment (79)	20·7
Medicinal and pharmaceutical products (54)	19·5
1984	
Machinery specialised for particular industries (72)	36·3
Road vehicles (78)	24·1
General industrial machinery and equipment, n.e.s. and machine parts, n.e.s. (74)	23·1
Manufactures of metal, n.e.s. (69)	21·6
Medicinal and pharmaceutical products (54)	19·5
1985	
General industrial machinery and equipment, n.e.s. and machine parts, n.e.s. (74)	34·0
Machinery specialised for particular industries (72)	25·8
Road vehicles (78)	16·4
Medicinal and pharmaceutical products (54)	13·7
Electrical machinery, apparatus and appliances n.e.s. (77)	13·2

United Kingdom imports from Libya: 1981-85

Division	Value £ million
1981	
Petroleum, petroleum products and related materials (33)	66·4
Power generating machinery and equipment (71)	4·9
Other transport equipment (79)	0·9
Professional, scientific and controlling instruments and apparatus, n.e.s. (87)	0·4
General industrial machinery and equipment, n.e.s. and machine parts, n.e.s. (74)	0·3
1982	
Petroleum, petroleum products and related materials (33)	330·0
Power generating machinery and equipment (71)	4·2
Gas, natural and manufactured (34)	4·0
Other transport equipment (79)	1·3
Organic chemicals (51)	0·8

Division	Value £ million
1983	
Petroleum, petroleum products and related materials (33)	212·0
Power generating machinery and equipment (71)	5·6
Organic chemicals (51)	1·8
Artificial resins and plastic materials, and cellulose esters and ethers (58)	1·7
Other transport equipment (79)	1·1
1984	
Petroleum, petroleum products and related materials (33)	158·0
Power generating machinery and equipment (71)	2·5
Professional, scientific and controlling instruments and apparatus, n.e.s. (87)	0·8
Artificial resins and plastic materials, and cellulose esters and ethers (58)	0·7
Organic chemicals (51)	0·7
1985	
Petroleum, petroleum products and related materials (33)	302·4
Organic chemicals (51)	2·7
Power generating machinery and equipment (71)	2·2
Artificial resins and plastic materials, and cellulose esters and ethers (58)	1·5
Other transport equipment (79)	1·0

Monopolies and Mergers Commission (Reports)

Mr. Wareing asked the Secretary of State for Trade and Industry how many reports he has received from the Monopolies and Mergers Commission in each of the last six years; how many gave rise to Government action; if he will list their subject matter; if he has any plans to alter the Commission's terms of reference; and if he will make a statement.

Mr. Howard: The reports received from the Monopolies and Mergers Commission in the years 1980-85 are as follows. Of the total of 76 the Government took action on 55.

There are no plans at present to alter the commission's terms of reference. However, my right hon. Friend hopes soon to announce proposals for a general review of competition law and policy, and the role of the commission would naturally fall within the scope of such a review.

Monopolies and Mergers Commission Reports Received 1980-85

Year and Number Received	Subject Matter of Reports	Number giving rise to Government action
1980—11	Hiram Walker/Gooderham & Worts/Highland Distillers Co. Ltd. (merger) Blue Circle Industries Ltd./Armitage Shanks Ltd. (merger) Europcar/Godfrey Davis (merger) Bristol United Press/West Somerset Free Press (newspaper merger) United Newspapers Ltd./J. Andrew & Co. Ltd. (newspaper merger) Credit Cards (monopoly) Certain Domestic Gas Appliances (monopoly) Tampons (monopoly) Inner London Letter Post (monopoly) T. I. Raleigh (Competition Act) BR Board: London and S.E. Commuter Services (Competition Act S.11)	9
1981—18	S. & W. Berisford/British Sugar Corporation (merger) Lonrho/House of Fraser (merger) Enserch/Davy (merger) European Ferries/Sealink (merger) Hoverlloyd/BR Hovercraft (merger) Standard Chartered Bank/Royal Bank of Scotland/Hong Kong and Shanghai Banking Corporation/Royal Bank of Scotland (merger) George Outram & Co. Ltd./The Observer (newspaper merger) Reed International/Berrows Organisation (newspaper merger) Express Newspapers Ltd./South Wales Argus Ltd. (newspaper merger) Discounts to Retailers (monopoly) Trading Checks (monopoly) Roadside Advertising Services (monopoly) Full line forcing and Tie-in sales (monopoly) Liquefied Petroleum Gas (monopoly) Concrete Roofing Tiles (monopoly) Ready Mixed Concrete (monopoly) CEGB (Competition Act S.11) Severn-Trent Water Authority (Competition Act S.11)	14
1982—11	BTR/Serck (merger) Nabisco Brands/Huntley and Palmer (merger) ICI/Arthur Holden (merger) GUS/Empire Stores (merger) Charter Consolidated/Anderson Strathclyde (merger) Reed International/Benham Newspapers Ltd. and St. Regis International plc (newspaper merger) Motor Car Spares (monopoly) Contraceptive Sheaths (monopoly) Sheffield Newspapers (Competition Act)	

Year and Number Received	Subject Matter of Reports	Number giving rise to Government action
	Bristol Omnibus Co. Ltd./Cheltenham District Traction Co/City of Cardiff District Council/Trent Motor Traction Co. Ltd./West Midlands PTE (Competition Act S.11)	
	Anglian Water Authority/NW Water Authority (sewerage) (Competition Act S.11)	
1983—14	Sunlight/Johnson/Initial (merger)	9
	Linfood/Fitch Lovell (merger)	
	Abele/Illingworth Morris (merger)	
	Ibstock Johnson/London Brick Co. (merger)	
	Taubman/Sothebys (merger)	
	Grand Metropolitan/Pleasurama/Trident (merger)	
	Cinema Films (monopoly)	
	Caravan Sites in Northern Ireland (monopoly)	
	London Electricity Board (Competition Act)	
	Caledonian MacBrayne Ltd. (Competition Act S.11)	
	National Coal Board (Competition Act S.11)	
	Yorkshire Electricity Board (Competition Act S.11)	
	Civil Aviation Authority (Competition Act S.11)	
	London Transport Executive (Competition Act S.11)	
1984— 7	Hepworth Ceramic/Steetley (merger)	6
	P & O/Trafalgar House (merger)	
	GKN/AE (merger)	
	South Wales Electricity Board (Competition Act S.11)	
	Post Office: Letter Post Service (Competition Act S.11)	
	Yorkshire Water Authority (Competition Act S.11)	
	Revenue collection system of four electricity boards (Competition Act S.11)	
1985—15	Lonrho/House of Fraser (merger)	10
	Dee/Booker McConnell (merger)	
	BET/Initial (merger)	
	Scottish and Newcastle Breweries/Matthew Brown plc (merger)	
	British Telecom/Mitel (merger)	
	The Birmingham Post and Mail Holdings plc/Yattenden Investment Trust Ltd. (newspaper merger)	
	United Newspapers plc/Fleet Holdings plc (newspaper merger)	
	Tampons (monopoly)	
	Animal By-Products (monopoly)	
	Postal Franking Machines (monopoly)	
	Ford (Competition Act)	
	BBC and ITP (Competition Act)	
	BR Board: Property Activities (Competition Act S.11)	
	North of Scotland Hydro-Electric Board (Competition Act S.11)	
	British Airports Authority (Competition Act S.11)	
TOTAL—76		TOTAL—55

Petrol Prices

Mr. Bendall asked the Secretary of State for Trade and Industry what is the outcome of his consideration of possible action on petrol prices under the competition legislation.

Mr. Channon: The petrol market is still adjusting to the recent falls in the price of crude oil and is in a state of disequilibrium. The wide range of prices at the pumps (currently a spread of some 25p a gallon) suggests a considerable degree of local competition; and in general prices are now below levels prevailing before the budget.

These developments in the petrol retail market suggest that Government action on prices at present would be premature. However the Director General of Fair Trading will continue to monitor developments in this market closely: and I will hold in reserve the possibility of using my powers under section 13 of the Competition Act 1980 or taking other action under competition legislation if this appears to be justified by market conditions.

ATTORNEY-GENERAL

Family Courts

Mr. Best asked the Attorney-General when the consultation paper on family courts will be published; and if he will make a statement.

Mr. Thurnham asked the Attorney-General when he now expects that the working party on family courts will produce its report; and if he will make a statement.

The Attorney-General: It is hoped that the interdepartmental working party's consultation paper will be published shortly and that a final report on the feasibility of the main options for a unified family court will be published later this year or early in 1987.

Access Centres

Mr. Best asked the Attorney-General if he will list all the access centres, being places at which specific provision has been made for parental access to children following breakdown of marriage, in the United Kingdom; what

funding his Department gives to them; what plans he has for any extension of such centres; and if he will make a statement.

The Attorney-General: The Government do not have this information for any part of the United Kingdom and it could be collected only at disproportionate cost. The Lord Chancellor does not provide funding for access centres and has no plans to do so.

ENERGY

British Gas

Dr. Michael Clark asked the Secretary of State for Energy if he will make a statement about his Department's expenditure in connection with the intended sale of shares in British Gas.

Mr. Buchanan-Smith: The Government's intention to privatise the British Gas Corporation was announced on 7 May 1985 at column 639. The Gas Bill is now before Parliament.

Pending parliamentary approval of the necessary Estimates, urgent payments in connection with preliminary and main sale expenses in 1986-87, including some payments in anticipation of the Bill, will be met from repayable advances from the Contingencies Fund.

FOREIGN AND COMMONWEALTH AFFAIRS

Disarmament

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what initiatives the United Kingdom deputation will seek to take at the next session of the conference on disarmament in Europe, to be held in Stockholm.

Mr. Renton: During the 10th session of the Stockholm conference on disarmament in Europe, which opened on 15 April, the United Kingdom delegation, together with its Western partners, will seek to increase the pace of drafting on, inter alia, the notification and verification of a wide range of military activities. Drafting has made little headway so far in the face of Eastern reluctance to negotiate seriously.

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what action has been taken so far by the conference on disarmament in Geneva on the United Kingdom's paper on seismic monitoring of nuclear tests.

Mr. Renton: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Ynys Môn (Mr. Best) on 12 February. As I made clear on that occasion, we regret that our paper on seismic monitoring for a nuclear test ban and our two earlier papers have still not received the critical attention they deserve.

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether the east bloc deputation has shown any recent willingness to advance the progress of the mutual and balanced force reductions talks by providing realistic details of its force levels.

Mr. Renton: No. Despite the constructive Western offer to accept reductions without prior agreement on force levels, the East continues to refuse to exchange information broken down to a level at which effective verification is possible.

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the achievements of the spring session of the conference on disarmament in Geneva, and what initiatives have been taken by the United Kingdom deputation.

Mr. Renton: The conference on disarmament has established ad hoc committees on chemical weapons, radiological weapons and on a comprehensive programme of disarmament. Discussion on a possible mandate for committees on outer space and a nuclear test ban are continuing. The United Kingdom delegation has been playing a full part in the range of work at the conference but has been paying particular attention to the ad hoc committee on chemical weapons which we are chairing in 1986. The spring session of the conference ends on 25 April.

Chemical Weapons

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the current work of the ad hoc committee on chemical weapons since Dr. Cromartie assumed the chairmanship for 1986.

Mr. Renton: The 1986 mandate for the ad hoc committee on chemical weapons at the conference on disarmament was approved on 6 February 1986. The committee has set up three subsidiary working groups. Topics considered have included the control of civil chemicals; the destruction of chemical weapon stocks; and the institutions that would be necessary to implement a CW convention. Under the overall chairmanship of Dr. Ian Cromartie, leader of the United Kingdom delegation to the conference, negotiations have been detailed and businesslike.

Outer Space (Arms Race)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the work to date of the ad hoc committee on the prevention of an arms race in outer space.

Mr. Renton: The ad hoc committee had useful discussions in 1985, particularly on the legal regime in outer space on which the United Kingdom tabled a well received paper. No mandate has yet been agreed for a committee in 1986, but we hope this will be possible soon.

Biological Weapons

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the initiatives which the United Kingdom deputation intends to take at the preparatory committee for the biological weapons convention review conference in Geneva.

Mr. Renton: The preparatory committee for the biological weapons convention review conference will meet in Geneva from 28 April to 2 May. It is expected to deal exclusively with procedural matters, and is not

therefore an appropriate forum in which to launch initiatives. Substantive discussion of the issues will take place at the review conference itself in September.

Ethnic Turkish Minority

Mr. Hickmet asked the Secretary of State for Foreign and Commonwealth Affairs if he will raise with the Bulgarian Foreign Minister, within the context of the Conference on Security and Co-operation in Europe, the treatment of the ethnic Turkish minority; and if he will make a statement.

Mr. Renton: My right hon. and learned Friend discussed this with the Bulgarian Foreign Minister during his visit to Sofia in February 1985. The question has also been raised in CSCE fora, at the Ottawa and Budapest meetings in 1985, and at the Berne meeting on human contacts, which is currently taking place. The issue will continue to cause concern, since reports of mistreatment continue to circulate and have not been satisfactorily explained.

United States Bases

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs whether the use of bases in the United Kingdom by the United States for military action was reported to the Security Council under the terms of article 51 of the United Nations charter.

Mr. Renton: The Government of the United States of America reported in a letter of 14 April to the United Nations Secretary-General, in accordance with article 51 of the United Nations Charter, that United States forces had

"exercised the United State's right of self-defence by responding to an on-going pattern of attacks by the Government of Libya".

This letter did not refer to the use of bases in the United Kingdom.

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs if he will now publish in the *Official Report* the contents of the memorandum of understanding, signed in 1952 between the United States Government and Her Majesty's Government, over the use of military bases in Britain.

Mr. Renton: The arrangements governing use by United States forces of bases in the United Kingdom were first agree by Mr. Attlee and President Truman in 1951. These arrangments were endorsed by Mr. Churchill and President Truman in further discussions in 1952. The understanding then reached was made public in a joint communiqué at the time which reads as follow:

"Under arrangements made for the common defence, the United States has the use of certain bases in the United Kingdom. We reaffirm the understanding that the use of these bases in an emergency would be a matter for joint decision by Her Majesty's Government and the United States Government in the light of the circumstances prevailing at the time."

Mr. D. E. Thomas asked the Secretary of State for Foreign and Commonwealth Affairs whether the terms of the agreement made for common defence between the United States and the United Kingdom for the use of certain military bases in Britain are registered with the United Nations under article 102 of the United Nations Charter.

Mr. Renton: The arrangements governing use by United States forces of bases in the United Kingdom are not of a nature to require registration at the United Nations under article 102 of the United Nations charter.

NATIONAL FINANCE

Drugs Traffic

64. **Mr. Flannery** asked the Chancellor of the Exchequer what further measures are being taken to cope with the illicit drug traffic at United Kingdom seaports and airports.

Mr. Brooke: One hundred and fifty additional staff are being allocated to drugs work in 1986-87 and a further 200 staff are being added to the customs complement to maintain levels of routine controls over passengers and freight in the face of increased traffic. A total of £10 million has been made available for the development and provision of drugs detection equipment over the next three years, and improvements will also be made to the drugs reference and information computer.

Prison Officers (Pay)

65. **Sir John Farr** asked the Chancellor of the Exchequer if he will make a statement on the latest situation on the negotiations over prison officers' pay.

Mr. Brooke: There has been one meeting between officials and representatives of the Prison Officers and Scottish Prison Officers Associations to discuss their pay claim. The further progress of negotiations with the Prison Officers Association depends upon the course of its current dispute with the Home Office over the determination of manning levels.

Tax Allowances

Mr. Frank Field asked the Chancellor of the Exchequer if he is yet able to reply to the question tabled by the hon. Member for Birkenhead for answer on 7 March 1986 on the share of tax paid by each decile group.

Mr. Brooke: I regret the delay in providing a reply to the hon. Member's question. It is being answered today.

Mr. Frank Field asked the Chancellor of the Exchequer what extra revenue would result from allowing all tax allowances, both personal and non-structural, at the standard rate of tax only.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Mr. Frank Field asked the Chancellor of the Exchequer if he will express the percentage shares of tax paid for each year since 1977-78 by the following income groups: the top 10 per cent., 10 to 20 per cent., 20 to 30 per cent., 30 to 40 per cent., 40 to 50 per cent., 50 to 60 per cent., 60 to 70 per cent., 70 to 80 per cent., 80 to 90 per cent., and bottom 10 per cent., respectively.

Mr. Moore [*pursuant to his reply*, 7 March 1986, c. *284*]: The available information is as follows. The analysis is of single people and married couples paying income tax in each year. The quantiles are determined by reference to tax liability. The figures are based on the surveys of personal incomes for years up to 1983-84. For subsequent years, they are based on projections from the 1983-84 survey and are therefore provisional.

Quantile shares of income tax

Per cent.

Quantile group of tax units Per cent.*	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*
Top 10	34·9	34·5	33·8	34·8	35·4	35·9	35·8	36·8	37·2
10-20	15·0	15·7	15·7	16·1	15·6	15·5	16·2	15·7	16·0
20-30	12·0	12·3	12·4	12·3	12·1	12·1	12·5	12·2	11·9
30-40	10·0	9·9	10·4	10·2	9·9	9·9	10·1	9·8	9·5
40-50	8·1	8·8	8·6	8·5	8·1	8·2	8·1	7·7	7·8
50-60	7·2	6·7	6·8	7·1	6·7	6·6	6·4	6·4	6·3
60-70	5·1	5·4	5·6	5·2	5·3	5·2	4·9	5·0	4·9
70-80	4·4	4·0	3·7	3·3	3·8	3·7	3·5	3·6	3·6
80-90	2·5	2·0	2·3	1·8	2·4	2·2	1·9	2·1	2·1
Bottom 10	0·8	0·7	0·7	0·7	0·7	0·7	0·6	0·7	0·7

* i.e. counting married couples as one and combining their incomes.

TRANSPORT

Driving Licences

Mr. Peter Bruinvels asked the Secretary of State for Transport how many replacement driving licences, full and provisional, were issued in each of the past five years.

Mr. Spicer: Separate figures are available only as follows:

	Replacements		*Duplicates*	
	Full million	*Provisional*	*Full*	*Provisional*
1985	2	212,000	271,000	31,000
1984	1·90	160,000	295,000	44,000

Total figures for the remaining years are:

	Replacements million	*Duplicates*
1983	1·95	272,000
1982	1·77	272,000
1981	1·39	207,000

Mr. Peter Bruinvels asked the Secretary of State for Transport if he is satisfied with the security printing aspects of driving licences.

Mr. Michael Spicer: Yes.

Mr. Peter Bruinvels asked the Secretary of State for Transport if he will consider including photographic identification of the licencee in all new driving licences issued.

Mr. Michael Spicer: I refer my hon. Friend to my reply given on 21 April 1986 at column 11.

Mr. Peter Bruinvels asked the Secretary of State for Transport if he will consider including in driving licences personal details similar to those included in passports; and if he will make a statement.

Mr. Michael Spicer: Driving licences contain full names, addresses and dates of birth; the inclusion of further details would be inappropriate and impracticable given the amount of information already included for statutory reasons. I do not propose to make a statement but I shall write to my hon. Friend with further details.

Okehampton Bypass

Mr. Steen asked the Secretary of State for Transport when the alternative land for public open space for the southern route of the proposed Okehampton bypass was identified; what factors inhibited the identification of such land prior to the Joint Committee proceedings on the special procedure orders; and if he will make a statement.

Mr. Peter Bottomley: Exchange land for the small part of Meldon Woods required for construction of the bypass was identified before publication of the draft compulsory purchase order in 1978. The additional land which we are hoping to acquire by agreement and make available for use by the public was offered to the Department by its owners in October 1985.

Liverpool Airport

Mr. Wareing asked the Secretary of State for Transport if he has any plans to pay an official visit to Liverpool airport in the near future; and if he will make a statement.

Mr. Michael Spicer: I have no plans at present to visit Liverpool airport.

Mr. Wareing asked the Secretary of State for Transport to what extent he plans to monitor the arrangements for the administration of Liverpool airport; and if he will make a statement.

Mr. Michael Spicer: Once the Airports Bill is enacted, I shall be requiring the passenger transport authority to form a company to carry on the business of operating Liverpool airport, and to submit a scheme for the transfer of property, rights and liabilities to that company.

Vehicle Registration Prefix

Mr. Amess asked the Secretary of State for Transport what plans his Department has to assist motor traders who may suffer as a result of the decision to change the vehicle registration prefix dates to October.

Mr. Michael Spicer: The decision to change the month in which the new vehicle prefix letter is introduced to October in 1987 was designed to help the motor industry as a whole to overcome problems associated with high peaks of sales in the current month of change (August). The question of assistance does therefore not arise.

Mr. Amess asked the Secretary of State for Transport what representations he has had from vehicle suppliers with regard to his Department's plans to change the vehicle prefix registration dates to October.

Mr. Michael Spicer: We have received a number of representations from the motor industry on this issue. Those from motor manufacturers generally support the change to October and those from motor dealers and importers are opposed to it.

EDUCATION AND SCIENCE

Industry and Education

Mr. Baldry asked the Secretary of State for Education and Science what initiatives Her Majesty's Government have taken since 1979 to improve relations between industry and education.

Mr. Chris Patten: The development of strong, effective and wide-ranging links between industry and commerce and all parts of the education system is a major aim of Government policy. The many specific measures introduced to encourage this partnership are set out in:

The White Paper "Better Schools" (Cmnd. 9496) which emphasised the importance of preparing all young people for work and the importance in this respect of, inter alia, the Technical and Vocational Education Initiative and the Lower Attaining Pupils Programme.

The White Paper "Training for Jobs" (Cmnd. 9135) which spelled out initiatives in the area of vocational education, including the formation of the Business and Technician Education Council, the establishment of the College Employers Links Project, and arrangements for MSC to increase its purchases from colleges of further education.

The White Paper "Education and Training for Young People" (Cmnd. 9482) which spelled out developments in the area of new technologies, particularly the Micros in Schools Scheme and the British School Technology Scheme, and announced the establishment of a Review of Vocational Qualifications.

The Green Paper "The Development of Higher Education into the 1990s" which emphasised the importance of Higher Education and industry and commerce working more closely together; and which pointed to Government measures strengthening this partnership, such as the Professional Industrial and Commercial Updating (PICKUP) Programme, and the provision, at the urging of industry, of 5,000 additional student places in Higher Education in electronic engineering, computer science and other relevant subjects through the Engineering and Technology Programme.

Village Schools, Warwickshire

Sir Dudley Smith asked the Secretary of State for Education and Science if he will examine the case put forward by parents for the retention of the village schools in Baddesley, Clinton and Wolverton in Warwickshire, which the Warwickshire county council currently proposes closing.

Mr. Dunn: Under section 12 of the Education Act 1980, a local education authority wishing to cease to maintain a school must publish proposals and submit a copy of the published proposals to the Secretary of State. I understand that no statutory proposals have been published in respect of schools in Baddesley, Clinton and Wolverton.

Hilary Buxton

Mr. Pawsey asked the Secretary of State for Education and Science when he will reply to the letters from the hon. Member for Rugby and Kenilworth dated 3 December and 6 February referring to Hilary Buxton of the University of London.

Mr. Walden: I regret the delay in replying to my hon. Friend. I have now written to him.

General Certificate of Secondary Education.

Mr. Austin Mitchell asked the Secretary of State for Education and Science what extra resources in terms of finance, new equipment, in-service training and new textbooks have been made available for the introduction of the new general certificate of secondary education in Humberside.

Mr. Chris Patten: In support of expenditure on in-service teacher training for the GCSE, Humberside local education authority has been allocated £135,860 under the in-service teacher training grant scheme. My right hon. Friend has proposed making available £20 million under the education support grant programme to enable local authorities to make additional provision for books and equipment for the first GCSE examination courses. My right hon. Friend is consulting the local authority associations about the arrangements for this provision which will be in addition to the resources which local authorities may otherwise allocate to the GCSE.

DEFENCE

Nuclear Test Ban Treaty

Mr. Deakins asked the Secretary of State for Defence what studies are being conducted into the future redeployment of nuclear warhead design staff in preparation for the eventual conclusion of a comprehensive nuclear test ban treaty.

Mr. Norman Lamont: No such studies are being undertaken.

BAOR

Mr. Denzil Davies asked the Secretary of State for Defence what further action is required to achieve the intended enhancement of the armoured capability of the British Army of the Rhine.

Mr. Stanley: In addition to the formation of a 12th Armoured Regiment, the introduction of the Challenger tank into BAOR is well under way, and progress is being made on further improvements to our main battle tank fleet.

Armoured Regiments

Mr. Denzil Davies asked the Secretary of State for Defence whether the orders for new equipment made necessary by the Government's intention to increase the number of armoured regiments in the British Army have been placed.

Mr. Stanley: All the necessary orders have been placed or are in hand in respect of the capital equipment for 12th Armoured Regiment.

Mr. Denzil Davies asked the Secretary of State for Defence whether he still intends to increase the number of armoured regiments to 12 by the end of the decade.

Mr. Stanley: Yes. We intend to form 12th Armoured Regiment in BAOR by the end of the decade; there is also one further armoured regiment stationed in the United Kingdom.

Procurement (Contracts)

Mr. John Mark Taylor asked the Secretary of State for Defence if he will make a statement about the effect upon his Department's budget and upon his Department's relations with its suppliers of the transition from cost-plus to fixed price as the basis of contracting for defence procurement.

Mr. Norman Lamont: The proportion by value of MOD contracts placed under cost plus percentage fee terms is, indeed, declining under the the influence of the MOD's drive for better value for money.

Where a contract is now placed under fixed-price terms it will have the twin advantages of providing an incentive for the contractor to perform efficiently to meet the contract requirement, and it will place a limit on the Ministry's financial commitment.

However, it is not possible to specify the overall effect on the Ministry's budget resulting from increased fixed price contracting, because the costs of the alternative procurement routes would be purely speculative.

Trident

Mr. Straw asked the Secretary of State for Defence what assessment he has made of the implications of the latest estimate of the cost of Trident for expenditure on conventional equipment, including spare parts; and if he will make a statement.

Mr. Norman Lamont: I refer the hon. Member to the answer which my right hon. Friend, the Secretary of State for Defence gave on 11 March 1986 to my hon. Friend the Member for Suffolk, South (Mr. Yeo) at columns *800-1*.

Strategic Defence Initiative

Mr. Dalyell asked the Secretary of State for Defence what are the terms and the objectives of the architecture study on the strategic defence initiative agreed between Her Majesty's Government and the United States Administration.

Mr. Norman Lamont: The so-called European architecture study which the United States wishes to place with the Ministry of Defence is still subject to the outcome of current negotiations. It would be inappropriate to provide details at this stage.

Minister of State for the Armed Forces (Cyprus Visit)

Mr. Dalyell asked the Secretary of State for Defence for what specific purposes in relation to the breach of security at United Kingdom bases in Cyprus the Minister of State, the right hon. Member for Tonbridge and Malling (Mr. Stanley) visited installations at Ayios Nikolayos, Episkopi, Akrotiri, and in the Troodos mountains in September 1983; and if he will make a statement.

Mr. Stanley: My visit to Cyprus in September 1983 had no such purposes.

Binary Chemical Weapons

Mr. Wareing asked the Secretary of State for Defence what instructions he is giving to Her Majesty's Government's representatives to the North Atlantic Council meeting to be held on 20 May on the subject of the deployment and use of binary chemical weapons.

Mr. Stanley: I am not aware of any such meeting. I refer the hon. Member to the reply I gave to the hon. Member for Cynon Valley (Mrs. Clwyd) on 7 March at column 313.

Royal Dockyards

Mr. Hicks asked the Secretary of State for Defence what are the purposes and terms of reference of the investigation by the accountants, Coopers and Lybrand, into the possibility of a Government-owned plc being established to administer and manage the royal naval dockyard, Devonport, as from April 1987; whether this means that proposals for the introduction of commercial management have now been abandoned; and if he will make a statement.

Mr. Norman Lamont: I refer my hon. Friend to the reply given to the hon. Member for Dunfermline, East (Mr. Brown) on 18 April 1986 at columns *523-24*.

Mr. Peter Levene

Mr. Marlow asked the Secretary of State for Defence if he will make a statement about the arrangements designed to prevent a conflict of interest between Mr. Peter Levene's duties as Chief of Defence Procurement and those he previously exercised in his former position as chairman of United Scientific Holdings Ltd.

Mr. Younger: I have decided that the arrangements instituted in respect of Mr. Peter Levene's appointment as Chief of Defence Procurement to prevent a conflict of interest need not be continued beyond the 12-month period originally envisaged and which expired on 18 March 1986. I have accordingly instructed that Mr. Levene should have unrestricted access to all papers falling within the area of his formal responsibilities as Chief of Defence Procurement including any relating to business transacted with those companies with which he was formerly associated.

ENVIRONMENT

Royal Parks (Parking Offences)

Mr. Higgins asked the Secretary of State for the Environment why the cost of collecting fines for parking offences in royal parks is higher than the cost of collecting ordinary parking offence fines; and what steps he proposes to take to reduce them.

Mr. Tracey: The collection of fines for parking offences is a matter for the appropriate magistrates' courts. My right hon. Friend has no information about the cost of collecting these fines. The fixed penalty system for parking offences, as an alternative to prosecution through the magistrates' court, has not yet been fully applied to the royal parks, but it is planned to do so as soon as possible.

Jubilee Gardens

Mr. Tony Banks asked the Secretary of State for the Environment if he authorised the new charges for the use of Jubilee gardens; and if he will make a statement.

Mr. Tracey: No. The setting of charges is a matter for the South Bank Board, which manages Jubilee gardens on behalf of the owners, the London Residuary Body.

Green Belt

Mr. Chapman asked the Secretary of State for the Environment what are the implications of circular 15/84 on land for housing for the provisions, recommendations and policy of circular 14/84 on green belts.

Mr. Tracey: These two circulars were issued together on 4 July 1984. Circular 15/84 on land for housing makes clear in paragraph 3 that the policies in it should be implemented in ways which are compatible with the policies set out in circular 14/84. In particular it says,

"Circular 14/84 reaffirms the Government's commitment to Green Belt policy and there must continue to be a general presumption against any inappropriate development within them . . . The best means of protecting valuable amenity land is to ensure an acceptable choice of available sites. The aim is to accommodate necessary development in ways that protect amenity and ensure economy and efficiency in the use of land. The Secretary of State does not consider that these objectives are irreconcilable."

London Marathon

Mr. Tony Banks asked the Secretary of State for the Environment if he will provide the necessary resources to the London Marathon Board to ensure that the 1987 London marathon may take place.

Mr. Tracey: Resource matters are for the London Marathon boards but the Government will continue to give this important event support and encouragement.

Mr. Bermingham asked the Secretary of State for the Enrivonment what representations he has received seeking Government support for the 1987 London marathon; and if he will make a statement.

Mr. Tracey: I have had a number of contacts with the race director. I have received no formal representations from other sources. The Government will continue to give support to the London marathon, as they have this year and in previous years.

Nuclear Waste

Mr. Austin Mitchell asked the Secretary of State for the Environment if he intends *(a)* to study and *(b)* to produce a report on the effects on local trade, industry, property values, and public morale of the possibility of a nuclear waste repository being sited in a particular area as part of the examinations he has recently set in hand.

Mr. Waldegrave: My Department commissioned research on social and socio-economic impacts of generic disposal facilities for radioactive waste as part of the study of best practicable environmental options for radioactive waste management. The report of this research is available through the National Lending Library (DOE/RW/85-182). An independent assessment of such impacts, related specifically to development of new facilities by NIREX, is also being commissioned by the Department.

Firhill Basin

Mr. Craigen asked the Secretary of State for the Environment, further to the reply to the hon. Member for Glasgow, Maryhill, of 8 April, *Official Report*, column 24, about the Firhill basin, what progress the British Waterways Board has made; and what is the policy of the board's leisure division towards the enhancement of the basin.

Mr. John Patten: British Waterways Board welcomes the proposed enhancement of the basin and has agreed to support the project in various ways. It has, in particular, undertaken to clear the mound of dredgings within a few weeks depending on weather conditions.

Construction Industry

Mrs. Renée Short asked the Secretary of State for the Environment what grants have been made by his Department to the construction industry in each of the last six years; which organisations have received them; and what finances he proposes to make available to them during the next two years.

Sir George Young: The construction industry is eligible for a wide variety of grants paid by the Department of Trade and Industry on the recommendation of my Department. Grants paid to individual firms directly by my Department under the Industrial Development Acts 1972 and 1982 in each of the last six years were as follows:

	£
1980-81	118,153
1981-82	89,801
1982-83	Nil
1983-84	Nil
1984-85	Nil
1985-86	150,000

Grants paid to the British Board of Agrement were:

	£
1980-81	545K
1981-82	545K
1982-83	575K
1983-84	300K
1984-85	370K
1985-86	265K

Grants paid in financial sponsorship (under Class VIII, Vote 1 of Supply Estimates) were:

	£
1980-81	Nil
1981-82	14,491
1982-83	4,034
1983-84	1,200
1984-85	Nil
1985-86	58,000

Recipients have included NEDO, Construction Industry Computing Association, ICE and RIBA.

In addition to the above grants, my Department supports research work in the industry, currently providing about £2 million annually. The industry also benefits from a number of grants and subsidies paid to local authorities, new towns and the Housing Corporation towards the cost of providing and renovating housing; and from PSA development work in funding new British standards and new products.

Supply Estimates for 1986-87 include provision for the following:

	£
Industrial Development grants	150,000
Grant to British Board of Agrement	175,000
Other grants	73,200

I also propose to make a contribution of £2,700 to the British National Committee of the Euro-International

Concrete Committee which, together with contributions from the PSA and Department of Transport, should cover half of the cost of class A annual membership of the CEB.

Other finance made be may available in 1986-87 if the need arises. Details of estimates for 1987-88 cannot be provided at this stage as they will depend on proposals and decisions that have yet to be made.

Rivers Stour and Orwell

Mr. Tony Banks asked the Secretary of State for the Environment (1) if he has received a report from the Nature Conservancy Council in respect of the proposed designation of the estuaries of the Rivers Stour and Orwell as special protection areas under the European Community directive on the conservation of wild birds (79/409/EEC); and if he will make a statement;

(2) if he has yet received a report from the Nature Conservancy Council in respect of the proposed designation of the estuaries of the Rivers Stour and Orwell as a site for listing under the Ramsar convention on the conservation of wetlands of international importance especially as a waterfowl habitat; and if he will make a statement.

Mrs. Rumbold A report from the NCC proposing designation of this site under both directive 79/409/EEC and the Ramsar convention was received earlier this year. Consultations with other interested Government Departments are currently in progress and a decision will be made as soon as possible.

Beaches

Mr. Corbett asked the Secretary of State for the Environment whether he has established a timetable for the designation of beaches as fit for public use under EEC directives; and if he will make a statement.

Mrs. Rumbold No. In 1979 the Government identified 27 bathing waters for the purpose of directive 76/160/EEC. These were identified on the basis of their use by bathers and there are no immediate plans for further designations.

Mr. Corbett asked the Secretary of State for the Environment what estimate he has made of the cost of designating as fit for public use those beaches and rivers covered by the provisions of EEC directives.

Mrs. Rumbold This information is not immediately available in my Department. I shall write to the hon. Member setting out the costs incurred and expected to be incurred in connection with the surveillance of and, where appropriate, improvements to the identified bathing waters to bring them to the directive's standards.

Mr. Corbett asked the Secretary of State for the Environment which beaches have been (a) designated under EEC directives as fit for public use and on which dates and (b) which have not, in: Whitby, Scarborough, Bridlington, Hornsea, Withernsea, Cleethorpes, Mablethorpe, Skegness, Hunstanton, Sheringham, Cromer, Caister, Great Yarmouth, Lowestoft, Southwold, Aldeburgh, Walton-on-the-Naze, Clacton, Whitstable, Margate, Ramsgate, Deal, Folkestone, Hythe, Hastings, St. Leonards, Eastbourne, Seaford, Worthing, Littlehampton, Bognor Regis, Hayling Island, Lymington, Swanage, Weymouth, Portland, Lyme Regis, Sidmouth, Exmouth, Dawlish, Teignmouth, Torquay, Torbay, Paignton, Brixham, Looe, Fowey, Falmouth, St. Ives, Newquay, Bude, Ilfracombe, Minehead, Weston-super-Mare, Barry, Porthcawl, Tenby, St. David's, Aberaeron, Aberystwyth, Tywyn, Barmouth, Harlech, Porthmadog, Pwlheli, Rhyl, Prestatyn, Llandudno, Southport, St. Anne's, Blackpool, Morecambe and Whitehaven, respectively.

Mrs. Rumbold: Of the places mentioned by the hon. Member, bathing waters have been identified under directive 76/160/EEC at: Scarborough, Bridlington, Margate, Swanage, Weymouth, Torquay, Paignton, St. Ives, Newquay and Weston-super-Mare. The identifications were made in 1979. It was made clear then that non-identification did not imply that a beach was unclean or unsafe or that it would have to be closed or restricted to bathers in any way.

Water (Nitrate and Lead Content)

Mr. Corbett asked the Secretary of State for the Environment by what levels, by each water authority area, nitrate and lead content vary from those laid down in EEC directives.

Mrs. Rumbold: Nitrate levels are within the 50 mg per litre limit set in the EC drinking water directive except in the following areas:

Water authority areas

	Anglian	*Severn Trent*	*Thames*	*Yorkshire*
Number of public supply areas exceeding 50 mg/l	27	26	1	1
Highest nitrate level	*80	*83	*60	*80

* Milligram per litre

In most parts of England lead levels are within the limit set in the EC directive. In the remaining areas water treatment is being or will shortly be used to reduce levels below the directive limit. Details are given in the following table:

Water Authority Areas

	Anglian	*Northumbrian*	*North-West*	*Severn-Trent*	*Yorkshire*
Number of public supply areas where water in more than 2½ per cent. of properties may exceed the EC Directive lead limit	40	1	61	7	10

As lead levels vary significantly from house to house depending on a variety of factors including the individual plumbing arrangements in the house, more detailed information is not available.

Mr. Corbett asked the Secretary of State for the Environment what would be the cost of bringing *(a)* nitrate levels and *(b)* lead levels in drinking water to those stipulated in EEC directives.

Mrs. Rumbold: The capital cost for nitrate would be about £50 million with £5 million annual running costs. The capital cost of water treatment to reduce lead levels would be £2-£3 million with a similar sum for annual running costs. For the cost of replacing lead pipes in any remaining properties I refer the hon. Member to the reply given by my hon. Friend the Minister for Housing, Urban Affairs and Construction, on 28 October 1985, at columns 367-68.

Merseyside Residuary Body

Mr. Wareing asked the Secretary of State for the Environment what plans he has to seek to ensure that meetings of the Merseyside Residuary Body are open to the general public.

Mr. Tracey: I have no such plans. Residuary bodies may decide for themselves the arrangements for their meetings, though it is normal practice for non-departmental public bodies, the category to which residuary bodies belong, to hold internal rather than public meetings.

Mr. Wareing asked the Secretary of State for the Environment what are the terms and conditions of service of the chairman and members of the Merseyside Residuary Body; and what is their remuneration.

Mr. Tracey: The information as to current remuneration is as follows:

Members and Remuneration to be paid

	(per annum) £
Norman Brodrick (Chairman)	17,600
Duncan Forbes	11,200
John Hill	11,200
Bill Hughes	11,200
Leslie Jones	11,200
Kenneth Medlock	11,200
Barrie Marsh	5,600
Councillor Jim Lloyd (Co-ordinating Committee Member)	5,600

Remuneration for the chairman and Messrs Forbes, Hill, Hughes Jones and Medlock is on a two-days-a-week basis; for the other two members, one. Remuneration is subject to review according to changing work load and is subject to abatement, if applicable in respect of public sector pension received.

The provisions governing appointments are given in schedule 13 of the Local Government Act 1985. It would not be appropriate for me to disclose individual terms of appointment.

Mr. Wareing asked the Secretary of State for the Environment what plans he has to seek to ensure that the minutes of the Merseyside Residuary Body are made available to the public.

Mr. Tracey: The availability of its minutes is a matter for the Merseyside residuary body.

Mr. Wareing asked the Secretary of State for the Environment by what means members of the public may obtain information regarding decisions of the Merseyside Residuary Body.

Mr. Tracey: I refer the hon. Member to the answer I gave to the hon. Member for Newham, North-West (Mr. Banks) on 11 April, at column *209*.

Mr. Wareing asked the Secretary of State for the Environment how many meetings have taken place between his Department and representatives of the Merseyside Residuary Body since 31 March.

Mr. Tracey: My officials have had frequent meetings with representatives of the Merseyside Residuary Body since 31 March.

Mr. Wareing asked the Secretary of State for the Environment if he has issued any directions to the Merseyside Residuary Body as to the disposal of the former accommodation of the Merseyside county council at Metropolitan house, Liverpool; and if he will make a statement.

Mr. Tracey: My right hon. Friend has not issued any directions to the Merseyside Residuary Body about Metropolitan house.

Mr. Wareing asked the Secretary of State for the Environment what proposals are currently being considered by the Merseyside Residuary Body for the removal of the Merseyside county council insignia from buildings, vehicles, hoardings and publications.

Mr. Tracey: This is a matter for the Merseyside Residuary Body.

Mr. Wareing asked the Secretary of State for the Environment what directions he has given to the Merseyside Residuary Body since 1 April.

Mr. Tracey: None.

Mr. Wareing asked the Secretary of State for the Environment what is the machinery by which the Merseyside Residuary Body maintains contact with *(a)* his Department, *(b)* the Merseyside task force and *(c)* the Merseyside metropolitan district councils.

Mr. Tracey: Ministers meet the chairmen of residuary bodies from time to time. Officials of my Department—including those in the Merseyside task force—are in regular contact with the Merseyside Residuary Body. Meetings with the district councils are a matter for the residuary body.

Merseyside County Council

Mr. Wareing asked the Secretary of State for the Environment how many representations he has received opposing the abolition of the Merseyside county council; what his response has been; and if he will place any correspondence he has received on the subject in the Library.

Mr. Tracey: My right hon. Friend has received some representations opposing and some in favour of abolition. His response has been that by abolishing an unnecessary

and wasteful tier we have brought local government closer to the people it serves. It would not be appropriate for such correspondence to be placed in the Library.

Mr. Wareing asked the Secretary of State for the Environment when he expects to receive the first annual report and accounts of the Merseyside Residuary Body; and when these will be laid before Parliament.

Mr. Tracey: Residuary bodies have been asked to prepare their first annual reports for the part-year from their establishment to 31 March 1986. Their accounts will be for the same period. It is too early to suggest precise timing, but we would not expect to receive these documents before September. My right hon. Friend the Secretary of State will thereafter lay the annual reports, statements of accounts and any audit reports on them in both Houses.

Homeless Persons

Mr. Wareing asked the Secretary of State for the Environment if he will make a statement on the implications for the operation of the Housing (Homeless Persons) Act of the judgment in the case of Puhlhofer v. Hillingdon borough council.

Mr. John Patten: We are considering carefully the implications of the House of Lord's judgment.

Croxteth Hall and Country Park

Mr. Wareing asked the Secretary of State for the Environment if he has any plans to discuss the future of Croxteth hall and country park with the Merseyside Residuary Body and the Countryside Commission; and if he will make a statement.

Mr. Tracey: My noble Friend the Minister of State has already asked the Merseyside Residuary Body, in consultation with the Countryside Commission and other interested parties, to bring forward proposals for the future of Croxteth hall and country park at the earliest opportunity.

Mr. Wareing asked the Secretary of State for the Environment if he will pay an official visit to the Croxteth hall and country park on Merseyside to discuss its future with interesed parties; and if he will make a statement.

Mr. Tracey: My right hon. Friend has no plans to make a visit at this stage.

Anglian Water Authority

Sir Eldon Griffiths asked the Secretary of State for the Environment if he will confirm the Anglian Water Authority (Middle Level Transfer Order) 1985; and if he will make a statement.

Mr. John Patten: My right hon. Friend is not yet in a position to make the order as the Department is currently in correspondence with the water authority about it.

Pollution

Mr. Conway asked the Secretary of State for the Environment what proposals he has to revoke the Control of Pollution (Exemption of Certain Discharges from Control) Order 1983; and if he will make a statement.

Mr. Waldegrave: My right hon. Friend, together with his right hon. Friends the Secretary of State for Scotland and the Secretary of State for Wales has decided to vary the 1983 order to bring all the main categories of exempt discharges under control. The necessary statutory instrument will be laid before the House as soon as possible.

The variation of the 1983 order will provide a better basis for improvement programmes, particularly as it extends full control to coastal and estuary waters. The continuation of recent investment levels should allow major improvement to unsatisfactory discharges of sewage effluent to areas of environmental importance within the next 10 to 15 years.

Knowsley (Housing)

Mr. Thornton asked the Secretary of State for the Environment if he has yet reached a decision on Knowsley council's admission to the urban housing renewal unit on the Hillside, New Hutte and Tower Hill estates: and when he next intends to visit Knowsley.

Sir George Young: While speaking at Knowsley's housing conference today I was pleased to be able to announce my right hon. Friend's favourable response to the proposals for schemes on the Hillside and New Hutte estates. He has also agreed to fund a consultation exercise with the tenants as a first stage towards a scheme on the Tower hill estate.

The comprehensive package of proposals for these schemes which have been worked up in close consultation with my Department's urban housing renewal unit and the Merseyside task force include:

effective locally based management arrangements;
the active involvement of residents in future decision-making;
environmental and structural improvements;
and much needed repairs and security works.

Hillside Estate, Huyton

One of the many benefits for this post-war estate of 721 dwellings will be the provision of a local estate-based office dealing with day to day management and repairs. The cost of providing this office will be met by a targeted urban programme grant from the unit's resources. This grant will also cover essential repairs and security improvements to the existing dwellings. The grant will total £142,000. We expect that the work force provided by NACRO's managing agency to undertake the work will be recruited from the local community.

We have also agreed in principle to a targeted housing investment programme allocation of £125,000 to meet the cost of converting 16 houses into 32 single-person flats and for repairs to the external fabric of nearly half the dwellings on the estate.

The cost of refurbishing the shopping parade will be met from Knowsley's existing urgan renewal programme.

New Hutte, Halewood

We are pleased to give approval in principle to a housing investment allocation of £100,000 in 1986-87 to cover the cost of repair works to deal with the growing problem of water penetration in the maisonettes.

A two-year project by the Co-operative Development Services will actively encourage residents to participate in this redevelopment programme and will reinstate a sense of community spirit and pride in the estate. UHRU urban programme funding in the region of £122,000 will help

finance this scheme and will also facilitate the provision of security measures to decks and stairways and comprehensive environmental improvements including remodelling of open spaces.

A further benefit to the estate will be the provision of a locally based office providing a comprehensive range of housing services. I regard this as an essential component of the package in order to sustain the improvements being made through other measures.

I am greatly encouraged by the development of these proposals which are yet more examples of the excellent progress being made as a result of close co-operation between a local authority and my Department's urban housing renewal unit.

Small Businesses

Mr. John Watts asked the Secretary of State for the Environment what was the value of contracts placed by his Department with small businesses in each of the financial years since 1978-79; and what percentage of total expenditure on purchase of goods and services those amounts represented.

Sir George Young: Further to my reply of 18 April at column *509*, I regret that the Department does not keep records in the way requested. In 1984-85 PSA spent £682 million on maintenance work, a large part of which will have been carried out by small local firms, and £968 million on new construction, for which tender lists are weighted in favour of local firms for the smaller contracts. Such firms will also often act as subcontractors on the larger contracts. In the same year, The Crown Suppliers purchased approximately £180 million of goods and services, excluding fuel, of which approximately 15 per cent. was thought to have been awarded to contractors employing fewer than 100 people.

Local Authorities (Grant-Related Expenditure)

Mr. James Couchman asked the Secretary of State for the Environment, when he proposes to publish details of the service components of local authorities' grant related expenditure for 1986-87.

Mr. Waldegrave [*pursuant to his reply*, 17 April 1986, c. *476*]: My right hon. Friend has today placed in the Library of the House copies of "The Technical Handbook of Grant-Related Expenditure, 1986-87" which provides the information. A copy is being sent to each local authority in England, and to each of the local authority associations.

THE ARTS

Jubilee Gardens

Mr. Tony Banks asked the Minister for the Arts if the South Bank Board has yet signed the agency agreement for Jubilee gardens; and if he will make a statement.

Sir George Young: My right hon. Friend the Minister for the Arts is currently abroad and I have been asked to reply.

The agency agreement has not yet been signed; signature is expected shortly.

SOCIAL SERVICES

Benefits

Mr. Brandon-Bravo asked the Secretary of State for Social Services if he has any further plans for changes in the rules concerning benefits for unemployed people.

Mr. Newton: Section 20(1) of the Social Security Act 1975 requires a person claiming unemployment benefit to be disqualified from receiving benefit for up to six weeks if he: voluntarily leaves employment without just cause; refuses or fails, without good cause, to apply for a suitable job; neglects to avail himself of a reasonable opportunity of suitable employment; fails to carry out reasonable official recommendations to assist him to find suitable employment; refuses or fails to avail himself of a reasonable opportunity of approved training; or loses employment through misconduct.

There are parallel rules for supplementary benefit. If a person disqualified under Section 20(1) (or someone who would be disqualified if he had underlying title to unemployment benefit) applies for supplementary benefit, that benefit is paid at a reduced level, also for up to six weeks. The amount of the reduction, currently prescribed in regulation 8 of the Supplementary Benefit (Requirements) Regulations 1983 is 40 per cent. of the appropriate scale rate, or 20 per cent. in cases where there is pregnancy or serious illness in the household. This deduction applies only to the benefit paid for the claimant personally, and not to any benefit payable for a partner or child.

The Government have reviewed these arrangements and propose to extend the maximum period of disqualification from 6 weeks to 13 weeks, and to make a similar extension in the maximum period of reduction in supplementary benefit.

Decisions on, for example, whether the claimant had just cause for leaving his job, and the actual period of disqualification or benefit reduction within the maximum will, as now, continue to be taken by independent adjudication officers. The requirement to make a lower reduction in supplementary benefit in cases where there is serious illness or pregnancy in the household will be maintained, as will the right of appeal to a social security appeal tribunal.

For unemployment benefit, an amendment to achieve the proposed change will be tabled to the Social Security Bill currently being considered in Standing Committee; this will also provide for the removal by regulations of the present anomaly whereby a disqualified person who remains unemployed to exhaustion of benefit effectively has his entitlement deferred rather than reduced. It will provide also for any further necessary amendments to be made by regulations. The supplementary benefit changes will be made by regulations. Subject to the passage of legislation the Government propose to bring in the extension to 13 weeks in October.

Christmas Bonus

Mr. John Mark Taylor asked the Secretary of State for Social Services if he has any plans to review the £10 Christmas bonus for pensioners.

Mr. Newton: As I told Standing Committee B this morning, we shall shortly be laying before the House an

order which provides for the payment of a Christmas bonus of £10 to pensioners and other qualifying beneficiaries in the week beginning Monday 1 December this year.

British Computer Industry

Mr. Gould asked the Secretary of State for Social Services to what extent Government procurement policy for statutory organisations within his responsibility, such as regional health authorities, takes account of the recommendations of the 1984 National Economic Development Council report relating to measures to secure the future and foster the growth of the British computer industry: and if he will make a statement.

Mr. Whitney: We are aware of the recommended actions of the National Economic Development Council report but the National Health Service, like any other public body, is required to conduct its computer procurement exercises in a manner compatible with the United Kingdom's international obligations.

We are also seeking to encourage greater competitiveness and innovation among suppliers to the National Health Service and I refer the hon. Member to my reply to my hon. Friend the Member for Exeter (Mr. Hannam) on 25 March at columns *459-60*.

Influenza Vaccines

Sir David Price asked the Secretary of State for Social Security what is his current assessment of the efficacy of anti-influenza vaccines in the light of the latest assessment by the National Institute for Biological Standards and Control; and if he will make a statement.

Mr. Whitney: The functions of the National Institute for Biological Standards and Control in regard to influenza vaccines are to review the data provided by vaccine manufacturers on antibody response in recipients, and to evaluate the potency and strain composition of each batch of vaccine. Recommendations on the composition and use of influenza vaccines for the forthcoming winter are made each year by the Joint Committee on Vaccination and Immunisation and advice is given to the medical profession by the Chief Medical Officer as necessary in the light of the Committee's recommendations. Currently available influenza vaccines confer protection against infection for about a year after administration to about 70 per cent. of recipients.

Aging (Research)

Mrs. Renée Short asked the Secretary of State for Social Services what is the total sum his Department has allocated for research into aging in each year since 1979; and what specific amounts he has allocated to the British Society for Research on Aging over the same period.

Mr. Whitney: We look to the Medical Research Council for research on the medical and related aspects of aging. The council is the main Government agency for the promotion of medical research and receives its grant-in-aid from the Department of Education and Science. The Economic and Social Research Council, which is similarly funded, supports research in the social field, including issues relating to elderly people. Research on aging is a priority area for the ESRC and in response to this 10 projects are in the process of being funded.

Details of research undertaken by or on behalf of the Department are contained in the DHSS "Handbook of Research and Development". The 1985 edition has recently been published by Her Majesty's Stationery Office. A copy has been placed in the Library. No research by the British Society for Research on aging has been financially supported by the Department either currently or, so far as can be ascertained, since 1979.

Benefits (School Leavers)

Mr. Frank Field asked the Secretary of State for Social Services (1) of he will detail the number of claims from those leaving school between the end of the spring term and 17 May 1985 detailing *(a)* the total number of claims, *(b)* the number successful, *(c)* the total number of school leavers paid benefit whose 16th birthday was after 31 January 1985 in England and Wales and 28 February 1985 in Scotland and *(d)* the total number of school leavers paid benefit after returning to school to undertake exams after the Easter holiday;

(2) if he will place in the Library a copy of the information gathered as requested in circular S/17/85.

Mr. Major: A special monitoring exercise was mounted between the end of the spring school term and 17 May 1985 to obtain the figures requested by the hon. Member at *(b)* to *(d)* of his question. The information required was on the number of successful claims to benefit: the total number of claims was not asked for and is not available. The figures are:

(b) 24,859
(c) 936
(d) 8,164

There is no other information which could be placed in the Library.

Calderstones and Brockhall Hospitals

Mr. Straw asked the Secretary of State for Social Services if he will make a statement on the proposals by the North-Western regional health authority as to the future of the Calderstones and Brockhall hospitals.

Mr. Whitney: The future of individual hospitals is a matter for the health authorities locally to decide. The hon. Member may therefore care to address his enquiry to the chairman of North-Western regional health authority.

Students (Benefits)

Mrs. Beckett asked the Secretary of State for Social Services when he received the report of the Social Security Advisory Committee in connection with his proposals for changes to students' benefit entitlements; whether he intends to proceed with his proposals; and if he will make a statement.

Mr. Newton: I shall let the hon. Member have a reply as soon as possible.

NHS (Management Objectives)

Mr. Pavitt asked the Secretary of State for Social Services what is his policy towards the inclusion by National Health Service unit general managers in documents setting out management objectives of clauses reserving the right to impose penalties on National Heath

Service staff who in the judgment of the unit general manager concerned, fail to meet those management objectives; and if he will make a statement.

Mr. Hayhoe [*pursuant to his reply*, 8 April 1986, c. *66*]: There are no arrangements for the imposition of penalties on any National Health Service staff who fail to achieve management objectives. I understand this has been made clear to the unit general manager in the particular instance about which the hon. Member has sent me details.

Written Answers to Questions

Friday 25 April 1986

NORTHERN IRELAND

Entrapment

Mr. Cohen asked the Secretary of State for Northern Ireland what guidelines he has issued to the Royal Ulster Constabulary concerning the use of entrapment in the detection or prevention of crime; and if he will make a statement.

Mr. Scott: The Secretary of State has not issued guidance to the RUC concerning entrapment. However paragraph 1.92 of the Home Office "Consolidated Circular on Crime and Kindred Matters" which has been issued to the RUC provides guidance to the effect that no members of a police force should counsel, incite or procure the commission of a crime. A copy of the consolidated circular is in the Library.

ENVIRONMENT

Nugee Report

Mr. David Atkinson asked the Secretary of State for the Environment if he is now in a position to make a statement on the Nugee report on the management of privately-owned blocks of flats.

Mr. John Patten: I refer my hon. Friend to the reply given on Tuesday, 8 April at columns 26-28 by my right hon. Friend the Secretary of State for the Environment to my hon. Friend the Member for Westminster North (Mr. Wheeler).

Houses in Multiple Occupation

Mr. Chris Smith asked the Secretary of State for the Environment when he intends to publish the results of the survey commissioned by his Department of local authorities on houses in multiple occupation; whether he will place a copy in the Library; and if he will make a statement.

Sir George Young: A summary of the results of the postal survey of local authorities in England and Wales about houses in multiple occupation was given on 20 February at a seminar held by the Institution of Environmental Health Officers. A full report on that survey will be published in May by HMSO, and a copy will be placed in the Library.

EDUCATION AND SCIENCE

General Certificate of Secondary Education

Mr. Austin Mitchell asked the Secretary of State for Education and Science what representations he has received from the Head Teachers' Association on the new general certificate of secondary education.

Mr. Chris Patten: My right hon. Friend has received representations from both the National Association of Head Teachers and the Secondary Heads Association about the preparations for, and funding of, the GCSE. I held meetings with both associations recently to discuss these issues. At their request, my right hon. Friend is to have a further meeting with the National Association of Head Teachers; he has also written to the Secondary Heads Association inviting further comment.

Lancashire

Mr. Pike asked the Secretary of State for Education and Science what was the Lancashire county council education expenditure at outturn and constant prices in each year from 1979-80 to 1986-87; and what was the original bid received by his Department for each respective year.

Mr. Dunn: I assume that the hon. Member is concerned with capital expenditure. On that basis the information required is as follows:

Lancashire County Council
Prescribed capital expenditure on education

£ 000s

	Cash		*Constant prices† (at 1984-85 prices)*	
	Bid	*Expenditure*	*Bid*	*Expenditure*
1979-80	*	8,195	*	12,483
1980-81	*	11,836	*	15,179
1981-82	*	14,234	*	16,599
1982-83	*	13,939	*	15,189
1983-84	*	16,785	*	17,505
1984-85	13,646	12,180	13,646	12,180
1985-86	20,050	n/a	19,095	n/a
1986-87	21,653	n/a	19,734	n/a

* Cash bids were not required in these years.
† Cash figures revalued to 1984-85 prices using the Gross Domestic Product (Market Prices) Deflator.
n/a Outturn figures not yet available.

HOME DEPARTMENT

Young Offenders (Yorkshire and Humberside)

Mr. Sheerman asked the Secretary of State for the Home Department what plans he has to increase the capacity for young offenders in non-prison environments in Yorkshire and Humberside.

Mr. Mellor: In the medium term, there are schemes to provide small numbers of additional places at Her Majesty's detention centre New Hall and Her Majesty's youth custody centres Northallerton and Wetherby. In the longer term the major redevelopment programme at Her Majesty's prison Leeds, including the construction of some 450 new places, will enable us to provide further discrete remand centre accommodation for young offenders.

Local Government Reform

Mr. Bermingham asked the Secretary of State for the Home Department what has been the additional cost of funding the new responsibilities that have been passed to *(a)* Middlesex, *(b)* north-east London, *(c)* south-east London, *(d)* south-west London, *(e)* the west midlands, *(f)* Merseyside, *(g)* Greater Manchester, *(h)* south

Yorkshire, *(i)* west Yorkshire and *(j)* Northumbria probation services following the abolition of the Greater London council and the six metropolitan counties.

Mr. Mellor: No new responsibilities have been passed to the probation committees in outer London and the metropolitan counties following the abolition of the Greater London council and the metropolitan county councils. The duty to defray the expenses of those committees now rest with the outer London borough councils and the metropolitan district councils.

The hon. Member may have in mind the need to make new arrangements for the provision of support services previously provided by the authorities which have been abolished. Any changes in the costs of support services after abolition cannot be measured, because the full cost of such services to those authorities is not known.

Mr. Steffan Webb

Mr. D. E. Thomas asked the Secretary of State for the Home Department if he will call for a report from the chief constable of South Wales on the incident at Pontypridd on 19 April when Steffan Webb was injured by a vehicle carrying the Parliamentary Under-Secretary of State for Wales, the hon. Member for Conwy (Mr. Roberts); and if he will make a statement.

Mr. Giles Shaw: I understand from the chief constable that, as my hon. Friend the Member for Conwy (Mr. Roberts) was leaving the Polytechnic of Wales at Pontypridd last Saturday afternoon an incident occurred involving the vehicle in which he was travelling as a result of which a demonstrater, Mr. Webb, was reportedly injured. Any complaint made will of course be fully investigated.

Libyan Nationals

Mr. Greenway asked the Secretary of State for the Home Department (1) pursuant to the answer of 18 April, *Official Report*, column *512*, what procedures are used to review the immigration status of Libyan trainee engineers and pilots studying in the United Kingdom; what factors are currently being taken into account in such reviews; and if she will make a statement;

(2) if he will list the criteria used in deciding to allow Libyan trainee engineers and pilots to enter the United Kingdom; what time limit and other conditions were attached to their stay; and if he will make a statement.

Mr. Waddington: Applications for leave to enter or remain are considered individually in accordance with the requirements of the immigration rules. Libyan nationals remain subject to the strict immigration controls announced by my right hon. and learned Friend the then Home Secretary on 1 May 1984 and all applications from them are subject to very close scrutiny. As my hon. Friend will be aware, my right hon. Friend the Secretary of State for Transport has issued directions which will effectively prevent Libyan trainee engineers and pilots from completing their courses. Their current basis of stay therefore no longer exists and they will be expected to leave. My right hon. Friend will not hesitate to use his powers to curtail their stay or to initiate deportation action in appropriate cases, if they fail to leave voluntarily.

AGRICULTURE, FISHERIES AND FOOD

Monetary Compensatory Amounts

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is the level of monetary compensatory amounts payable in each EEC country at the present time; and what information he has about extra payments being made by West Germany and other EEC countries to raise the return to their farmers.

Mr. Gummer: I shall reply to the hon. Member as soon as possible.

Lancashire and Western Sea Fisheries

Mr. Onslow asked the Minister of Agriculture, Fisheries and Food what action he is taking to ensure the protection of sea fisheries in the area covered by the Lancashire and Western Sea Fisheries Committee, following that body's decision to lay off its sea fishery officers; and if he will make a statement.

Mr. Gummer: I shall reply to my hon. Friend as soon as possible.

Production Statistics

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food if he will publish in the *Official Report* a table showing how the United Kingdom production of agricultural products subject to the common agricultural policy price compares with 1970-71 production levels.

Mr. Gummer: I shall reply to the hon. Member as soon as possible.

SCOTLAND

University Students (Community Charge)

Mr. Wallace asked the Secretary of State for Scotland what recent representations he has received concerning the implications of the Government's proposals for a community charge for students studying at Scottish universities and colleges.

Mr. Ancram: My right hon. and learned Friend has received a number of representations about the implications of the community charge for students, including seven responses from Scottish universities and central institutions to an invitation from the Scottish Education Department to comment on the operational issues involved.

Bus Services

Dr. Godman asked the Secretary of State for Scotland what proportion of *(a)* current Sunday services and *(b)* current services after 6 pm on weekdays have been registered as bus routes in Scotland.

Mr. Ancram: This information could be obtained only at a disproportionate cost.

Hospital Waiting Lists

Dr. Godman asked the Secretary of State for Scotland what is the current size of the waiting list for treatment of all kinds of Scottish hospitals; and how this figure compares with those for April 1979 and April 1983.

Mr. John MacKay: The available information on cases for hospital in-patient treatment is as follows:

	Number
1979 (31 March)	76,616
1983 (31 March)	96,761
1984 (30 September)	82,937

The increase in existing lists caused by industrial action in 1982 is now being steadily reduced. Lists tend to overstate numbers of patients waiting for treatment, since they include duplicated entries and patients who no longer need treatment.

National Health Service Beds

Dr. Godman asked the Secretary of State for Scotland what is the ratio of National Health Service beds to population in Scotland; and how this compares with the figures for April 1979 and April 1983.

Mr. John MacKay: The ratio of National Health Service beds to population, expressed as average available staffed beds per 100,000 population, was 1,112 at 30 September 1984, the most recent date for which the information is available for Scotland as a whole. This compares with 1,106 at 31 March 1983 and 1,135 at 31 March 1979.

Hospital Closures

Dr. Godman asked the Secretary of State for Scotland how many hospitals have been closed in Scotland in each year since 1975; and if he will name them.

Mr. John MacKay: The information for the years prior to 1979 is not readily available. Since 1979 a total of 28 hospitals have ben closed and 42 major new hospital developments completed. The names of the hospitals closed are as follows:

1979—Seven Hospitals
- Broadstone Jubilee Hospital, Port Glasgow
- Duncan McPherson Hospital, Gourock
- Gateside Hospital, Greenock
- Greenock Eye Infirmary
- Greenock Royal Infirmary
- Dunbar Cottage Hospital
- Kings Cross (West) Hospital, Dundee

1980—Three Hospitals
- Shotts Hospital
- Charleton Maternity Home, Montrose
- Sidlaw Hospital, Auchterhouse

1981—Three Hospitals
- Carnbooth Children's Home, Glasgow
- Homoeopathic Hospital for Children, Glasgow
- Burghmuir Hospital, Perth

1982—Three Hospitals
- Kilmarnock Infirmary
- Torrance House, Kilmarnock
- Strathmore Hospital, Blairgowrie

1983—Four Hospitals
- Peebles County Hospital
- Peebles War Memorial Hospital
- Ear, Nose and Throat Hospital, Glasgow
- Brevik Hospital, Lerwick

1984—Four Hospitals
- Finnartmore Auxiliary Hospital, Kilmun
- Buckreddan Maternity Hospital, Kilwinning
- County Hospital, Dufftown
- Old Gilbert Bain Hospital, Lerwick

1985—Three Hospitals
- Calderwell House Hospital, Uplawmoor
- Northern Hospital Dunfermline
- Centre for Rheumatic Diseases

1986—One Hospital
- Broadfield Hospital, Port Glasgow

ATTORNEY-GENERAL

Parrot Corporation

Mr. Abse asked the Attorney-General whether the findings of the Gwent police investigation into the affairs of the Parrot Corporation referred to the Director of Public Prosecutions have been reviewed; and whether any criminal proceedings are to be commenced.

The Attorney-General: The Director of Public Prosecutions has received a preliminary police report from the Gwent constabulary about their investigation into the affairs of the Parrot Corporation Limited and has provided advice as the lines of inquiry to be pursued. The director expects to receive a full report within about two months.

Personal Injury Litigation

Mr. Ashley asked the Attorney-General which organisations were issued with a copy of the consultation document on personal injury litigation; and if copies are available for organisations wishing to comment on the documents.

The Attorney-General: The Lord Chancellor's consultation paper on personal injuries litigation, published on 19 February, is the first consultation document to emerge from his current review of civil justice. Organisations which have received the paper directly are the 43 organisations listed. The paper is available on request from the Lord Chancellor's Department.

- The Law Society
- Senate of the Inns of Court and the Bar
- London Solicitors Litigation Association
- Institute of Legal Executives
- Law Centres Federation
- Legal Action Group
- Justice
- Bar Association for Commerce, Finance and Industry
- Criminal Injuries Compensation Board
- Legal Aid Advisory Committee
- Law Commission for England and Wales
- Law Commission for Scotland
- Council on Tribunals
- Council of HM Circuit Judges
- Association of County Court and District Registrars
- Supreme Court Rule Committee
- County Court Rule Committee
- Supreme Court Procedure Committee
- Association of County Councils
- Association of District Councils
- Association of London Authorities
- London Boroughs Association
- Local Authorities Conditions of Service Advisory Board
- Motor Insurers' Bureau
- Association of British Insurers
- Industrial Relations Service
- Government Departments
- Office of Fair Trading
- Health and Safety Executive
- National Association of Citizens Advice Bureaus
- Child Poverty Action Group
- British Medical Association
- The Patients Association
- Royal College of Midwives
- Institute of Health Services Management
- Royal College of Nursing of the UK
- Joint Co-ordinating Committee of the Medical Defence Societies
- National Association of Health Authorities in England and Wales

Association of Community Health Councils in England and Wales
Royal Society for the Prevention of Accidents
Health and Safety at Work
Action for the Victims of Medical Accidents

WALES

Holyhead (Bypass)

Mr. Best asked the Secretary of State for Wales what studies have been carried out by his Department into the provision of a bypass around the town of Holyhead, giving the dates and results of such studies; and if he will make a statement.

Mr. Wyn Roberts: No studies have yet been undertaken into the provision of a bypass for Holyhead but if there is a case for including such a scheme in the future road programme, we will give it careful consideration.

Pig Industry

Mr. Geraint Howells asked the Secretary of State for Wales what plans he has in mind to help the pig industry in Wales; and if he will make a statement.

Mr. Mark Robinson: No initiatives are planned for the pig industry. An EC scheme providing aid towards the private storage of pigmeat was introduced on 1 April 1986. The June 1985 census figures recorded an increase of 7·9 per cent. over June 1984 in the pig breeding herd in Wales, which now stands at 16,100 head, indicating a return of confidence in this sector.

Business Improvement Scheme

Mr. Best asked the Secretary of State for Wales what account is taken of the level of unemployment, both in absolute terms and relative to other areas of Wales, when selecting areas for inclusion in the business improvement services scheme; and if he will make a statement.

Mr. Wyn Roberts: The areas in Wales in which the provisions of the business improvement services scheme apply are the steel closure areas defined, by the Council of the European Communities, in Council regulation (EEC) No. 216/84 of 18 January 1984. The criteria used to select steel closure areas were: the number of jobs in the steel industry; the industrial employment dependent on the steel industry; major job losses in the steel industry in recent years; the eligibility of the zone concerned for a national regional aid scheme; the social and economic situation in the region assessed on the basis of per capita gross domestic product and structural unemployment.

TRADE AND INDUSTRY

Export Credits Guarantee Department

Mr. Iain Mills asked the Secretary of State for Trade and Industry (1) what is the cost to public funds of subsidising guaranteed interest profits earned by the banks on loans to United Kingdom companies to back export sales where the deals are insured by the Export Credits Guarantee Department; and if he will make a statement;

(2) what is the current level of lending by banks under the scheme insured by the Export Credits Guarantee Department;

(3) what is the current level of guaranteed margin on loans for exports under schemes backed by the Export Credits Guarantee Department; and if he will make a statement.

Mr. Alan Clark: The cost to Her Majesty's Government of paying the interest margin over London interbank offer rate to the banks under the fixed rate export finance scheme depends on the level of the margin at any time and the amount of finance outstanding. In 1985-86, the cost was approximately £105 million (1984-85, £113 million). The level of lending under these schemes is currently £10·5 billion. The current level of the margin over LIBOR for sterling loans is ⅞ per cent. for the first 12 years of the credit and 1 per cent. thereafter. For foreign currency loans, the margins range from ⅞ per cent. for loans repayable within four years from signature to ¼ per cent. for loans repayable over more than 14 years.

The Government have notified the banks of their intention to review the remuneration received by them for providing fixed rate export finance. Detailed discussions with the banking associations will commence within the next month and are expected to lead to reduced margins payable on future business. A statement will be made at the appropriate time to report the outcome of these negotiations.

Export Credit

Mr. Gould asked the Secretary of State for Trade and Industry what action has been taken by the European Economic Commission to ensure that Article 92 of the Treaty of Rome is complied with in the light of information passed to the Commission about breaches of the Organisation for Economic Co-operation and Development consensus on interest rates for export credit; what communication has been received by his Department from the European Economic Commission in this respect; what were the contents of that communication; and what action is proposed in response to it.

Mr. Alan Clark: The Commission recently inquired through the United Kingdom representative in Brussels about the United Kingdom's practice in this area. The information requested has been provided.

South Africa (Company Interests)

Mr. Fletcher asked the Secretary of State for Trade and Industry which British companies have failed to respond under the European economic Community code of conduct for companies with interests in South Africa: and what action he proposes to take to persuade them to do so.

Mr. Alan Clark: This information is published in annex D to the Department's analysis and summary of companies' reports under the EC code, which was placed in the Library of the House prior to the Easter recess. We will remain in touch with the companies concerned and take every opportunity to urge them to reconsider their attitude and to report under the code. In the light of such efforts in the past, I am very pleased that the number of non-reporting companies has been steadily reduced; only three companies declined to submit returns in the last reporting period, compared with 10 a year earlier.

Ultraleisure

Mr. Gould asked the Secretary of State for Trade and Industry when officials of the Export Credits Guarantee Department became aware of irregularities in the open account dealings by the directors of Ultraleisure; when it was realised that the credit limits approved by the Export Credit Guarantee Department for this company were inappropriate to its export turnover; and why no action was taken.

Mr. Alan Clark: Certain aspects of the involvement of this company with the Export Credits Guarantee Department are the subject of police investigation. In these circumstances it would be inappropriate for me to give the information requested.

Mr. Gould asked the Secretary of State for Trade and Industry what communication, by telephone or otherwise, there has been between his officials and Mr. Robert Stapleton, a director of Ultraleisure and currently resident in Spain.

Mr. Alan Clark: I am not aware of any such communication since Mr. Stapleton has been resident in Spain.

Mr. Gould asked the Secretary of State for Trade and Industry (1) why a decision was made on 20 November 1981 by a senior official of the Export Credit Guarantee Department to approve an 8·5 per cent. interest rate for financing Ultraleisure's export contracts to another European Economic Community country when this rate was in contravention of the Organisation for Economic Co-operation and Development consensus rate; and when the relevant letter of commitment was issued by the bank involved;

(2) why the decision to approve an 8·5 per cent. interest rate for finance for Ultraleisure's export contracts was specifically made in respect of Ultraleisure's newly-formed Swiss subsidiary; and when was the last occasion on which this type of arrangement was permitted.

Mr. Alan Clark: This decision was made in accordance with ECGD's current policy at the time. The export contract in question was with a buyer in a non-EC country. Since the end of 1983, the Department has not supported OECD consensus rates of interest to finance any exports where it is known that their final destination is another EC country.

Export Licences

Mr. Gould asked the Secretary of State for Trade and Industry what recent representations he has made to the United States Department of Commerce about the operation in the United Kingdom of the United States export licence system governing advanced systems; what evidence he has of this system being enforced in the United Kingdom by inspections by the United States authorities; if any co-operation is being offered by the United Kingdom authorities in this regard; and if he will make a statement.

Mr. Alan Clark: The Government have firmly put on record their objections of principle to the extra territorial claims implicit in the new US distribution licence regulations, both bilaterally and through the European Community. The US authorities have sought the Government's agreement to US officials visiting a number of British companies in connection with the regulations. My officials have been in touch with the companies concerned but no such visits have yet been approved. The Government are considering whether to agree to the proposed visits and if so on what terms.

ENERGY

Departmental Advertisement (Hoax)

Mr. Austin Mitchell asked the Secretary of State for Energy what was the cost of his Department's hoax advertisement published in national newspapers on 1 April; and if he will indicate what purpose it served; and if he will make a statement.

Mr. David Hunt: This advertisement was placed in *The Times* and *Guardian* at a cost of £18,000. It was one of a number of energy efficiency advertisements scheduled to appear in April and May. The advertisement was designed to gain public interest and jolt inertia.

Advertisements placed in these publications on April 1 are always likely to attract special attention and be closely read and the Department saw an opportunity to get extra value for its advertising spend. The advertisement attracted a significantly higher number of requests for energy efficiency information than is obtained on average in response to the Department's normal press advertisement.

PRIME MINISTER

Sports Clubs (Rates)

Mr. Cra[illegible] asked the Prime Minister what representations she has received concerning the rating of Scottish sports clubs and how this compares with the treatment of equivalent premises in England and Wales; and if she will make a statement.

The Prime Minister: I have received a small number of such representations in recent months, but a considerably larger number — over 70 — have been received by my right hon. and learned Friend the Secretary of State for Scotland. The fact that the valuation and rating systems in Great Britain can lead to differences between clubs in Scotland and England and Wales of the kind mentioned in the representations is one of the reasons why the Government are getting on with the very difficult task of reforming local taxation. We intend to bring into effect as soon as possible our proposals in the Green Paper "Paying for Local Government" (Cmnd. 9714). The paper explains the advantage we see in moving in time to a common non-domestic rate poundages in all areas, and suggests that it may be desirable to harmonise valuation procedures to provide for a common standard. Responses to the Green Paper on its Scottish aspects have been asked for by 31 July. All will be carefully considered. A further announcement of the Government's intentions will be made in due course.

Libyan Nationals

Mr. Greenway asked the Prime Minister (1) if Her Majesty's Government have any plans to curtail the stay of all those Libyan trainee engineers and pilots currently studying in the United Kingdom; and if she will make a statement;

(2) if she is satisfied with the arrangements for dealing with the security implications of the presence in the United Kingdom of Libyan trainee engineers and pilots; and if she will make a statement.

The Prime Minister: My right hon. Friend the Secretary of State for Transport has issued directions to all operators of aircraft registered or operating in the United Kingdom and to managers of certain aerodromes, which will prevent Libyan aviation engineering trainees from having access to aircraft except as passengers, and which will prevent Libyan pilot trainees from making solo flights. The effect of these measures will be that such trainees will be unable to complete their courses or obtain qualifications.

In that event their current basis of stay will no longer exist and they will be expected to leave. My right hon. Friend the Secretary of State for the Home Department will not hesitate to use his powers to curtail their stay or initiate deportation action in approproate cases, if they fail to leave voluntarily.

Member's Correspondence

Mrs. Clare Short asked the Prime Minister when she intends to answer the letter of 27 March from the hon. Member for Birmingham, Ladywood, about her policy towards pictures in newspapers of naked and partially naked women in sexually provocative poses; and if she will make a statement.

The Prime Minister: I shall reply to the hon. Lady shortly.

FOREIGN AND COMMONWEALTH AFFAIRS

Diplomats (Recall Subsistence)

Mr. Anderson asked the Secretary of State for Foreign and Commonwealth Affairs what are the current scales and the scales for the previous three financial years for subsistence allowances for diplomats recalled for consultation to London.

Mr. Eggar: Members of Her Majesty's Diplomatic Service recalled for consultation to London are eligible to receive the standard rate subsistence allowance for each complete 24 hour period. The rates are fixed nationally by Her Majesty's Treasury and apply to all civil servants.

The current rates by category are:

	Subsistence classification		
	1	*2*	*3*
With effect from 1 August 1985	£	£	£
Inner London	67·20	48·75	42·10
Elsewhere	56·30	40·70	31·85

The previous three years rates were:

	Subsistence classification		
	1	*2*	*3*
With effect from 1 August 1984	£	£	£
Inner London	61·20	44·90	38·40
Elsewhere	50·65	36·75	29·15
With effect from 1 August 1983			
Inner London	56·30	40·75	34·80
Elsewhere	48·10	34·15	27·20
With effect from 1 August 1982			
Inner London	51·85	37·85	32·65
Elsewhere	41·90	32·65	25·95

Category Classification 1—Senior Grade to DS Grade 4.
2—DS Grade 5 to DS Grade 7D.
3—DS Grade 7E and below.

Argentina

Mr. Ron Davies asked the Secretary of State for Foreign and Commonwealth Affairs if he will now seek to re-establish diplomatic relations with Argentina; and if he will make a statement.

Mr. Eggar: As I told the hon. Member for Fife, Central (Mr. Hamilton) on 9 April at column *164*, we wish to move towards more normal relations with Argentina. We have taken numerous steps to achieve this.

TRANSPORT

A12 (Service Area)

Mr. McCrindle asked the Secretary of State for Transport what applications have been made to develop a service area complex on the A12 near Brentwood; and if he will make a statement.

Mr. Peter Bottomley: I understand that Brentwood district council has recently received two such applications for planning permission, one in respect of each carriageway of the A12. The Department will be formally notifying the council of its response to the applications after considering any implications for the free and safe flow of trunk road traffic.

Motorways (Lancashire)

Mr. Dover asked the Secretary of State for Transport if he has yet received the report of the consultants on the linking of the M65 and M1-M61 motorways in Lancashire.

Mr. Peter Bottomley: Yes. I shall make a further announcement when it has been considered.

Heathrow (Landing Times)

Mr. Higgins asked the Secretary of State for Transport what is the earliest time in the morning at which scheduled aircraft are permitted to land at Heathrow; how many have arrived earlier in the last three months for which figures are readily available; and for what reasons.

Mr. Ridley: Heathrow airport is open to scheduled traffic at all times. Statutory limitations, however, are imposed which include quotas for the number and type of movements that may take place during specified periods at night. Full details of these limitations were set out in the then Department of Trade's press notice "Aircraft Noise at Heathrow and Gatwick" of 29 April 1981, a copy of which is in the Library. These limitations are strictly applied: as the quotas cover seasonable periods there is sufficient flexibility to ensure that they are not exceeded. Within the limitations, airlines are free to use the airport to meet their needs, and variations in the pattern of movements are possible.

NATIONAL FINANCE

Taxation

Mr. Straw asked the Chancellor of the Exchequer if he will publish estimates of *(a)* value added tax, *(b)* domestic rates and *(c)* other indirect taxes paid by those on (i) 75 per cent., (ii) 100 per cent. and (iii) 150 per cent. of average earnings in 1986-87 and each of the previous eight years in the same form as his reply of 2 July 1985, *Official Report*, column *112*; and if he will give the level of average earnings in each year.

Mr. Brooke: Estimates for the years 1978-79 to 1983-84 are in the following table. Estimates for 1984-85 to 1986-87 were included in the reply given to the hon. Member on 26 March 1986, *Official Report*, columns *530-36*.

75 per cent. of average earnings

	Single	*Married (one working)*	*Married (both working)*	*Married (one working) with two children*
	£ per week	*£ per week*	*£ per week*	*£ per week*
1978-79				
VAT	1·74	1·58	2·03	1·71
Domestic rates	2·30	2·31	2·64	2·30
Other indirect taxes	5·92	7·04	8·51	6·83
1979-80				
VAT	3·30	2·94	3·62	3·28
Domestic rates	2·73	2·74	3·13	2·74
Other indirect taxes	6·71	7·89	9·50	7·73
1980-81				
VAT	4·06	3·68	4·46	4·01
Domestic rates	3·56	3·54	4·01	3·54
Other indirect taxes	7·93	9·22	11·13	9·12
1981-82				
VAT	4·51	4·02	4·83	4·45
Domestic rates	4·39	4·38	4·97	4·38
Other indirect taxes	9·18	10·75	12·96	10·77
1982-83				
VAT	4·65	4·14	5·03	4·63
Domestic rates	4·81	4·82	5·50	4·81
Other indirect taxes	9·49	11·20	13·69	11·23
1983-84				
VAT	5·02	4·50	5·49	5·04
Domestic rates	4·87	4·89	5·57	4·89
Other indirect taxes	10·38	12·22	15·00	12·26

100 per cent. of average earnings

	Single	*Married (one working)*	*Married (both working)*	*Married (one working) with two children*
	£ per week	*£ per week*	*£ per week*	*£ per week*
1978-79				
VAT	2·42	2·30	2·83	2·43
Domestic rates	2·72	2·60	2·85	2·67
Other indirect taxes	7·54	8·28	10·04	8·07
1979-80				
VAT	4·63	4·32	5·11	4·54
Domestic rates	3·24	3·10	3·38	3·18
Other indirect taxes	8·64	9·40	11·27	9·25
1980-81				
VAT	5·70	5·37	6·27	5·56
Domestic rates	4·25	4·03	4·34	4·14
Other indirect taxes	10·21	11·02	13·15	10·89
1981-82				
VAT	6·37	5·94	6·88	6·20
Domestic rates	5·24	4·98	5·37	5·11
Other indirect taxes	11·83	12·83	15·28	12·80
1982-83				
VAT	6·57	6·13	7·14	6·43
Domestic rates	5·72	5·47	5·93	5·61

	Single £ per week	Married (one working) £ per week	Married (both working) £ per week	Married (one working) with two children £ per week
Other indirect taxes	12·22	13·36	16·07	13·34
1983-84				
VAT	7·08	6·63	7·76	6·97
Domestic rates	5·79	5·53	6·01	5·69
Other indirect taxes	13·38	14·59	17·61	14·57

150 per cent. of average earnings

	Single £ per week	Married (one working) £ per week	Married (both working) £ per week	Married (one working) with two children £ per week
1978-79				
VAT	3·83	3·81	4·35	3·95
Domestic rates	3·59	3·22	3·25	3·43
Other indirect taxes	10·94	10·86	12·98	10·65
1979-80				
VAT	7·45	7·23	8·06	7·19
Domestic rates	4·32	3·86	3·87	4·12
Other indirect taxes	12·70	12·59	14·75	12·43
1980-81				
VAT	9·16	8·94	9·89	8·81
Domestic rates	5·69	5·05	4·99	5·39
Other indirect taxes	15·02	14·79	17·20	14·63
1981-82				
VAT	10·20	9·90	10·97	9·81
Domestic rates	6·99	6·21	6·18	6·63
Other indirect taxes	17·28	17·13	19·92	16·99
1982-83				
VAT	10·52	10·21	11·38	10·15
Domestic rates	7·61	6·79	6·81	7·24
Other indirect taxes	17·84	17·81	20·81	17·67
1983-84				
VAT	11·35	11·03	12·30	10·99
Domestic rates	7·70	6·88	6·89	7·34
Other indirect taxes	19·60	19·51	22·84	19·36

Notes to Table

1. Average earnings are taken to be the average gross weekly earnings of all full time males on adult rates with pay unaffected by absence. The levels of average earnings in each year are given below.

	£ per week
1978-79	92·80
1979-80	109·30
1980-81	131·40
1981-82	145·90
1982-83	157·40
1983-84	171·00

2. The married couple with both working is assumed to have joint earnings of the various multiples of average earnings. In calculating disposable income it is assumed that the joint earnings are split between husband and wife in the ratio 60:40.

3. The estimates are based on the illustrative assuption that 10 per cent. of disposable income is saved. They are derived fron the 1984 Family Expenditure Survey, but have been adjusted to reflect the effects of average changes in spending patterns over time.

4. The category 'other indirect taxes' covers central Government taxes only but includes the indirect effects of taxes levied on businesses.

European Monetary System

Mr. Deakins asked the Chancellor of the Exchequer what estimate he has made of the effect of recent currency revaluations in the European Monetary System on the 1986 budget approved by the EEC Council.

Mr. Brooke: The impact on the EC budget of the EMS realignment on 6 April is a highly complicated calculation affected by numerous variables and uncertainties. Only the Commission is in a position to make a detailed assessment. The Commission services have suggested that agricultural expenditure, at current green rates may increase by up to 333 million ecu in 1986 as a result of the realignment. No estimate has been made by the Commission of the effect on other areas of expenditure or on own resources revenues.

Wilfred Aspinwall

Mr. Pawsey asked the Chancellor of the Exchequer when he will reply to the letters dated 4 December, 6 March and 11 April from the hon. Member for Rugby and Kenilworth referring to Wilfred Aspinwall of the Managerial Professional and Staff liaison group.

Mr. MacGregor: My office has no record of receiving either of my hon. Friend's letters of 4 December or 6 March. I received his letter of 11 April on 14 April.

I understand he offered on 23 April to send copies of the two earlier letters to the Treasury's correspondence unit. Once we have all three letters, he will receive a prompt reply.

Currency Markets

Sir Geoffrey Finsberg asked the Chancellor of the Exchequer what is Her Majesty's Government's policy towards the use of forward cover in respect of Government orders placed abroad, in the light of volatile movements in the currency markets.

Mr. Ian Stewart: Government Department may reduce their exposure to exchange risk in relation to future payments or receipts by using forward markets where this is practicable. This is subject to the rules set out in section N (paragraphs 110 to 114) of *Government Accounting*, a copy of which is available in the House of Commons Library.

Capital Taxation

Mr. Frank Field asked the Chancellor of the Exchequer what was the revenue gained from *(a)* capital transfer tax and *(b)* capital gains tax for each year since 1979 and the total gained in revenue for both these taxes over this period of time, in real and cash terms.

Mr. Moore [*pursuant to his reply*, 21 April 1986, c. *38*]: Estimates of liabilities to capital transfer tax on transfers, and capital gains tax on disposals, in each year are as follows:

Year of transfer/ disposal	*Capital transfer tax*	*Capital gains tax*	*Total*	
			at current prices	*at 1985-86 prices†*
	£ million	*£ million*	*£ million*	*£ million*
1978-79	380	480	860	1,630
1979-80	530	580	1,110	1,800
1980-81	520	670	1,190	1,620
1981-82	630	680	1,310	1,620
1982-83	620	690	1,310	1,520
1983-84	750	*820	1,570	1,740
1984-85	*820	*990	1,810	1,920
1985-86	*910	*1,110	2,020	2,020

* Provisional estimates.
† The conversion to 1985-86 prices uses the GDP deflator.

DEFENCE

Nuclear Weapons

Mr. Andrew F. Bennett asked the Secretary of State for Defence how many nuclear weapons tests British Governments have conducted since the signing of the partial test ban treaty in 1963.

Mr. Norman Lamont: The relevant treaty signed in 1963 was the limited test ban treaty. Since its signing, the United Kingdom has conducted 16 nuclear weapons tests. These were carried out in collaboration with the United States and the conditions of the treaty were honoured in full.

Mr. Andrew F. Bennett asked the Secretary of State for Defence if he is satisfied with the working efficiency and capability of the United Kingdom's nuclear weapons capacity.

Mr. Norman Lamont: Yes.

Water Tank, Walker Drive, South Queensferry

Mr. Tam Dalyell asked the Secretary of State for Defence what assessment he has made of the state of repair of the water tank, the property of his Department, at Walker drive, South Queensferry; and if he will make a statement.

Mr. Lee: I shall answer shortly.

US Personnel and Equipment

Mr. Gerald Howarth asked the Secretary of State for Defence if he will estimate the cost to the United Kingdom taxpayer of providing the equivalent defence capability were the United States of America to withdraw all United States personnel and equipment from its bases within the United Kingdom.

Mr. Stanley: The cost would be enormous. I regret that an actual estimate on the basis requested by my hon. Friend could be provided only at disroportionate cost.

Nuclear Tests

Mr. Shore asked the Secretary of State for Defence how many nuclear tests were undertaken by the United Kingdom in each year since 1980; and how many similar tests were undertaken by the United States of America, the Union of Soviet Socialist Republics, France and China.

Mr. Norman Lamont: The United Kingdom has undertaken a total of nine nuclear tests since 1 January 1980—all in co-operation with the United States. They comprised three in 1980, one in each of 1981, 1982, 1983, two in 1984 and one in 1985. Details of tests carried out by other countries should be sought from them.

SOCIAL SERVICES

Board and Lodging Allowances

Mr. Pike asked the Secretary of State for Social Services how many people in Burnley were receiving board and lodging allowances at the latest date for which figures are available; and how many were under 25 years of age.

Mr. Major: I assume the hon. Member is referring to claims from people in ordinary board and lodging accommodation and hostels. The latest available information relates to the period 29 April 1985 to 28 July 1985 when some 600 claims, including 260 from those aged 25 and under, were assessed or reassessed by the local office in Burnley under the revised boarder rules.

This special count was not maintained beyond that period.

Departmental Staff

Mr. Pike asked the Secretary of State for Social Services what are the current staff levels at his Department's Burnley offices; and what were comparable figures at yearly intervals since 1979.

Mr. Major: The complement for Burnley intergrated local office at April for the years 1979-85 is set out in the table. Figures for staff actually in post at these times are not now available.

Year	*Complement*
1979	240
1980	235
1981	228
1982	214
1983	194
1984	195
1985	203

The complement for April 1986 is yet to be established. On 1 April 1986 there were 208·5 staff in post.

NHS Staff (Accommodation)

Mr. Evennett asked the Secretary of State for Social Services what is his policy on the provision of residential accommodation for National Health Service staff.

Mr. Fowler: The NHS estate in England includes over 100,000 units of residential accommodation for staff. This includes thousands of individual houses, flats and other accommodation, as well as large nurses' homes, and similar buildings.

A study showed that some 20 per cent. of this accommodation was standing empty, and that most health authorities had more accommodation than they needed. I have therefore asked health authorities to re-examine their holdings of residential accommodation and make plans to dispose of property which is surplus to requirements.

First, health authorities will be able to dispose of vacant property which is no longer needed. I should emphasis that the resources released will br retained for the benefit of the National Health Service. Land and property sales are expected to total around £130 million this year. All of this is ploughed back into the Health Service. A priority use of these funds will be to improve and modernise nurses' homes and other staff accommodation which is needed.

Second, in considering what property they need to retain in the long term, health authorities should provide accommodation, as needed, for certain professional trainees—particularly junior doctors and student nurses and for other staff in appropriate circumstances such as in inner city areas.

Third, where staff are living in accommodation that the NHS does not need to retain, they will be given the right to buy at discounted rates. The terms, as for local authority tenants, are very favourable. At present, this means discounts of up to 60 per cent. off market values.

Let me emphasise this is not a policy of eviction. The policy of rationalising the health service's holdings of residential accommodation will be so administered that no one who lives in such accommodation will be made homeless as a result. No one will be required to move from their present accommodation as part of this policy without being offered a suitable alternative place to live. Overall the policy will provide accommodation for staff who need it while at the same time releasing resources for the development of the health service.

Aspartame

Mr. Campbell-Savours asked the Secretary of State for Social Services (1) what discussions have taken place between officials of his Department and the relevant United States authorities about Dr. Wurtman's data on the use of aspartame and its alleged side-effects;

(2) if he will instruct Her Majesty's Ambassador in Washington to seek to obtain a transcript of the forthcoming Congressional hearing on the procedure followed in the original approval of aspartame for use as a food additive in the United States of America; and if he will make a statement.

Mr. Whitney: In 1983, the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment considered data sent by Dr. Wurtman to the United States of America Food and Drugs Administration. In 1985 it considered the report of the United States Centers for Disease Control's review of suspected adverse reactions to aspartame. Neither of these reviews caused the COT to change its view that aspartame is safe for use in food and drink.

I am informed that some further data from Dr. Wurtman have recently been provided to the Food and Drugs Administration. It is too soon for a full evaluation of these to have taken place. The Department's professional staff has well-established arrangements with counterparts in the United States of America and other countries to ensure exchange of scientific informaton on the safety of food additives. Any relevant new informaton would be reviewed by our expert advisers. This would include reports of any Congressional hearings which consider scientific data relevant to the safety of aspartame.

Invalid Care Allowance

Mr. Wareing asked the Secretary of State for Social Services if he will make a statement on Government policy on invalidity care allowance following the opinion of the Advocate-General of the European Court that married women should be eligible to receive invalid care allowance.

Mr. Newton: The judgment of the European Court on the application of the EC Equal Treatment Directive to invalid care allowance is not expected until June. The Advocate-General gave his opinion to the court on 22 April. This opinion is not binding, but we are of course considering the position carefully in the light of it.

Family Credit

Mr. Gordon Brown asked the Secretary of State for Social Services if he will estimate how much of the cash compensation for free school meals and free welfare milk included in the family credit payment under his proposals in Cmnd. 9691 is lost through reduced housing benefit entitlement for a married couple with one, two and three children and a lone parent with one, two and three children at gross earnings levels of *(a)* £60 per week, *(b)* £70, *(c)* £80, *(d)* £90 and *(e)* £100 and so on until entitlement to family credit is extinguished in each case.

Mr. Newton: I shall let the hon. Member have a reply as soon as possible.

Mr. Gordon Brown asked the Secretary of State for Social Services at what level of gross income entitlement to housing benefit will cease, assuming that family credit is claimed where appropriate under his proposals in Cmnd.

9691 on the same basis as his reply of 24 January to the hon. Member for Dunfermline, East, *Official Report*, column 345-6.

Mr. Newton: I shall let the hon. Member have a reply as soon as possible.

Departmental Staff

Mr. Frank Field asked the Secretary of State for Social Services if he will give a breakdown on the geographical deployment of the additional 5,000 staff which he recently announced.

Mr. Major [*pursuant to his reply*, 21 April 1986, c. *85*]: The increased allocation of local office staff for the 1 April 1987 manpower target announced by my right hon. Friend on 7 March at column *322* will be distributed as follows:

Region	*Number*
North East	559
Midlands	847
London North	858
London South	1,004
Wales/South West	442
North West	661
Scotland	804
Total	5,175

EMPLOYMENT

Fishing Industry

Mr. Austin Mitchell asked the Paymaster General if he will seek to convene a meeting of fishing vessel owners and employees with a view to agreeing on a decasualisation scheme for the fishing industry.

Mr. Trippier: I do not believe it would be helpful to do so. There is no indication that the two sides of the industry are prepared to agree such a scheme.

Mr. Austin Mitchell asked the Paymaster General what is his estimate of the number of trawlermen made redundant in each of the years 1976 to 1984, the average earnings of trawlermen in each of those years, the number of employed trawlermen in each year and the amount paid into the redundancy fund in each of those years on behalf of employed trawlermen.

Mr. Trippier: I regret that the information requested is not available: the various statistics referred to do not distinguish sufficiently between trawlermen and other employees.

Self-employed Persons

Mr. Gordon Brown asked the Paymaster General if he will list for each region the numbers of self-employed, by industrial and occupational category for men and women for the years 1975 to 1985.

Mr. Lang: Information is not available in the exact form requested.

The regular quarterly self employment series is classified according to region and industry division, for June of certain years. The available information is presented in tables 1 and 2. The series is not classified by occupation or cross-classified by region and industry.

The labour force survey provides information on a different basis, but allows an analysis by occupation. The available information, relating to years in which the survey has been carried out since 1981, is given in table 3.

Table 1
Self employed people—regional analysis*

Thousand

Region		*1975*	*1977*	*1979*	*1981*	*1982*	*1983*	*1984*	*1985*
South East	M	522	498	544	568	567	567	647	686
	F	126	116	107	132	148	163	211	216
	T	648	614	651	700	715	730	858	903
East Anglia	M	63	56	64	71	71	72	83	84
	F	15	17	15	16	19	22	26	29
	T	78	73	79	87	90	94	109	113
South West	M	149	128	111	180	170	161	171	190
	F	31	30	35	47	50	52	62	62
	T	180	158	146	227	220	213	233	252
West Midlands	M	135	125	124	136	137	137	151	149
	F	29	32	17	34	37	40	36	37
	T	164	157	141	170	174	177	187	185
East Midlands	M	106	92	99	114	121	127	129	129
	F	27	19	17	30	30	30	38	28
	T	133	111	116	144	151	157	166	157
Yorkshire and Humberside	M	129	126	107	128	129	130	159	163
	F	35	34	27	36	38	39	44	60
	T	164	160	134	164	167	169	203	223
North West	M	157	147	161	166	165	163	183	187

Region		1975	1977	1979	1981	1982	1983	1984	1985
	F	57	57	53	51	66	61	74	81
	T	214	204	214	217	221	224	258	267
North	M	64	72	61	65	64	64	73	80
	F	16	21	16	19	23	27	19	25
	T	80	93	77	84	87	91	92	105
Wales	M	89	103	98	90	92	94	108	110
	F	26	25	26	25	28	32	36	36
	T	115	128	124	115	120	126	144	146
Scotland	M	135	115	128	122	130	137	145	142
	F	23	29	32	27	34	42	40	51
	T	158	144	160	149	164	179	185	192
Great Britain	M	1,549	1,465	1,499	1,640	1,646	1,652	1,850	1,918
	F	384	378	343	417	463	508	586	625
	T	1,933	1,843	1,842	2,057	2,109	2,160	2,435	2,543

*Self employed, with and without employees. Estimates relate to June of each year and are consistent with the quarterly national series published in Employment Gazette.

Notes:

The letters M, F and T stand for Male, Female and Total.

The figures have been rounded independently and therefore totals may differ from the sum of the components.

Table 2

Self employed people—industrial analysis for Great Britain*

Thousand

Division		1975	1977	1979	1981	1982	1983	1984	1985
0-9 All industries and services	M	1,549	1,465	1,499	1,640	1,646	1,652	1,918	
	F	384	378	343	417	463	508	586	625
	T	1,933	1,843	1,842	2,057	2,109	2,160	2,435	2,543
2-4 Manufacturing industries	M	117	122	121	123	123	122	147	158
	F	23	20	19	23	26	28	34	48
	T	140	142	140	146	148	150	181	205
6-9 Service industries	M	858	839	819	914	913	912	1,027	1,081
	F	325	317	282	359	401	443	514	538
	T	1,183	1,155	1,102	1,273	1,314	1,355	1,541	1,619
0 Agriculture, forestry, fishing	M	216	214	218	221	220	218	221	220
	F	32	40	40	28	28	28	28	28
	T	247	254	257	250	248	246	249	249
3 Metal goods, engineering, vehicles	M	36	34	39	42	42	41	47	50
	F	3	3	3	3	4	5	2	3
	T	39	37	42	46	46	46	49	53
1, 2, 4 Other production industries	M	81	88	82	81	81	82	101	109
	F	20	17	16	20	22	23	32	45
	T	101	105	98	101	103	104	133	154
5 Construction	M	359	287	339	382	391	399	454	457
	F	3	4	5	6	8	10	10	12
	T	362	291	343	388	399	409	464	469
6 Distribution, hotels, catering, repairs	M	472	467	452	485	475	464	530	527
	F	208	211	184	214	225	236	266	262
	T	680	678	636	698	700	701	796	790
7 Transport and communication	M	75	76	82	94	90	87	111	98
	F	3	4	5	6	6	5	7	6
	T	78	80	87	99	96	92	118	103
8 Banking, finance, insurance etc	M	141	132	129	153	160	168	171	206
	F	16	16	16	35	41	46	55	53
	T	157	148	145	188	201	214	226	259
9 Other services	M	170	164	156	183	188	193	215	250
	F	98	86	77	105	130	155	186	217
	T	268	249	234	288	317	348	401	467

* Self employed, with and without employees. Estimates relate to June of each year and are consistent with the quarterly national series published in Employment Gazette.

Notes:

The letters M, F and T stand for Male, Female and Total.

The figures have been rounded independently and therefore totals may differ from the sum of the components.

Table 3

Self employed people—occupation analysis: Labour Force Survey data for Great Britain*

Thousand

Occupation order	*1981*			*1983*			*1984*			*1985*		
	Males	*Females*	*All persons*	*Males*	*Females*	*All persons*	*Males*	*Females*	*All persons*	*Males*	*Females*	*All persons*
I Professional and related supporting management and administration	94	17	111	95	12	107	122	19	141	156	31	187
II Professional and related in education, welfare and health	75	45	120	81	56	137	86	62	148	92	67	159
III Literary, artistic, sports	44	23	67	54	27	81	64	36	101	72	34	106
IV Professional and related in science, engineering, technology etc	63	4	67	65	5	69	70	5	75	75	2	77
V Managerial	581	229	811	547	252	799	581	277	858	553	291	843
VI Clerical and related	9	43	52	12	63	75	14	65	79	10	59	69
VII Selling	89	26	115	80	37	116	95	48	143	105	52	156
VIII Security and protective service	1	—	1	2	†	2	1	†	2	—	—	—
IX Catering, cleaning, hairdressing and other personal service	36	23	59	29	54	83	41	72	113	49	90	139
X Farming, fishing and related	43	9	52	38	9	47	53	12	65	52	11	62
XI Processing, making, repairing and related (excluding metal and electrical)	130	20	150	130	21	151	162	31	193	172	32	204
XII Processing, making, repairing and related (metal and electrical)	175	2	178	194	3	197	221	1	221	224	2	226
XIII Painting, repetitive assembling, product inspecting, packaging	69	2	72	79	6	85	87	4	91	92	5	97
XIV Construction, mining and related nic	217	2	219	245	1	246	260	1	261	261	1	262
XV Transport operating, materials moving and storage	96	4	99	97	4	101	112	6	118	104	3	107
XVI Miscellaneous	2	†	2	3	—	3	6	—	6	6	2	8
All occupations‡	1,726	451	2,177	1,753	551	2,304	1,980	639	2,619	2,023	683	2,706

* Labour Force Survey estimates (relating to the spring of each year). These are on a different basis from the estimates in Tables 1 and 2.

† Less than 500.

‡ Includes inadequately described occupations and occupations not stated.

Written Answers to Questions

Monday 28 April 1986

PRIME MINISTER

Wars and Military Conflicts

Mr. Mason asked the Prime Minister (1) if she will update the list of wars and military conflicts and the estimate of the numbers who have lost their lives as a result of such conflicts, which she undertook to place in the Library in 1982, *Official Report*, 28 June 1982, column *219*;

(2) what information she has as to how many military conflicts have taken place in the world since 1956 involving specifically the Union of Soviet Socialist Republics, the Warsaw pact, the United States of America, the United Kingdom and the North Atlantic Treaty Organisation, stating the estimated loss of life in each conflict.

The Prime Minister: In my answer of 28 June 1982 to the right hon. Member I drew on information provided as a result of academic research and official estimates. I regret that updated material is not readily available in the forms requested and could now only be provided at disproportionate cost.

Unemployment (Government Measures)

Mr. Ralph Howell asked the Prime Minister if she will list all Government measures passed, since taking office in 1979, to help the unemployed and to alleviate unemployment; and if she will also evaluate the overall cost of these measures.

The Prime Minister: Since 1979 we have introduced a range of measures to help the unemployed, and to provide training for both employed and unemployed people. We have also modified and improved a number of measures which were in place when we came to office. The measures are: community programme; enterprise allowance scheme; job release scheme; job clubs; job search scheme; job splitting scheme; jobstart allowance; restart programme; new workers scheme; part time job release scheme; young workers scheme; Community Industry; voluntary projects programme; YTS; job training scheme; training for enterprise; wider opportunities training programme; training grants for employers; Open Tech programme; access to information technology; career development loans.

Expenditure on our employment and training measures in cash terms from 1979 to the end of this financial year will be in the region of £13 billion. Our current range of employment, enterprise and training measures is described in the recently published booklet "Action for Jobs".

United States Bases

Mr. Best asked the Prime Minister if she will seek to negotiate a new formal agreement between the United Kingdom and the United States of America as to the circumstances in which United Kingdom military facilities may be used by the United States; and if she will make a statement.

The Prime Minister: No. The Government are satisfied with the existing understandings which, as recent events have demonstrated, work well.

Sefton Asbestos Fibre Experts

Mr. Alan Roberts asked the Prime Minister if she will answer the letter she has received from Sefton Asbestos Fibre Experts concerning the advice she gave it to contact a small firms centre; and if she will make a statement about the functioning of the small firms centres.

The Prime Minister: My hon. Friend the Parliamentary Under-Secretary of State for Employment is writing to the hon. Member.

Libya

Mr. Tony Banks asked the Prime Minister whether, in discussions with representatives of the United States Government prior to the recent attack upon Libya, it was made clear that one of the main objectives was the elimination of Colonel Gaddafi and his headquarters.

The Prime Minister: I refer the hon. Gentleman to the reply I gave to him on 24 April at column 421.

Mr. Campbell-Savours asked the Prime Minister at what precise time on what date she gave her formal agreement to President Reagan for the use of air bases in the United Kingdom for the attack on Libya; whether she at any time prior to giving her formal agreement indicated her provisional approval; and if she will make a statement.

The Prime Minister: I have nothing further to add to my statement in the House on 15 April and my speech in the debate on 16 April.

Public Bodies (Appointments)

Ms. Harman asked the Prime Minister what proportion of those who are appointed by Her Majesty's Government to public bodies are from ethnic minorities.

The Prime Minister: I regret that this information is not available and could only be collected at disproportionate cost. Ministers appoint people from all sections of the community to public bodies on the basis of their ability to contribute to the work of those bodies. Departments do not keep records of the ethnic origins of those appointed to public bodies.

DUCHY OF LANCASTER

Justices of the Peace

20. **Mr. Alton** asked the Chancellor of the Duchy of Lancaster what are the criteria he uses for appointment to the post of justice of the peace within the Duchy of Lancaster.

Mr. Tebbit: Acting on the advice of my advisory committees, I seek to appoint as magistrates those who are personally suitable in character, integrity and sensitivity and who are generally recognised as such by those among whom they live and work. They should be capable of

comprehending and adopting a balanced approach to evidence and argument. Subject to these considerations, I also aim to appoint magistrates such that the bench as a whole broadly reflects the make-up of the local community.

ENERGY

Coal Stocks

Mr. Mason asked the Secretary of State for Energy if he will give the figures of coal stocks for each of the last five years up to the most recent date, specifying the stock levels in each area of the National Coal Board.

Mr. David Hunt: The national figures for undistributed coal stocks over the last five years are:

	million tonnes
1980-81	20·9
1981-82	24·9
1982-83	25·0
1983-84	21·0
1984-85	19·0

More detailed figures are a matter for the National Coal Board.

Mr. Mason asked the Secretary of State for Energy what assessment he has made of the implications of the current level of production of North sea gas, the fall in oil prices and the availability of cheap foreign coal for *(a)* the ability of the National Coal Board to meet its target for financial break-even and *(b)* for the board's investment programme; and if he will make a statement.

Mr. David Hunt: It is still too early to judge the likely extent and duration of the recent sharp deline in oil prices which together with imported coal and other fuels have increased the competitive pressure on the National Coal Board. It is therefore too soon to assess the implications for the NCB's target of break-even next year and for the Board's longer tem investment programme.

Opencast Coal

Mr. Mason asked the Secretary of State for Energy what are the annual production figures for each of the last five years of opencast coal mining; whether he will now take steps to curtail the output of opencast coal; and if he will make a statement.

Mr. David Hunt: Annual production figures for opencast coal mining over the past five years have been:

	million tonnes
1980-81	15·3
1981-82	14·3
1982-83	14·7
1983-84	13·8
1984-85	13·6

The output for 1985-86 is 14·1 m.t. (provisional only).

The level of future opencast coal production is for the NCB to determine in the light of market requirements and the acceptability of individual projects as determined by the planning system.

OVERSEAS DEVELOPMENT

Family Planning

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs how many requests have been received from African Governments for assistance to national family planning projects since August 1984; what are the countries concerned; and how many such requests have been granted.

Mr. Eggar: We have received and approved requests from the Governments of Malawi, Nigeria and Zimbabwe (two specific requests).

Development Council

Mr. Watts asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the European Community Development Council on 17 April.

Mr. Eggar: My right hon. Friend the Minister for Overseas Development represented the United Kingdom. Discussion at the Council centred on the immediate and longer-term prospects for Africa. The Commission reported on the rehabilitation plan for countries affected by famine in 1985 which had been approved by the Council last November; and was commended for the speed with which the programme was being carried out and the high degree of consultation with member states. The Council welcomed a Commission initiative for a co-ordinated and systematic approach to the problems of environmental degradation in Africa, and invited the Commission to consider with member states how it should be put into effect; and discussed the European Community's approach to the forthcoming Special Session of the United Nations General Assembly on Africa.

The Council considered the need for reforms in the Community's food aid programme to make it more responsive to emergencies and to increase its effectiveness as an instrument of development. The Commission was asked to bring forward proposals for changes to the relevant Community regulations as soon as possible.

The Council reviewed briefly recent progress in applying food strategies in four African countries; in programming the resources available under the third Lomé convention; in promoting the trade of aid recipient countries; and in giving effect to its previous conclusions on the role of women in development.

ATTORNEY-GENERAL

Juries (Northern Ireland)

Mr. Mallon asked the Attorney-General (1) what proposals the Lord Chancellor's office has prepared to abolish the use of civil juries in personal injuries cases in the High Court of Northern Ireland; and when he intends to publish them;

(2) if the Lord Chancellor's office has had any consultations with the Executive Council of the Bar in Northern Ireland in relation to the continued use of civil juries in personal injury cases in Northern Ireland;

(3) if the Lord Chancellor's office has had any consultations with the Law Society for Northern Ireland in relation to the continued use of civil juries in personal injury cases in Northern Ireland;

(4) if the Lord Chancellor's office has had any consultations with the Northern Committee of the Irish Congress of Trade Unions in relation to the continued use of civil juries in personal injury cases in Northern Ireland;

(5) if the Lord Chancellor's office has had any consultations with the Confederation of British Industry in Northern Ireland in relation to the continued use of civil juries in personal injury cases in Northern Ireland;

(6)if the Lord Chancellor's office has had any consultations with insurance companies in relation to the continued use of civil juries in personal injury cases in Northern Ireland;

(7) if the Lord Chancellor's office has had any consultations with the Institute of Directors in Northern Ireland in relation to the continued use of civil juries in personal injury cases in Northern Ireland.

The Attorney-General: Detailed representations have been received from all of the organisations mentioned in these questions except the Institute of Directors, but no proposals have yet been drawn up and it is too early to say if and when publication will take place.

Legal Aid

Mr. Frank Field asked the Attorney-General what estimate he has made of the proportion of the adult population which now qualifies for civil legal aid.

The Attorney-General: It is estimated that approximately 70 per cent. of households fall within the qualifying limits for civil legal aid.

Mr. Brian Gentleman

Mr. Michael McNair-Wilson asked the Attorney-General whether any action is being or has been taken against Mr. Brian Gentleman following disclosures of his contact with the Czech military attaché and the suggestion that he passed to him classified information.

The Attorney-General: I understand that the matters to which the hon. Member refers are the subject of an investigation by the Metropolitan police who will submit a report to the Director of Public Prosecutions when their enquiries have been completed.

SOCIAL SERVICES

Actifed

Mr. Ralph Howell asked the Secretary of State for Social Services if he will compare the cost of 100 actifed tablets with the cost of the alternative prescription of 100 actidil tablets and 100 sudafed tablets; if he will state the net cost to the Government, after taking into account the two prescription charges paid; and what was the net cost of supplying actifed in the 12 months leading up to the introduction of the limited list.

Mr. Hayhoe: The current manufacturers' prices are as follows:

	£
100 Actifed tablets	4·86
100 Actidil tablets	4·70
100 Sudafed tablets	4·40

Where the patient is not exempt from prescription charges, the cost to the National Health Service of any item prescribed, exclusive of the dispensing and administrative costs, is offset by £2·20 from 1 April 1986. In the year 1984-85 the cost of actifed tablets to the NHS, net of income from prescription charges, was £373,600.

Unemployment Benefit

Mr. Kirkwood asked the Secretary of State for Social Services what study he has made of the rule imposing an abatement of unemployment benefit suffered by men between the ages of 60 and 65 years who are made redundant during that time but have small levels of income from occupational pensions; and what would be the cost to the Exchequer of abolishing the rule.

Mr. Newton: The abatement provision applies to occupational pensioners aged 60 or over who have their unemployment benefit reduced by 10p for each 10p of their occupational pension in excess of £35 a week, whether they have been made redundant or taken early retirement and whether these events took place before or after the claimant reached age 60. The Department has not carried out any specific studies into the effect of this rule.

It is estimated that the cost of abolishing the rule would be around £41 million in the first full year, although this would reduce to about £28 million in a year. The higher cost in the first year is because there are many occupational pensioners who have not claimed unemployment benefit from April 1981 onwards, because it would have been extinguished, but who could claim and get up to a year's benefit if abatement ceased to apply.

In Vitro Fertilisation and Embryology

Mr. Thurnham asked the Secretary of State for Social Services if his Department has received a report of the work of the Voluntary Licensing Authority for Human In Vitro Fertilisation and Embryology; and if he will make a statement.

Mr. Hayhoe: My Department has noted with interest the first annual report of this body, which has been set up by the Medical Research Council and the Royal College of Obstetricians and Gynaecologists.

Keeble Report

Mr. Alfred Morris asked the Secretary of State for Social Services what consideration his Department has given to Mrs. Ursula Keeble's report entitled "Provision of Aids and Adaptations for Hospital Patients Discharged into their Own Home", a copy of which has been sent to him; if there is any action he will be taking arising from the report; and if he will make a statement.

Mr. Newton: The report bears on complex issues which are currently under consideration within the Department.

Judicial Reviews

Sir Geoffrey Finsberg asked the Secretary of State for Social Services if he will give the number of judicial reviews in which his Department has been involved since 1 March 1974; and on how many occasions the court of final recourse has found against him.

Mr. Major: I shall let my hon. Friend have a reply as soon as possible.

Amputees (Chiropody Services)

Mr. Carter-Jones asked the Secretary of State for Social Services if he will make a statement on his policy towards the provision of National Health Service and other chiropody services for amputees; and if he will specify how his policy applies to each different category of amputee.

Mr. Newton: Handicapped people, including amputees of whatever category, are recognised as one of the priority groups for receiving National Health Service chiropody treatment.

For war pensioners, when NHS chiropody services cannot be provided, the Department meets the cost of private treatment for any foot condition that results from the disablement for which the war pension is being paid. Under these arrangements, leg amputees can receive private treatment for their remaining foot because of the abnormal stress and strain to which it is subjected. Arm amputations do not of themselves entitle war pensioners to private chiropody but this policy is being reviewed.

Pest Advisory Service

Mr. Ashley asked the Secretary of State for Social Services what is the current annual cost of his Department's pest advisory service; how many people are working within it; what are their professional qualifications; and if he will give its role and responsibilities.

Mr. Hayhoe: The remit of the Department's pest control advisory service is outlined in Health Notice HN(76)186. This service is provided, in the main, by two officers — one a fellow of the Institution of Medical Laboratory Technology and the other a qualified environmental health officer—as part of their duties in the Hotel and Dietetics Services Branch. It is not possible to separately identify the cost of the pest control advisory service.

Mr. Ashley asked the Secretary of State for Social Services how many people have taken part in the training courses run by his Department's pest control advisory service; and how many people per National Health Service hospital this represents.

Mr. Hayhoe: Since 1979, 384 officers from 155 health authorities in England have attended these training courses. With possible changes in the circumstances of these officers and in the number of hospitals, it is not possible to draw a meaningful ratio of trained staff per hospital.

NHS (Pest Control)

Mr. Ashley asked the Secretary of State for Social Services if he will take steps to provide central monitoring of the level of pest infestation and the expenditure on methods to prevent it within the National Health Service; and if he will make a statement.

Mr. Hayhoe: There are no plans to provide central monitoring of pest infestation within the National Health Service. It is the responsibility of health authorities to establish effective procedures for monitoring their premises calling upon professional advice as necessary.

Mr. Ashley asked the Secretary of State for Social Services (1) what figures are available on the level of expenditure on pest control in the National Health Service;

(2) on how many occasions his Department has been told that an operating theatre has had to be closed because of pest infection.

Mr. Hayhoe: I regret that this information is not collected centrally.

Mr. Ashley asked the Secretary of State for Social Services if he will instruct all general managers to identify a person in their authority to take responsibility for pest control and to take steps to ensure that the appointed person takes the training course run by his Department's pest advisory control service.

Mr. Hayhoe: These matters are being considered in the context of the revised guidance on food hygiene and pest control in the National Health Service, which is at present in preparation.

Mr. Ashley asked the Secretary of State for Social Services what evidence he has regarding the incidence of severe pest infestation in hospitals; and what was the source of the evidence.

Mr. Hayhoe: The latest information available on the incidence of Pharaoh's ants in National Health Service Hospitals in England indicated that 11·6 per cent. of hospitals surveyed were infested. These figures are taken from: Edwards J. P. and Baker L. F., 1981, "Distribution and importance of the Pharaoh's ant Monomorium pharonis (L) in National Health Service Hospitals in England", Journal of Hospital Infection 2, 249-254. There is no information on the prevalence of other pest species in National Health Service hospitals, but I am aware of the concern expressed by the British Pest Control Association in its publication "Hospitals Can Damage Your Health" published last year.

Mr. Ashley asked the Secretary of State for Social Services (1) how many surveys of pest infestation in hospitals have been carried out by his Department's pest advisory service either alone or in conjunction with other agencies; what was the nature of the surveys; what were the findings and the recommendations; and if he will place the surveys in the Library;

(2) how many hospitals have been visited in the last year by members of his Department's pest control advisory service; if the advisory service makes unsolicited visits; and if he will make a statement.

Mr. Hayhoe: Since 1976, the Department's pest control advisers have carried out 73 surveys at the request of individual health authorities, including 20 visits in the past year. The findings and recommendations relate to the needs of individual hospitals and I do not therefore consider it appropriate to place them in the Library. Unsolicited visits are not made.

Waiting Times

Mr. David Young asked the Secretary of State for Social Services if he will list for each area authority in the country the waiting time for admission for each medical and surgical specialty since 1979.

Mr. Whitney: I am sorry I cannot give the hon. Member the information he seeks. The numbers in the central data sample are too small for reliable estimates to be made below regional level.

Industrial Disease (Compensation)

Mr. Ashley asked the Secretary of State for Social Services (1) how many people have been awarded payments for industrial disease in the National Health Service in each of the last five years; what is the incidence per thousand workers; and how this compares with the incidence in non Crown premises;

(2) how many industrial accidents have occurred in National Health Service hospitals in each of the last five years; what is the rate per thousand workers; and how this compares with the rate in non Crown premises.

Mr. Hayhoe: I regret this information is not available centrally and could be obtained only at disproportionate cost.

Community Psychiatric Nurses

Dr. Godman asked the Secretary of State for Social Services, pursuant to his answer, *Official Report*, column *28*, 21 April, how many community psychiatric nurses are employed in England and Wales; how this figure compares with the figures for each of the past seven years; and if he will make a statement.

Mr. Hayhoe: I regret that I cannot give the hon. Member the information he seeks for the earlier years: prior to 1981 the occupation coding systems did not enable these staff to be identified. Figures for 30 September 1984 are the latest centrally available to this level of detail. Corresponding figures for Wales are also shown in the table:

Community psychiatric nursing staff

At 30 September	*Whole-time equivalents** *England*	*Wales*
1981	1,080	80
1982	1,240	80
1983	1,430	140
1984	1,880	140

Sources: DHSS Annual Census of Non-Medical Manpower; Welsh Office

*All figures rounded to nearest 10.

As regards the future, information so far available from regions' strategic plans suggests the number will more than double by 1994.

Spectacles

Mr. Kirkwood asked the Secretary of State for Social Services if he has any plans to privatise the supply of spectacles by National Health Service hospitals; and if he will make a statement.

Mr. Hayhoe: At present hospital eye service (HES) patients may choose to buy the spectacles they need on the private market, or to have National Health Service glasses and pay the statutory charges. Interested bodies are being consulted about proposed arrangements for these patients when the current range of NHS frames and lenses ceases to be available on 1 July. It is proposed that, in general, these patients will be able to obtain their spectacles either at the hospital at the full economic cost or on the private market. Vouchers to provide them with basic spectacles to meet their clinical needs will be available to those who at present benefit from arrangements for exemption or remission of NHS charges. Patients requiring particularly expensive complex lenses will continue to be able to receive them through the HES for payment of a NHS charge.

Mr. Kirkwood asked the Secretary of State for Social Services if he has any plans to remove the current entitlement to free National Health Service spectacles for children and low income groups; and if he will make a statement.

Mr. Hayhoe: When the voucher scheme is introduced on 1 July all children and others at present entitled to free supply of National Health Service spectacles will instead receive a voucher.

The range of vouchers will be set at levels intended to allow basic spectacles suitable to a patient's clinical need to be purchased from the much wider choice available on the private market.

Volunteer Programme

Mr. Rowe asked the Secretary of State for Social Services how many young people are currently on the volunteer programme; what proportion of the supplementary benefit rate for a single young person the allowance paid to the volunteers represents; and how much the allowance is.

Mr. Whitney: I regret that statistics of the age of volunteers participating in the opportunities for volunteering scheme are not available. It is a condition of the scheme that any out-of-pocket expenses and allowances paid by local voluntary projects to volunteers must be such that they do not affect entitlement to social security benefits. The supplementary benefit disregard is £4 a week.

Mr. Rowe asked the Secretary of State for Social Services (1) what criteria have to be satisfied before an organisation is eligible to administer a scheme under the volunteer programme; and how many such organisations are running programmes;

(2) how many representations he has received about the present limits of the volunteer programme; and if he has any plans to extend the scope of it.

Mr. Whitney: Grants under the opportunities for volunteering scheme may be made by 16 national voluntary organisations — 15 "specialist" organisations and a consortium led by the Volunteer Centre and the National Council for Voluntary Organisations — which act as agents for an agreed range of local voluntary projects enabling unemployed people to participate in voluntary work in the health and personal social services. About 700 such projects are current at any time.

The scheme was relaunched with some changes at the beginning of April following a review in which those concerned were consulted. The changes have been generally welcomed and we have no plans to consider further changes before some experience of the new arrangements has been gained.

I have placed a copy of the Notes for Applicants for Grants 1986-87, which outlines the scheme, in the Library.

AIDS

Mr. Terry Davis asked the Secretary of State for Social Services how many cases of acquired immune

deficiency syndrome have been reported *(a)* in Birmingham and *(b)* in the rest of the west midlands region from January 1980 to the most recent date for which this information is available.

Mr. Hayhoe: Up to the end of March 1986, 328 cases of acquired immune deficiency syndrome had been reported to the Communicable Disease Surveillance Centre. These may be broken down into geographical areas as follows:

	Number
Thames Regions	264
Wessex and S. Western	21
Other Regions: Midlands and the North	29
Wales	6
Scotland	6
N. Ireland	2

It is not possible to provide a more detailed breakdown of the location of these cases without endangering patient confidentiality.

Supplementary Benefit

Mr. Frank Field asked the Secretary of State for Social Services how many extra young people aged *(a)* 16 years, *(b)* 17 years and *(c)* 18 years he estimates were eligible for supplementary benefit in 1985 and are eligible in 1986 following the decision of the Tribunal of Commissioners R(F) 2/85.

Mr. Major: A total of approximately 52,000 young people left school at Easter 1985 but the number who had exams to take and who might have been eligible to claim supplementary benefit following Commissioners' decision R(F) 2/85 is unknown. However, 24,859 young people successfully claimed benefit and 8,164 of these still had exams to take. No breakdown by age is available. There are no figures yet available for 1986.

Community Nurses

Mr. Alton asked the Secretary of State for Social Services whether he will make a statement on the incidence of violent attacks on community nurses.

Mr. Hayhoe: I regret that data are not held centrally about the incidence of violent attacks on National Health Service staff in hospitals or in the community. The Government are concerned about the increase of violence towards NHS staff and a working party of the Health Services Advisory Committee is currently looking at this issue. They are conducting a survey in a sample of health districts and a full report is expected in the summer. Regional health authorities have, meanwhile, been asked to review the problem and the measures they are taking to combat it.

Much is already being done to improve staff safety and security. In addition to the existing health authorities' safety codes which are being continually reviewed, all health authorities were asked to develop security strategies and all have done so. A security manual published by the National Association of Health Authorities which provides detailed advice on all aspects of security was commended to health authorities in 1984.

"Diet, Nutrition and Health"

Mr. Coombs asked the Secretary of State for Social Services if he plans any changes in policy in the light of the report "Diet, Nutrition and Health" produced by the Board of Science and Education of the British Medical Association, a copy of which has been sent to him; and if he will make a statement.

Mr. Whitney: I refer my hon. Friend to my reply to my hon. Friend the Member for Brentwood and Ongar (Mr. McCrindle) on 25 March at columns *458-9*.

Students (Benefits)

Mrs. Beckett asked the Secretary of State for Social Services when he received the report of the Social Security Advisory Committee in connection with his proposals for changes to students' benefit entitlement; whether he intends to proceed with his proposals; and if he will make a statement.

Mr. Newton [*pursuant to his reply*, 24 April 1986, c. *244*]: The report was reviewed towards the end of last month. We are considering the committee's views, along with those of the local authority associations, and will make an announcement in due course.

EDUCATION AND SCIENCE

Higher Education

Mr. Fatchett asked the Secretary of State for Education and Science what discussions he has had in the last month with the National Advisory Body and the University Grants Committee about the future of higher education.

Mr. Walden: Since the beginning of January my right hon. Friend has written one letter to NAB and has attended one meeting of the NAB committee. He has also written jointly to the chairmen of the UGC, the NAB board and the Welsh Advisory Board, about student numbers in 1987-88. He has had no other correspondence or meetings with the UGC.

School Buildings

Mr. Ron Davies asked the Secretary of State for Education and Science what recent representations he has received about the state of buildings in schools.

Mr. Dunn: The state of school buildings was discussed at the February meeting of NEDC which my right hon. Friend attended. Representations on the subject have also been made to my right hon. Friend and me by hon. Members and others.

Nursery Education

Mrs. Clwyd asked the Secretary of State for Education and Science what representations he has received on the availability of nursery education.

Mr. Dunn: None.

School Financing

Mr. Robert B. Jones asked the Secretary of State for Education and Science if he has any plans to extend the discretion of heads and governing bodies of schools with regard to financing.

Mr. Dunn: As part of its provisions for improving the management of schools, the Education Bill currently before Parliament will give governing bodies and head teachers significant powers in respect of finance.

In-vitro Fertilisation and Embryology

Mr. Thurnham asked the Secretary of State for Education and Science how much was provided from public funds for the Voluntary Licencing Authority for Human In-Vitro Fertilisation and Embryology during 1985-86; and what are the estimated funds for 1986-87.

Mr. Walden: I cannot at present give a precise answer. The Voluntary Licensing Authority for Human In-Vitro Fertilisation and Embryology was set up jointly by the Medical Research Council (MRC) and the Royal College of Obstetricians and Gynaecologists (RCOG). I understand from the MRC that the total cost of the authority in 1985-86 was £82,000; and that the total cost for 1986-87 is estimated to be £79,000. The RCOG has agreed to pay a share of these costs, as yet undetermined.

Free School Meals

Mr. Pendry asked the Secretary of State for Education and Science what information he has as to how many local education authorities in England are using their powers under the Education Act 1980 to restrict free school meals to those children whose parents receive supplementary benefit or family income supplement.

Mr. Dunn: In October 1985, there were 30 authorities restricting the provision of free school meals to those pupils whose parents were in receipt of supplementary benefit or family income supplement.

Judicial Reviews

Sir Geoffrey Finsberg asked the Secretary of State for Education and Science if he will give the number of judicial reviews in which his Department has been involved since 1 March 1974; and on how many occasions the court of final recourse has found against him.

Sir Keith Joseph: Particulars are only readily available for the period since 1 January 1982. Since that date I have been involved in 33 applications for judicial review. In 11 of these the court has granted relief to the applicants, and in three I have submitted to judgment. The total of 33 includes five cases in which the court has granted leave, but the substantive hearing has not yet taken place. Particulars for the period from 1 March 1974 to 31 December 1981 could be provided only at disproportionate cost.

Natural History Museum

Mr. Nicholas Winterton asked the Secretary of State for Education and Science what is the current level of funding for the Natural history museum.

Mr. Walden: In the financial year 1986-87, the provision made in Supply Estimates for the British Museum (Natural History) is £17·2 million. This sum includes estimated expenditure on its behalf of £5·4 million by the Property Services Agency.

Plant Breeding Institute

Mr. Maclennan asked the Secretary of State for Education and Science if, pursuant to the answer to the hon. Member for Caithness and Sutherland, *Official Report*, 17 April, column *437*, he will specify the advantages which he anticipates will result from the bringing together of the breeding and marketing of Plant Breeding Institute varieties; and what precise contributions to the future single organisation is envisaged from research funded by his Department.

Mr. Walden: On the first part of the question, one major advantage will be that receipts from sales will be available directly to finance further breeding work. On the second part, I cannot yet say. This will depend on the form of the privatisation, if it proceeds.

School Curriculum

Mr. Radice asked the Secretary of State for Education and Science, pursuant to his reply of 25 March, *Official Report*, column *400*, when he expects to publish the draft series of statement of broadly agreed objectives for different subjects taught in schools.

Sir Keith Joseph: My reply of 25 March to the hon. Member—column *400*—made clear that we intend to issue in the near future a draft of the next statement in this series, the first of which "Science 5-16" was published in March 1985. Further statements will follow in due course, and after appropriate consultations.

Capital Expenditure Allocations

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science if he will list in the *Official Report*, for each local education authority, his Department's education capital expenditure allocation at outturn and at constant prices in each year from 1981-82 to 1986-87; and what were the original bids received by his Department for each year.

Mr. Dunn: I will reply to the hon. Member as soon as possible.

Police (Co-operation)

Mr. Greenway asked the Secretary of State for Education and Science if any guidance is to be given to local education authorities and schools about closer co-operation with the police; and if he will make a statement.

Mr. Chris Patten: The police have a valuable contribution to make in our schools on road safety, crime prevention, law and order and in explaining their role. Most schools welcome the police but some do not and I greatly deprecate this. It means that their pupils are deprived of the help and advice which the police can offer them and a valuable opportunity is being lost for developing a better understanding between young people and the police.

A discussion document on effective co-operation between the schools and police has been prepared jointly by the Association of Chief Police Officers and the Society of Education Officers. My right hon. Friend the Secretary of State for the Home Department and I welcome this initiative. Copies are being sent today to all local education authorities in England for distribution to

individual schools and separate arrangements are being made for Welsh schools. Copies are also being sent to independent schools. My right hon. Friend the Secretary of State for the Home Department is arranging for distribution to all police forces in England and Wales.

I am arranging for a copy to be placed in the Library.

WALES

Pit Closures

3. **Mr. Ray Powell** asked the Secretary of State for Wales how many pits have been closed in Wales since March 1985; how many jobs have been lost as a consequence and how many alternative jobs have been provided within the communities affected; and if he will make a statement detailing the Government's plans to secure alternative employment for redundant miners.

Mr. Wyn Roberts: Since March 1985, nine pits in Wales have been closed. The overall South Wales coalfield manpower has fallen by 6,094 as a result of these closures and other rationalisations. In the two counties principally affected, Mid Glamorgan and Gwent, 321 projects promising 8,553 jobs have accepted offers of regional assistance or been allocated Government factories during 1985-86.

GCSE Education

5. **Mr. Alex Carlile** asked the Secretary of State for Wales if he will make a statement on the progress towards the implementation of the GCSE examination in comprehensive schools in Wales.

Mr. Wyn Roberts: Preparation for the introduction of the GCSE is well on course in Wales. We have made significant resources available for the special programme of teacher training, and have offered local education authorities funds to supplement the secondary school capitation allowance during the first two years of the new examination courses.

NHS (Hospital Beds)

12. **Mr. Ron Davies** asked the Secretary of State for Wales what is the latest figure for the number of hospital beds available in National Health Service hospitals in Mid-Glamorgan and Wales, respectively.

Mr. Mark Robinson: In the year ending December 1984, the latest date for which there are figures the average number of daily available beds in Mid Glamorgan was 4,750. The corresponding figure for Wales was 22,310. The figures for 1985 will be available in a few weeks.

Welsh Water Authority

13. **Mr. Livsey** asked the Secretary of State for Wales whether he has received any representations regarding the privatisation of the Welsh water authority; and if he will make a statement.

Mr. Mark Robinson: I have received 15 letters following the publication of the Government's proposals for the privatisation of water authorities in England and Wales.

Education Grants

14. **Mr. D. E. Thomas** asked the Secretary of State for Wales how many grants for specifically educational purposes were made by his Department during the last year for which figures are available.

Mr. Wyn Roberts: Three hundred and thirty two such grants were made in the financial year 1985-86.

Waiting Lists

15. **Mrs. Clwyd** asked the Secretary of State for Wales what new plans he has to deal with patient waiting lists in Mid-Glamorgan and other areas of Wales.

Mr. Mark Robinson: The management of waiting lists rests with health authorities. I have called in expert consultants and established a Welsh Office catalyst team to cooperate with health authorities in targeting the main problems and following through measures to reduce waiting times. A workshop to identify problem areas was held on 9 April and another to review progress will be held in the autumn. Authorities, including Mid Glamorgan, have taken steps to attack the lists giving most concern.

Employment Statistics

17. **Mr. Barry Jones** asked the Secretary of State for Wales how many people are unemployed in Wales, and in Clwyd, including school leavers; and what percentage increase there has been since May 1979.

Mr. Wyn Roberts: The unadjusted March 1986 unemployment figures for Wales and Clwyd are 184,247 and 24,847 respectively. Unadjusted figures for 1979 were produced on a different basis and cannot properly be compared.

New Quay and Aberystwyth

19. **Mr. Geraint Howells** asked the Secretary of State for Wales if he has any plans to expand and develop the ports at New Quay and Aberystwyth; and if he will make a statement.

Mr. Mark Robinson: Substantial support has already been given to harbour development at Aberystwyth, and I am prepared to consider any further proposals Ceredigion district council, as local harbour authority, may put to me for development either at Aberystwyth or at New Quay.

Health Services (Report)

Mr. Gwilym Jones asked the Secretary of State for Wales if he will make a statement on the connection between the return rate after surgery and waiting lists in Wales as disclosed in the report of Mr. John Yates of the health services management centre, Birmingham University.

Mr. Mark Robinson: The number of repeat appointments patients are given for out-patient clinics is one of the factors that will be examined in the coming months by Welsh health authorities and the Welsh Office team which has been established to concert action to reduce waiting lists and waiting times.

Health Care (Waiting Lists)

Mr. Gwilym Jones asked the Secretary of State for Wales if he will make a statement on the recent meeting with representatives of all health authorities in Wales regarding waiting lists.

Mr. Mark Robinson: On 9 April a workshop was held by the Department assisted by management consultants. It concluded that during the next six months health authorities should develop and implement action plans for the reduction of waiting lists and these should include the setting of measurable targets, the mechanism for involving the medical profession more closely, and improving information systems on waiting lists and the needs of patients on them. A Welsh Office team will assist authorities and monitor progress. A further workshop is being arranged for the autumn to review progress and any problems encountered.

NHS Managers (Objectives)

Mr. Gwilym Jones asked the Secretary of State for Wales what objectives are set for managers in the National Health Service in Wales; what monitoring is undertaken to ascertain if those objectives are attained; and what action is taken in the event of objectives not being attained.

Mr. Mark Robinson: The objectives of NHS general management in Wales are set out in the Department's circular WHC(84)15 which is available in the Library. It is for each individual health authority to determine specific objectives for unit and district general managers. The Department also monitors authorities' performance through a formal annual review process and by regular meetings with health authority chairmen and general managers. Action in cases where objectives are not attained would naturally vary in the circumstances of the case. General manager appointments have been made for a fixed term initially of three to five years, but with the option for either party to terminate the contract at the end of either the first or second year subject to six months' notice.

Cancer Treatment Facilities

Mr. Best asked the Secretary of State for Wales if he has yet received the two reports into the adequacy of cancer facilities in north Wales and throughout Wales referred to in his letter to the hon. Member for Ynys Môn of 5 November 1985; and when he expects to be able to make a statement.

Mr. Mark Robinson: The reports of the departmental working party on regional services to north Wales and of the Welsh Medical Committee Advisory Group on Cancer Services have now been received. These are presently being studied and a consultation paper is being prepared.

Schools (Equipment)

Sir Raymond Gower asked the Secretary of State for Wales how many complaints he has received concerning shortages of books and equipment in Welsh schools; and if he will make a statement.

Mr. Wyn Roberts: Over the last six months the Department has received 118 letters in which such complaints have been made. I regret that there should be grounds for such complaints in an area where expenditure levels reflect the education authorities' assessments of priorities.

Schools Inspectors

Mr. Gareth Wardell asked the Secretary of State for Wales if he will make arrangements for the secondment to full-time teaching in schools of Her Majesty's Inspectors of Schools in Wales.

Mr. Wyn Roberts: My right hon. Friend has no plans at present to do so.

Mr. Gareth Wardell asked the Secretary of State for Wales if he will publish in the *Official Report* the names of each of Her Majesty's Inspectors of Schools in Wales, together with the date of their appointment.

Mr. Wyn Roberts: The information requested is given in the following table:

Names	*Date of appointment to present grade*
Chief Inspector	
I. R. Lloyd	9 August 1982
Staff Inspectors	
P. C. Webb	5 November 1970
R. Thomas	1 January 1975
M. J. F. Wynn	1 January 1977
P. Thomas	1 October 1982
R. L. James	1 September 1984
S. J. Adams	1 January 1985
Dr. T. A. Parry	1 February 1986
Inspectors	
G. Warren	5 November 1970
N. B. Evans	1 September 1971
G. D. Jones	1 February 1971
M. W. Stone	1 February 1971
O. E. Jones	1 April 1971
Miss D. Selleck	1 September 1972
W. R. Jenkins	1 January 1973
T. G. Prosser	1 September 1973
A. Higgins	1 September 1974
H. W. Davies	1 January 1975
J. Nicholas	1 January 1975
Miss P. A. Nicholas	3 February 1975
I. M. Lewis	1 September 1975
I. G. Morgan	1 October 1975
A. H. Jones	1 January 1976
G. O. Roberts	2 October 1978
B. Wigley	1 November 1978
P. B. Walker	1 January 1979
M. J. Law	1 January 1979
G. Thomas	1 September 1979
J. M. Laugharne	1 September 1979
R. Taylor	1 September 1979
R. G. Davies	5 September 1979
Mrs. L. Gainsbury	1 September 1979
C. Abbott	1 September 1983
Dr. J. R. N. Evans	1 September 1983
Mrs. R. James	1 September 1983
A. Morgan	1 September 1983
Mrs. V. Scott	1 September 1983
Miss L. Thomas	1 September 1983
Mrs. G. Brwnant Jones	1 September 1984
A. G. George	1 September 1984
J. Griffiths	1 September 1984
M. John	1 September 1984
J. R. Lewis	1 September 1984
D. G. H. Rees	1 September 1984
Mrs. I. Thomas	1 September 1984
W. E. L. Williams	1 September 1984

Names	*Date of appointment to present grade*
D. G. Evans	1 September 1984
Mrs. A. Keane	1 September 1984
Mrs. E. Ogwen	1 September 1984
W. H. Raybould	1 September 1984
Dr. D. P. Williams	1 September 1985
Miss S. Lewis	1 January 1986
M. G. Haines	1 January 1986
G. Adams	4 April 1986

Mr. Gareth Wardell asked the Secretary of State for Wales if he has any plans to increase the size of Her Majesty's Inspectors of Schools in Wales.

Mr. Wyn Roberts: I have at present no plans to increase the complement.

Mr. Gareth Wardell asked the Secretary of State for Wales (1) if he will arrange for the two of Her Majesty's Inspectors of Schools in Wales who do not possess a specific degree or diploma in education to attend an appropriate course of training leading to an appropriate qualification;

(2) if he will make arrangements for those five of Her Majesty's Inspectors of Schools in Wales who have had no school teaching experience to gain that experience.

Mr. Wyn Roberts: No. These inspectors were appointed on the basis of experience in other aspects of education which it is considered necessary to have within the inspectorate.

Mr. Gareth Wardell asked the Secretary of State for Wales if he will publish in the *Official Report* the number of Her Majesty's Inspectors of Schools in Wales who have been appointed with specific responsibility for subject areas, separately distinguishing those subject areas.

Mr. Wyn Roberts: Her Majesty's Inspectorate of Schools are recruited on the basis of successful experience as teachers or lecturers. None is appointed solely on the basis of subject expertise and all have subject, territorial and phase responsibilities. In the specialism of its members Her Majesty's Inspectorate covers most of the subjects offered in schools and colleges.

Subject areas for which there is a first point of contact are identified in the Directory of HM Inspectors in England and Wales. I will place a copy of the directory in the Library.

Mr. Gareth Wardell asked the Secretary of State for Wales if he will arrange for Her Majesty's Inspectors of Schools in Wales to be seconded on a full-time basis to industry.

Mr. Wyn Roberts: My right hon. Friend has no plans at present to do so. I would refer the hon. Gentleman to the reply I gave him on 15 April 1986, at column *349*.

Circular 11/83

Mr. Gareth Wardell asked the Secretary of State for Wales if he will withdraw paragraph 7 of Welsh Office circular 11/83.

Mr. Wyn Roberts: I have no plans to do so.

Kidney Stones (Treatment)

Mr. Williams asked the Secretary of State for Wales what facilities exist or are planned within Welsh National Health Service hospitals for laser treatment of kidney stones; how many kidney stone patients are treated by laser or surgery in Welsh hospitals in a year; how many such patients are currently on the waiting list; what is the average waiting time; and what are the corresponding figures for treatment, waiting lists and waiting time for each hospital or health authority area in Wales.

Mr. Mark Robinson: The information is not readily available and I will write to the right hon. Gentleman as soon as I am in a position to do so.

Singleton and Velinare Hospitals

Mr. Gareth Wardell asked the Secretary of State for Wales when his Department will have the figures for 1985 pertaining to the median waiting time and the maximum waiting time before admission to Singleton and Velinare hospitals for a cervical carcinoma.

Mr. Mark Robinson: The information requested will be available later this year, when all the relevant returns for 1985 have been received and when the information contained in these returns has been validated.

NORTHERN IRELAND

Navan Fort (Quarrying)

Mr. Mallon asked the Secretary of State for Northern Ireland if he will make it his policy not to permit the continuance of quarrying at the Navan Fort site.

Mr. Needham: Navan Fort is an ancient monument in the ownership of the Department of the Environment for Northern Ireland and there are no proposals to quarry within the precincts of the fort.

Mr. Mallon asked the Secretary of State for Northern Ireland when a decision will be announced about future quarrying on the Navan Fort site.

Mr. Needham: The report of the public inquiry into the planning application to continue quarrying on land adjacent to Navan fort has been received and a decision will be made when the report has been considered.

Mr. Mallon asked the Secretary of State for Northern Ireland if he will make a statement outlining what representations he has received on the future of the Navan Fort site.

Mr. Needham: A planning application was lodged with the Department of the Environment for Northern Ireland in November 1984 for permission to continue quarrying on land adjacent to Navan Fort in Co Armagh and to erect plant and buildings. Over 300 representations and objections to the proposal were received and these were examined by the Planning Appeals Commission at a public inquiry. The commission's report has now been received and is being considered.

FOREIGN AND COMMONWEALTH AFFAIRS

Falkland Islands

Mr. David Atkinson asked the Secretary of State for Foreign and Commonwealth Affairs when he expects to respond to the request by the Falklands legislature for the declaration of a 200-mile fishing zone.

Mr. Eggar: During her visit to the Falkland Islands from 23 to 28 February my right hon. and noble Friend the Minister of State explained to councillors and others our view that the most effective way of controlling the south-west Atlantic fishery and conserving fish stocks is to work for a multilaterally-based conservation and management regime under FAO auspices.

Guatemala

Mr. David Atkinson asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Guatemala following the election of President Cerezo.

Mr. Eggar: We hope the election of President Cerezo and the return to democratic government in Guatemala will facilitate a resumption of official relations, for which we have always been ready.

NORAID

Mr. Adley asked the Secretary of State for Foreign and Commonwealth Affairs what information he has, for each of the last 10 years, as to the amount of financial support received by the Irish Republican Army and Sinn Fein from NORAID in the United States; and what steps he proposes to take to staunch this flow of funds.

Sir Geoffrey Howe: NORAID members claim that they have raised more than $3 million in the last 15 years. It is illegal in the United Kingdom to give money to the Provisional IRA. United States law is a matter for the United States authorities.

The United States Government's total opposition to organisations involved directly or indirectly in terrorism in Northern ireland is beyond doubt. It takes active steps to arrest and prosecute those engaged in the export of arms to the terrorists.

Crime (United States of America)

Mr. Adley asked the Secretary of State for Foreign and Commonwealth Affairs what information he has about the latest figures relating to the number of murders and crimes of violence per head of population in the United States of America, for each of the last five years; and if he has available to him the relevant figures for each individual state.

Mr. Eggar: The information requested is not readily available, but I will write to my hon. Friend and arrange for a copy to be placed in the Library of the House as soon as possible.

Libya

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs if, when he met his European Economic Community colleagues on 14 April, he was aware that President Reagan had sought the agreement of the Prime Minsiter for the use of United States bases in the United Kingdom to launch an attack on targets in Libya; and if he will make a statement.

Sir Geoffrey Howe: Yes. I was present in No. 10 when the initial message from President Reagan was received. I played a full part in the consultations which followed. These included a visit to London, and a number of other European capitals, by General Walters. In consequence, at the meeting of European Community Foreign Ministers on 14 April, I was aware, as were indeed others with whom the United States had been in touch, that United States military action against Libya was an early possibility. I was, of course, also aware both of President Reagan's request for an agreement on the use of United States aircraft from bases in the United Kingdom and of the response which had been given to that request. Like others, however, I had no confirmation that the President had taken the final decision to go ahead, and specifically on the night of 14-15 April, until I returned to London after the meeting.

Dr. Godman asked the Secretary of State for Foreign and Commonwealth Affairs what information he has received about trade sanctions taken against the United Kingdom by Arab countries following the United States air raid on Libya.

Mr. Renton: I am not aware of any such trade sanctions.

Libyan Nationals

Mr. Meadowcroft asked the Secretary of State for Foreign and Commonwealth Affairs what information he has on the action taken by the Libyan Government in respect of the Libyans permitted to leave the United Kingdom following the killing of WPC Fletcher in April 1984, particularly Dr. Omar Sodani, Ali Abuzich, Matouk Matouk and Abdul Ghadir Baghdadi.

Mr. Renton: We cannot confirm that any action has been taken by the Libyan authorities.

SALT 2

Mrs. Clwyd asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on his recent meeting with Paul Nitze, the United States negotiator on the strategic arms reduction talks, regarding the SALT 2 treaty; and what advice Her Majesty's Government are giving the United States Government on staying within the SALT 2 agreement.

Mr. Renton: The Prime Minister and my right hon. and learned Friend had separate meetings on 23 April with Ambassador Nitze. Their discussions covered a wide range of arms control issues, Soviet non-compliance with current agreements, and the need for all parties to adhere to the SALT 2 agreement and ABM treaty. They confirmed that the Government's attitude last July, when the Prime Minister welcomed the President's decision to continue to abide by the SALT 2 constraints, remained unchanged.

Additional Geneva Convention Protocols

Mr. Strang asked the Secretary of State for Foreign and Commonwealth Affairs what recent consultations he has had with other North Atlantic Treaty Organisation countries on the ratification of the additional Geneva convention protocols.

Mr. Renton: The question of ratification of the additional protocols to the Geneva conventions was most recently discussed with NATO partners at a meeting on 18 April.

Mr. Strang asked the Secretary of State for Foreign and Commonwealth Affairs when the Government hope to introduce legislation for the ratification of the additional Geneva convention protocols which they signed on 12 December 1977.

Mr. Eggar: Consultations with our North Atlantic Treaty Organisation partners are continuing, and I am not yet able to state when we would be in a position to proceed with the additional protocols.

Nicaragua-Honduras Border

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government's support has been sought for the Nicaraguan proposal to Honduras for the setting up of a border commission to monitor border violations; and if he will make a statement.

Mr. Eggar: No.

SCOTLAND

Norrich More

Mr. Dalyell asked the Secretary of State for Scotland if he will make it his policy not to approve any proposal for the use of part of the site of special scientific interest at Norrich More as the location for assembling pipes for the North Sea oil industry; what advice he has received on this matter from the Nature Conservancy Council; and if he will make a statement.

Mr. Ancram: The Nature Conservancy Council has strongly recommended that the Secretary of State should call in the relevant application for planning permission in the light of the planning authority's intention to grant permission against the council's advice. My right hon. and learned Friend is at present considering whether to exercise his call-in power.

Homeless Persons

Mr. Norman Hogg asked the Secretary of State for Scotland what financial assistance his Department gives to charitable organisations providing accommodation for homeless persons.

Mr. Ancram: Assistance is available from the Scottish Development Department to voluntary organisations concerned with homelessness under section 13 of the Housing (Homeless Persons) Act 1977. This is available for innovative projects with a Scottish application, however; local projects providing accommodation would not normally be eligible. In the current year, grant aid is being given under section 13 towards the administrative costs of the Scottish Council for Single Homeless and Scottish Women's Aid and towards Shelter (Scotland's) Young Persons' Housing Project.

Assistance is also given under the urban programme to a number of projects for the homeless sponsored by the voluntary sector, including some which provide accommodation. The amount of this assistance cannot readily be quantified.

Mr. Norman Hogg asked the Secretary of State for Scotland what is his estimate of local authority financial support for charitable organisations providing accommodation for homeless persons.

Mr. Ancram: This information is not collected centrally. I must refer the hon. Member to the local authorities in which he is interested.

Mr. Norman Hogg asked the Secretary of State for Scotland what financial assistance his Department gives to housing authorities for the continuation of emergency accommodation for homeless persons; and if he will make a statement.

Mr. Ancram: The Government have increased the planned level of capital investment in public sector housing this year to £322 million, an increase of £46 million, or over 16 per cent. above the figure at the beginning of the last financial year. Within the block capital allocations to local authorities the Government do not hypothecate sums for particular purposes and it is for individual authorities to decide on their own priorities within the resources available according to local circumstances and needs. Financial assistance towards current expenditure on hostels and lodging houses is available through housing support grant; in 1986-87 this amounts to £952,711.

Mr. Norman Hogg asked the Secretary of State for Scotland what is his estimate of the cost in providing bed and breakfast accommodation for homeless persons in Scotland.

Mr. Ancram: The information requested is not available for Scotland.

Mr. Norman Hogg asked the Secretary of State for Scotland what advice his Department has given to the new town development corporations to assist district councils in making provision for homeless persons.

Mr. Allan Stewart: The code of guidance on the Housing (Homeless Persons) Act 1977 was issued by my Department to new town development corporations in September 1980. Chapter 7 of the code contains guidance on management policies to facilitate co-operation between development corporations and housing authorities under section 9 of the Act.

Mr. Norman Hogg asked the Secretary of State for Scotland how many homeless persons there were in Scotland for each year since 1979.

Mr. Ancram: The following table shows the number of applications under the Housing (Homeless Persons) Act 1977 made to local authorities in the year ending 31 March:

Year ending 31 March	*Number of applications*
1979	16,123
1980	15,466
1981	14,861
1982	15,950
1983	16,521
1984	15,245
1985	17,856

Mr. Norman Hogg asked the Secretary of State for Scotland what advice his Department has given to regional councils providing social work support for homeless persons in the 16 to 18 year age group.

Mr. John MacKay: A code of guidance on the discharge of their functions under the Homeless Persons Act 1977 was issued to both district and regional and

islands authorities in September 1980. The points addressed specifically to regional and islands councils concerned matters of practice and provision by social work departments and the need for co-operation with the district council housing departments, both through formal administrative structures and at the level of casework. The code makes no mention of persons in any particular age group, but I have no reason to think that it requires any expansion for this purpose.

Mr. Norman Hogg asked the Secretary of State for Scotland what advice he has given to local authorities on the provision of emergency accommodation for homeless persons in the 16 to 18 year age group.

Mr. Ancram: It is primarily for local authorities to assess what provision is appropriate in their areas, in the light of local circumstances and the level of resources available. However, part 7 of the Scottish Housing Handbook, "Housing for Single People, Shared Accommodation and Hostels" (HMSO, 1984), gives guidance to local authorities on the provsion of accommodation suitable for single people including, in chapter 3, detail design guidance for hostels.

Mr. Norman Hogg asked the Secretary of State for Scotland how many homeless persons currently live in bed and breakfast accommodation in Scotland.

Mr. Ancram: It is estimated that there were some 500 persons temporarily housed in bed and breakfast or emergency accommodation at 31 December 1985 who applied under the Housing (Homeless Persons) Act 1977.

Homelessness

Mr. Norman Hogg asked the Secretary of State for Scotland when last a study of homelessness was undertaken by his Department; what were the findings; and what action he has taken to remedy the problem.

Mr. Ancram: The Scottish Development Department has not carried out such a study, although we do monitor the number of applications under the Housing (Homeless Persons) Act 1977 and detailed statistics are published at intervals. The need for further information, including research, is being kept under review.

Homelessness is a serious, but localised, problem. It is for individual housing authorities to decide on their own priorities within the resources available to them.

Mr. Norman Hogg asked the Secretary of State for Scotland what advice his Department has given to regional, island and district councils to achieve a co-ordinated response to homelessness; and if he will make a statement.

Mr. Ancram: Chapter 7 of the code of guidance on the Housing (Homeless Persons) Act 1977, issued by the Scottish Development Department to local authorities in September 1980, contains detailed guidance on co-operation between housing authorities and regional council social work departments. The code recommends that to facilitate co-operation formal administrative structures for liaison should be set up as proposed in the 1975 report by the Morris Committee, "Housing and Social Work — a Joint Approach". I believe that the arrangements to implement this recommendation are best decided locally; I have no indication that they are not working satisfactorily.

Public Sector Housing

Mr. Norman Hogg asked the Secretary of State for Scotland how many houses were built by public housing authorities in Scotland in each year since 1974.

Mr. Michael Ancram: The information requested for the years 1974 to 1983 appears on page 11 of Scottish Housing Statistics 1983, a copy of which is available in the Library. Figures for 1984 and 1985 are set out in the table:

Public sector house completions

	1984	*1985**
Local authority	2,120	1,983
New Towns	233	201
SSHA	280	622
Housing associations	2,076	1,075
Government Departments	14	17
Total public sector	4,723	3,898

* Provisional.

Mr. Norman Hogg asked the Secretary of State for Scotland how many houses were built in each of the Scottish new towns in each year since 1974.

Mr. Allan Stewart: The information is as follows:

	Cumbernauld	*East Kilbride*	*Glenrothes*	*Irvine*	*Livingston*
1974	866	712	122	386	890
1975	738	886	588	1,086	933
1976	416	1,154	443	968	1,672
1977	841	155	455	904	1,277
1978	747	47	385	488	546
1979	453	148	579	574	933
1980	296	261	416	193	682
1981	280	263	539	571	297
1982	320	125	222	115	404
1983	145	374	377	174	321
1984	70	288	220	120	183
1985	278	217	103	158	222

District and Island Councils (Emergency Accommodation)

Mr. Norman Hogg asked the Secretary of State for Scotland what information he has as to the emergency accommodation provision made by district and island councils in Scotland; and what information he has as to any variations in the level or type of such provision as between different councils.

Mr. Ancram: No information is held centrally about the provision of emergency accommodation made by district and island councils in Scotland.

Blood Products

Mr. Donald Stewart asked the Secretary of State for Scotland what proportion of the factor VIII used in Scotland comes from blood donated in Scotland.

Mr. Rifkind: During 1985 99·7 per cent. of all factor VIII used in Scotland came from blood donated in Scotland.

Mr. Donald Stewart asked the Secretary of State for Scotland which health boards, in 1985, used factor VIII imported from outwith Scotland; and, in each case, how much was used.

Mr. Rifkind: During 1985 one health board in the west of Scotland used factor VIII imported from outwith Scotland. Precise figures are not yet available but it is estimated that 20,000 to 25,000 international units were used. This represents half the needs of one patient for the year.

Mr. Donald Stewart asked the Secretary of State for Scotland how much factor VIII is used each year in Scotland; and what this amounts to as a proportion of the total amount used in the United Kingdom.

Mr. Rifkind: In 1984, the latest year for which precise figures are available, 7·239 million international units were used, representing 9·4 per cent. of total usage in Great Britain.

Hepatitis B Immunoglobulin

Mr. Donald Stewart asked the Secretary of State for Scotland how much post-exposure Hepatitis B immunoglobulin has been used in Scotland in each of the past three years; and what has been the cost of its use in each year.

Mr. Rifkind: It is not possible separately to identify the costs of production of this product. The Protein Fractination Centre of the Scottish National Blood Transfusion Service has issued to its regional centres supplies of Hepatitis B immunoglobulin against the requirement of individual clinicians as follows:

	Vials (single unit dose)
1983	496
1984	628
1985	737

Scottish Development Agency

Mr. Craigen asked the Secretary of State for Scotland if he will give figures showing the annual amounts spent by the Scottish Development Agency on consultants' fees since 1980.

Mr. Allan Stewart [*pursuant to his reply*, 10 March 1986, c. 372]: The amounts spent by the Scottish Development Agency on consultants' fees for the years in question were:

	£
1980-81	1,846,215
1981-82	3,115,748
1982-83	4,265,553
1983-84	5,086,337
1984-85	4,953,324
1985-86	8,568,179

These amounts, which exclude fees associated with capital contracts, were incurred for a variety of purposes including strategic studies, project area studies, programme development, monitoring and economic services, investment advice, taxation, legal, valuation and property advice.

Hip Operations

Mr. McQuarrie asked the Secretary of State for Scotland how many orthopaedic surgeons are employed in each of the health boards in Scotland who carry out hip replacement operations; and how many operations are carried out on average by each surgeon.

Mr. John MacKay [*pursuant to his reply*, 21 April 1986, c. 22]: The information requested is shown in the following table for the latest year for which figures are available. The number of hip replacements includes both total and partial replacements. Total replacements form nearly twice the number of partial and other forms of hip replacements.

Arthroplasty of hip 1984

Health board of treatment	*Surgeons doing hip replacement*	*Number of hip replacements*	*Average per surgeon*
Ayrshire and Arran	6	345	57·5
Borders	3	129	43·0
Argyll and Clyde	6	142	23·7
Fife	4	256	64·0
Greater Glasgow	27	924	34·2
Highland	3	229	76·3
Lanarkshire	12	223	18·6
Grampian	8	362	45·3
Orkney	—	—	—
Lothian	14	674	48·1
Tayside	15	487	32·5
Forth Valley	4	188	47·0
Western Isles	—	—	—

Health board of treatment	Surgeons doing hip replacement	Number of hip replacements	Average per surgeon
Dumfries and Galloway	3	135	45·0
Shetland	—	—	—
Scotland	105	4,094	39·0

Source: Scottish Hospital In-Patient Statistics.

HOUSE OF COMMONS

Foreign Newspapers (Library)

Mr. Campbell-Savours asked the Lord Privy Seal what criteria govern the selection of foreign newspapers which are available in the Library; if he will arrange for copies of the *Baltimore News*, backdated to 12 April, to be made available in the Library; and if he will make a statement.

Mr. Biffen: The selection of foreign newspapers available in the Library is strictly limited by constraints of space, cost and staff time, and only a very few foreign titles are regularly filed. If the hon. Member has a need to consult specific issues of this newspaper, the *Baltimore News American*, the Librarian will gladly do his best to help.

HOME DEPARTMENT

Young Offenders (Yorkshire and Humberside)

Mr. Sheerman asked the Secretary of State for the Home Department how many young prisoners aged 15 to 20 years have been held in adult prisons in each of the last 60 months, month by month, from the Yorkshire and Humberside area.

Mr. Mellor: The home address of persons in Prison Department establishments in England and Wales is not recorded centrally. The readily available information relates to the numbers of young prisoners held in adult establishments in the Yorkshire and Humberside region and is given in the following table.

Population of young prisoners in adult establishments† in the Yorkshire and Humberside region at month end April 1981 to March 1986*

Number of persons

Month	1981	1982	1983	1984	1985	1986
January	—	99	138	260	311	165
February	—	119	254	254	316	190
March	—	154	210	261	332	274
April	166	141	170	311	345	—
May	156	152	186	242	327	—
June	185	188	190	308	347	—
July	166	131	173	366	187	—
August	149	148	224	226	219	—
September	173	204	258	222	281	—
October	156	173	227	247	243	—
November	188	186	243	251	185	—
December	184	116	188	201	162	—

Notes:

* Including remand prisoners and fine defaulters.

† Askham Grange, Hull (excluding the remand centre) and Leeds. No young prisoners were held in Lindholme, Rudgate and Wakefield, or in Northallerton before March 1982 when it became a young offender establishment.

Data Protection Act 1984

Mr. Grylls asked the Secretary of State for the Home Department if his Department was consulted by the data protection registrar about the contents of the agency's current advertisements.

Mr. Waddington: No.

Merseyside Police (Absenteeism)

Mr. Allan Roberts asked the Secretary of State for the Home Department if he will request the chief constable of Merseyside to investigate the incidence of absenteeism within his force; and if he will make a statement.

Mr. Giles Shaw: No. It is for the chief constable to keep under review the numbers of officers who are absent from duty and the reasons for their absence.

Prison Kitchens

Mr. Ashley asked the Secretary of State for the Home Department what has been the expenditure in the last financial year on improving the basic structure of, improving the facilities in, and on decorating prison kitchens.

Mr. Mellor: In the financial year 1985-86 £1,972,000 was spent on major schemes to improve the structure of and facilities in kitchens in existing prison establishments. This figure represents only expenditure actually incurred during the year; it does not represent the total value of improvement projects, some of which extend over several years. In addition £254,000 was spend on major repairs and maintenance and £241,000 was spent on additional and replacement equipment for existing kitchens.

These figures do not include expenditure on kitchens in establishments still under construction or taken into use in

1985-86, neither do they cover minor schemes or day-to-day work on repairs and maintenance which is often carried out using inmate labour. Expenditure on such minor works could be identified only at disproportionate cost.

Mr. Ashley asked the Secretary of State for the Home Department what is the number of prison kitchens; what is the procedure for their inspection; and how many outbreaks of food poisoning there have been in each of the last five years.

Mr. Mellor: There are 124 prison kitchens, and all are inspected regularly and routinely by regional catering managers and safety officers. There have been no serious outbreaks of food poisoning in the last five years.

Mr. Ashley asked the Secretary of State for the Home Department if he will invite environmental health officers to inspect prison kitchens.

Mr. Mellor: No. However, the prison department has its own arrangements for the inspection of prison kitchens and these can include calling upon environmental health officers for advice.

Mr. Ashley asked the Secretary of State for the Home Department if he will remove Crown immunity from food hygiene legislation for prison kitchens.

Mr. Mellor: No.

Fire Equipment (London)

Mr. Gould asked the Secretary of State for the Home Department if he will direct the return to L23 Hainault fire station of the pump appliance temporarily withdrawn on 31 March 1979 under the interim plan for the London fire brigade, and the return to L30 Plaistow fire station of the 100-foot turntable ladder appliance which was similarly withdrawn; and if he will make a statement.

Mr. Giles Shaw: The deployment of appliances to maintain the appropriate standards of fire cover is a matter for the London Fire and Civil Defence Authority to consider in the first instance. My right hon. Friend has approved and remains satisfied with the arrangements for 1986-87.

Mr. Gould asked the Secretary of State for the Home Department if he has any plans to use his powers under section 19 of the Fire Services Act 1947 to consent to a loss of any firefighters or fire appliances from any fire station in the L division or proposed north-east area command of the London fire brigade, or specifically the loss of a pump appliance or hydraulic platform applicance from L25 Dagenham fire station, during the financial years 1986-87 or 1987-88.

Mr. Giles Shaw: My right hon. Friend approved the establishment scheme submitted by the London Fire and Civil Defence Authority. The only changes provided for in the north-east area were the reduction of a hose laying lorry at F21 Stratford and the transfer of a turntable ladder from C24 Whitechapel to C25 Dowgate.

Mr. and Mrs. Robert Stapleton (Documents)

Mr. Gould asked the Secretary of State for the Home Department if he will call for a report from the chief constable of Lincolnshire as to when documents seized by the police from the home of Mr. and Mrs. Robert Stapleton of Boothby Graffoe, Lincoln, on 3 October 1985 were returned to that address; and if he will make a statement.

Mr. Giles Shaw: Some of the documents seized on 3 October 1985 were returned to Mrs. Stapleton through her solicitor on 13 December 1985, 19 and 21 March 1986. The remainder are still being held by the Fraud Squad as documentary evidence for the current investigation on which criminal proceedings are in progress.

Fire Service (London)

Mr. Gould asked the Secretary of State for the Home Department what steps he proposes to take to ensure that the proposals contained in the London fire and civil defence authority scheme for the reorganisation of the London fire brigade maintain a single unified fire service for London; and if he will make a statement.

Mr. Giles Shaw: We are satisfied that the authority's proposals will maintain a single unified fire service for London.

Mr. Gould asked the Secretary of State for the Home Department if he will make a statement on the application of his Department's criteria relating to overprovision to the existing level of fire cover by the London fire brigade; whether any reductions in the present level are contemplated; and if he will make a statement.

Mr. Giles Shaw: In considering the establishment scheme of the London Fire and Civil Defence Authority for 1986-87 we were concerned to ensure that it would provide adequate protection from fire in line with nationally agreed and recommended standards, and consistent with the need for economy, efficiency and effectiveness. My right hon. Friend approved 6,849 whole-time uniformed posts at 1 April 1986 and a number of supernumerary posts which the authority proposes should be reduced by natural wastage from the brigade strength.

News International Plant, Wapping

Mr. Winnick asked the Secretary of State for the Home Department (1) what has been the average number of police per day stationed outside the News International works, Wapping, since the industrial dispute began;

(2) what is the total amount of police time spent at the News International works, Wapping, since the industrial dispute started.

Mr. Giles Shaw: I shall reply as soon as possible.

Mr. Winnick asked the Secretary of State for the Home Department what are the ranks of all the police involved in duties outside the premises of News International, Wapping, on an average day; and what are their respective duties.

Mr. Giles Shaw: The information is as follows:

Rank	*Duties*
Superintendent	Officer in charge
Chief Inspector	Deputy officer in charge
Inspector	Supervision of gate area/picket/crowd control. Mounted reserve
Sergeant	Supervision of gate area/picket/crowd control. Mounted Reserve
Police Constable	Gate area/picket/crowd control. Mounted Reserve.

Mr. Winnick asked the Secretary of State for the Home Department what contacts are made by the police with the News International management arising from the current dispute; who is the most senior police official involved in such contacts; and when such high-level discussions last occurred during the dispute.

Mr. Giles Shaw: The police maintain regular contact with all parties involved in the dispute. The most senior officer involved is a deputy assistant commissioner. He last met the senior management of News International on 10 March, Ms. Brenda Dean of SOGAT '82 on 17 March 1986 and Mr. Ron Todd of the TGWU on 20 March.

Traffic Lights

Dr. Marek asked the Secretary of State for the Home Department how many prosecutions there have been of drivers failing to comply with road traffic lights in the last period for which figures are available; and if he will make a statement.

Mr. Mellor: The available information relates to proceedings at magistrates' courts for offences of failing to comply with traffic signals (excluding those at pedestrian light-controlled crossings) and is published annually in "Offences Relating to Motor Vehicles, England and Wales, Supplementary Tables" (table 5 of the issue for 1984). In 1984, there were about 35,500 such proceedings.

Kidnap Insurance

Mr. Campbell-Savours asked the Secretary of State for the Home Department what discussions were held with the Irish Minister of Justice in The Hague on 24 April on the subject of kidnap insurance and payments to paramilitary groups; and if he will make a statement.

Mr. Hurd: In the course of a meeting of EC Ministers of the Interior and of Justice which I attended in The Hague on 24 April it was agreed that the possibility of measures against kidnap ransom payments and extortion demands should be studied urgently by officials.

Prison Service (Ethnic Origin Survey)

Mr. Bermingham asked the Secretary of State for the Home Department what were the results of the prison department exercise following the issue of circular instruction 25/84 to all prison establishments which called for the collection and recording of ethnic origin of all prisoners; and if he will make a statement.

Mr. Mellor: Information on the ethnic origins of prisoners will be published soon.

Prison Population

Mr. Bermingham asked the Secretary of State for the Home Department (1) what was the prison population and certified normal accommodation for all prison department establishments in England and Wales on 19 April;

(2) what was the actual prison population and the certified normal accommodation of *(a)* Leeds prison, *(b)* Durham prison, *(c)* Manchester prison, *(d)* Cardiff prison, *(e)* Lewes prison, *(f)* Oxford prison, *(g)* Leicester prison, *(h)* Reading prison, and *(i)* Liverpool prison on 19 April.

Mr. Mellor: The information requested is not available centrally in respect of 19 April.

On 18 April the certified normal accommodation and population of the establishments listed were as follows:

Establishment	*Certified Normal Accommodation*	*Population*
Leeds	630	1,150
Durham*	708	868
Manchester†	927	1,439
Cardiff†	339	487
Lewes	361	547
Oxford	130	234
Leicester	203	396
Reading	178	318
Liverpool	838	1,131
Total England and Wales:	41,198	46,823

* Includes female wing.
† Includes remand centre.

Prisoners

Mr. Bermingham asked the Secretary of State for the Home Department (1) what was the estimated population of untried prisoners in prison department establishments in England and Wales on 19 April, or the latest date for which figures are available, by length of time since initial reception into custody;

(2) if he will state, for the latest year for which figures are available *(a)* the total number of persons gaoled for all offences in England and Wales and *(b)* the total number of persons gaoled in England and Wales for schedule I offences within the meaning of the Criminal Justice Act 1982.

Mr. Mellor: I shall reply as soon as possible.

Mr. Bermingham asked the Secretary of State for the Home Department, for the latest year for which figures are available, what was the percentage of prisoners discharged from prison establishments in England and Wales who *(a)* qualified for the homeless discharge grant and *(b)* were of no fixed abode.

Mr. Mellor: This information is not available centrally and could not be obtained without disproportionate cost.

Probation Orders

Mr. Bermingham asked the Secretary of State for the Home Department, for the latest year for which figures are available, what is the percentage of persons aged *(a)* over 21 and *(b)* under 21 years who successfully completed probation orders without breach or conviction for a further offence.

Mr. Mellor: The latest readily available information is given in the following table, which summarises table 2.11 of "Probation Statistics, England and Wales, 1983".

Terminations of probation orders in the first six months of 1983 by reason for termination and age at commencement of order
England and Wales *Percentage of terminations*

Reason for termination	*Age at commencement of order*		
	Under 21	*21 or over*	*All ages*
Order ran its full course	65	71	69
Replaced by a conditional discharge order	3	3	3
Terminated early: for good progress	12	11	11

Reason for termination	Age at commencement of order		
	Under 21	21 or over	All ages
for failure to comply with requirements	3	2	2
for conviction of an offence	16	10	12
for other reasons	2	2	2
Total orders (=100 per cent.)	7,730	11,740	19,470

Community Service Orders

Mr. Bermingham asked the Secretary of State for the Home Department if he will state, for the latest year for which figures are available, the percentage of persons aged *(a)* over 21 years, and *(b)* under 21 years who successfully completed community service orders without breach or conviction for a further offence.

Mr. Mellor: The latest readily available information is published in table 6.11 of "Probation Statistics, England and Wales, 1983". In the first six months of 1983, the specified hours were completed by 74 per cent. of those who were aged under 21 when their community service order began, and by 78 per cent. of those who were aged 21 or over.

Parole

Mr. Bermingham asked the Secretary of State for the Home Department, for the latest year for which figures are available, what was the percentage of persons successfully completing a period of parole licence without further conviction.

Mr. Mellor: This information is not available.

Mr. Bermingham asked the Secretary of State for the Home Department how many of those prisoners, granted parole in 1982, 1983, 1984 and 1985, were recalled to prison.

Mr. Mellor: This information is not available in the form requested. Information about the numbers of prisoners recommended for parole and recalled to prison during the years in question is as follows:

	Recommended	Recalled	Percentage
1985*	14,168	803	5·7
1984	11,909	512	4·3
1983	5,363	512	9·5
1982	5,200	593	11·4

* Provisional figures

Mr. Bermingham asked the Secretary of State for the Home Department how many prisoners serving sentences of *(a)* 18 months, *(b)* more than 18 months and less than two years, *(c)* two years or more and less than three years, *(d)* three years or more but less than four years and *(e)* four years or more but less than five years were granted parole in 1982, 1983, 1984 and 1985.

Mr. Mellor: The information requested is as follows:

	1 year 1 year 11 months	2 years 2 years 11 months	3 years 3 years 11 months	4 years 4 years 11 months
1982	201	1,877	1,603	654
1983	202	1,891	1,658	756
1984	5,743	3,247	1,616	648
1985 (Provisional)	8,302	3,070	1,457	605

Separate figures for sentences of 18 months are not available.

The increases between 1983 and 1984 in the first two columns illustrate the effect of the reduction in the minimum qualifying period for parole under Section 33 of the Criminal Justice Act 1982.

Petty Offenders

Mr. Bermingham asked the Secretary of State for the Home Department what steps he is taking or plans to take to divert petty offenders, including the mentally ill and alcoholics, from custody.

Mr. Mellor: The courts have a wide range of alternatives to custody at their disposal. For mentally disordered offenders who need hospital treatment, the number of places available in regional secure units within the hospital system continues to increase. The courts have recently received up-to-date guidance on their sentencing powers in the new edition of "The Sentence of the Court".

Prison Service (Expenditure)

Mr. Bermingham asked the Secretary of State for the Home Department what increase in real terms in expenditure on the prison service is expected between the financial years 1986-87 and 1988-89 in England and Wales.

Mr. Mellor: The Government's public expenditure plans are formulated in cash terms. As indicated in Cmnd. 9702, expenditure on the prison service in England and Wales is planned to increase from £700 million in 1986-87 to £770 million in 1988-89 (table 3.11). This represents an increase of £20 million (or 2·9 per cent.) in real terms, using the GDP deflator.

Probation Service (Expenditure)

Mr. Bermingham asked the Secretary of State for the Home Department what increase in real terms in expenditure on the probation service is expected between the financial years 1986-87 and 1988-89 in England and Wales.

Mr. Mellor: As indicated in the White Paper on public expenditure (Cmnd. 9702) no decision has yet been taken on the provision for local authorities' relevant current expenditure, including that on the Probation Service, in 1987-88 and 1988-89.

Sexual Offences Act 1985

Mr. Bermingham asked the Secretary of State for the Home Department what was the number of prosecutions and convictions recorded under the Sexual Offences Act 1985 during the first six months of the Act's operation.

Mr. Mellor: Such information is not yet available.

Data Protection Registrar

Mr. Henderson asked the Secretary of State for the Home Department on how many occasions Ministers in his Department have held an official meeting with the Data Protection Registrar either before or after the register was opened.

Mr. Waddington: Two.

Prison Officers' Houses, Culcheth

Mr. Hoyle asked the Secretary of State for the Home Department, pursuant to the answer of 21 April, *Official Report*, column 18, at what price the 49 empty prison officers houses at Culcheth are being offered for sale.

Mr. Mellor: Offers have been invited for the sale of 38 empty prison officers' houses at Culcheth on the basis that the purchasers carry out works to secure the adoption of roads, footpaths, street lighting and the sewage pumping station. Three offers have been received and are being considered.

Libyan Students

Mr. Madden asked the Secretary of State for the Home Department what was the text of the letter which was given to the 21 Libyan students who were arrested and detained on 22 April prior to deportation.

Mr. Waddington: Following is the text of the notice of intention to deport:

The Secretary of State has reason to believe that you have been actively involved in Libyan student revolutionary activities in the United Kingdom and has accordingly decided that your departure from the United Kingdom would be conducive to the public good for reasons of national security. He has therefore decided to make a deportation order against you by virtue of Section 3(5)*(b)* of the Immigration Act 1971 requiring you to leave the United Kingdom and prohibiting you from returning while the order remains in force.

By virtue of Section 15(3) of the Act, you are not entitled to appeal against the decision to make the deportation order but, if you wish, you may make representations to an independent advisory panel. You will be allowed to appear before the panel if you wish to do so but may not be represented. To such an extent as the advisers may sanction, you may be assisted by a friend and arrange for third parties to testify on your behalf. You should inform the officer who hands you this letter whether or not you wish to make representations to the panel of advisers.

If the Secretary of State makes the deportation order, you will, by virtue of Section 17(1) of the Act, have a right of appeal against removal to the country specified in the removal directions on the grounds that you ought to be removed to a different country specified by you.

Mr. Madden asked the Secretary of State for the Home Department what was the full text of the statement offered for signature to the 21 Libyan students served with notices of intention to deport on 22 April, acknowledging receipt of the notice and indicating that they did not intend to make representations to the panel of advisers.

Mr. Waddington: Following is the text of the statement:

I.....

having been served with notice of intention to deport me from the United Kingdom, understand that there is no statutory right of appeal against that decision.

I do not wish to take advantage of an extra-statutory hearing before the Home Secretary's advisers.

Signed.....
Witnessed.....
Time..... Date..... Place.....

Mr. Madden asked the Secretary of State for the Home Department how many of the 21 Libyan students, served with notices of intention to deport, waived their right to make representations to the panel of advisers; and how many of them had access to legal advice before they did so.

Mr. Waddington: All of them. From the information available to me I understand that at least one consulted his solicitor and six their consular representative before waiving their right to make representations.

Mr. Madden asked the Secretary of State for the Home Department what facilities have been arranged for access by lawyers to the 21 Libyan students served with notices of intention to deport.

Mr. Giles Shaw: From the information that is readily available. I understand that three detained persons were informed of their right to consult a solicitor but none took it up.

Mr. Madden asked the Secretary of State for the Home Department how long after their arrest the families of the detained Libyan students were notified of their whereabouts; and whether they have had any opportunity to communicate with their families.

Mr. Giles Shaw: All of the detained persons were advised on reaching Paddington Green police station of their right to make a telephone call, and 11 persons did so. Information on whether they were informed of this right before then is not readily available.

Mr. Madden asked the secretary of State for the Home Department who is serving on the panels of advisers considering the cases of Libyans who were arrested on 22 April and who wish to make representations against deportation.

Mr. Waddington: The following have been appointed to conduct the non-statutory advisory procedure for which provision is made in paragraph 150 of the immigration rules:

The right hon. Lord Justice Lloyd.
Sir Patrick Nairne GCB, MC.
Mr. D. L. Neve.

Mr. Madden asked the Secretary of State for the Home Department if he will name the 21 Libyan students recently arrested; if, in each case, he will state when the student first entered the United Kingdom; on how many occasions each has re-entered the United Kingdom; where each was studying; and if he will give details of any spouses and dependants each student may have in the United Kingdom.

Mr. Waddington: Following is a list of the 22 Libyans deported on 25 April 1986 together with information available from immigration records about their places of study or employment in the United Kingdom and dependants accompanying them. I shall write to the hon. Member with information about the dates of their first entry to the United Kingdom and the occasions they have re-entered the country when it has been collated.

Name	Place of study or employment	Dependants in United Kingdom
Mansur Hadi Abugrin	Chelsea College	Wife
Ashur Mohamad Ashur	University College, London	Wife and two children
Abullaiha Madi Marghani	Swansea University	Wife and two children
Milad Mohamed El Hedi Salah	International University, Watford	Wife and three children
Mokhtar Ali El-Ati	International House, Northumbria	Wife and two children
Ismael Hadi Esed	International University, Watford	Wife and one child
Ali Mansoor Fitori	Bradford University	Wife
Abdul Hakim Hinshiri	Lewes Technical College	
El Hadi B Mohammed	Libyan School, Kensington (teacher)	Wife
Yousef Abdalla Kebeer	International University, Watford	Wife and children
Abdulhadi Musa Mhemad	Guy's Hospital	Wife and two children
Mohamed Furgani Hossan	Bradford University	Wife and one child
Fawzi Anes El Giernazi	London University	Wife and two children
Kamal Hadi Mohamed Merash	Exeter University	
Ali Mohamad Refai	Libyan School, Kensington (teacher)	Wife
Adel Masaoud Saad	Oxford Air Training School	
Anes Mohamed Shawesh	Birmingham University	Wife and two children
Hassan Mohamad Shehubi	International University, Watford	Wife and two children
Mokhtar Mohamed M Taboun	Cardiff University	Wife and one child
Sanousi Mohamad Taher	University of Glasgow	
Nuri Ibrahim El Wafi	University College, Cardiff	
Abdul Karim Zamzam	University of Strathclyde	Wife and two children

Mr. Ali Mansoor Fitori

Mr. Madden asked the Secretary of State for the Home Department if he will call for a report from the chief constable of West Yorkshire as to the time of, and reasons for, the arrest of Mr. Ali Mansoor Fitori in Bradford; and if he will make a statement.

Mr. Waddington: Mr. Ali Mansoor Fitori was arrested in Bradford at 7.15 pm on 23 April 1986 and served with a notice of intention to deport and a detention order. The grounds on which the decision to deport was taken were the same as for the 21 Libyans arrested the previous day.

TRANSPORT

British Transport Police

Dr. Hampson asked the Secretary of State for Transport when the operations of the British transport police were last reviewed; what conclusions were drawn from any such review; and if he will make a statement on the work of the Force.

Mr. Ridley: The operations of the British Transport police are kept under constant review by the British Transport Police Committee, which can seek advice from Her Majesty's Inspectorate of Constabulary as appropriate. I strongly hold the view that the work done by the force, much of it under difficult conditions is of a very high standard and deserves to be wholeheartedly supported.

Vehicle Registration Prefix

Mr. Allen Adams asked the Secretary of State for Transport what assessment he has made if the implications for the level of vehicle stockpiles in Scotland of the proposed change from August to October in the date for prefix licensing; and if he will make a statement.

Mr. Michael Spicer: None. The reason for moving the month of the year identifier prefix change to October, from 1987, was the strongly pressed view of a major part of the motor industry that this would overall be the most beneficial alternative to the present August month of change, which is generally regarded as an unsatisfactory month for a substantial peak of new car sales.

Dr. Glyn asked the Secretary of State for Transport what representations he has received from the Motor Agents Association about his proprosed change in the vehicle registration system from August to October; and if he will make a statement.

Mr. Ridley: I have received representations from the Motor Agents Association for a July rather than an October change. I told the association on 24 April that I would be prepared to consider an alternative if the weight of opinion in the motor industry as a whole changes, and provided that this is acceptable to the police. Otherwise the change will go ahead as planned in October 1987.

Drink-driving (Campaign)

Mr. Best asked the Secretary of State for Transport (1) what indications he has received that the police will be devoting extra resources into drink-driving enforcement during his forthcoming campaign in May and June;

(2) what steps he has taken to publicise the forthcoming drink-driving campaign; and what notification he has given to the police.

Mr. Peter Bottomley: Ministers' intention to focus attention to the problems of drinking and driving during the spring and early summer phase of the annual road safety publicity campaign was announced publicly in a parliamentary answer on 14 November 1985 to the hon. Member for Leicester, East (Mr. Bruinvels) at column 267, and again at the press launch of the Government's 1985 drinking and driving campaign where it was welcomed by a senior police representative.

Ministers had further discussions with senior police representatives in February this year on the new campaign and associated matters including the police's continuing allocation of resources to enforcement of drinking and driving laws as part of their attention to a year-round road safety problem. The Department has continued to discuss the campaign with police representatives and others with a statutory role in road safety publicity and education.

Judicial Reviews

Sir Geoffrey Finsberg asked the Secretary of State for Transport is he will give the number of judicial reviews in which his Department has been involved since 1 March 1974; and on how many occasions the court of final recourse has found against him.

Mr. Ridley: Since December 1983 there have been 11 applications for judicial review of decisions by my Department. One of these has yet to be heard. Of the remainder, the court of final recourse has found against in seven cases, one of which is still under appeal, and in favour in three cases.

Statistics are not readily available for the period from 1 March 1974 to 31 December 1983 and the information could only be provided at disproportionate cost.

Woolwich Ferry

Mr. Cartwright asked the Secretary of State for Transport (1) what reductions in pay and conditions for staff employed on the Woolwich ferry have been introduced since he assumed ownership; and what compensation will be made available to make good personal losses;

(2) what guidelines he has issued to the London borough of Greenwich for the operation of the Woolwich ferry in respect of staffing levels, pay rates, working conditions and the level of service to be provided;

(3) how many staff are now employed on the operation of the Woolwich ferry; and how this compares with the size of the work force before he assumed ownership of the ferry;

(4) what reductions in the level of service provided by the Woolwich ferry have been made since he assumed ownership; and whether these are intended to be permanent.

Mr. Peter Bottomley: Greenwich borough council has entered into an agency agreement with us to operate the Woolwich ferry. This means that it is responsible for its day-to-day operation including staffing and pay.

I understand that it recruited staff on the basis that terms and conditions should be compatible with those in force locally. It is seeking to resolve some issues this has raised. Ferry staff, like other GLC staff continuing in local government service, may be eligible for detriment payments from the London Residuary Body. Claims they make for such compensation will be impartially examined.

Service and staffing levels remain broadly as before 1 April. An early review of the ferry operation would help this free service run in a way that is fair to the taxpayer as well as to those who use it.

Mr. Cartwright asked the Secretary of State for Transport how much money he is making available to the London borough of Greenwich for the operation of the Woolwich ferry during the current year; and how this compares with actual spending on the ferry in 1984-85 and 1985-86.

Mr. Peter Bottomley: The budget agreed with Greenwich for 1986-87 is £2,408,530. The GLC's budgeted figures for 1985-86 and 1984-85 were £2,381,000 and £2,014,000 respectively.

BR (Track Mileage)

Dr. Marek asked the Secretary of State for Transport if he will make it his practice to collect figures on the number of miles of double track railway single tracked by British Rail.

Mr. David Mitchell: No. This is not a matter for the Government.

LRT (Bus Services)

Dr. Marek asked the Secretary of State for Transport what is the mileage that London Regional Transport local stage carriage bus services run at present; and how this compares with equivalent figures five and 10 years ago.

Mr. David Mitchell: The vehicle mileage operated by London Regional Transport — formerly the London Transport Executive—on stage carriage bus services was as follows:

	Million miles
*1985	163
1980	173
1975	178

* The 1985 figure is provisional, and excludes services operated for London Regional Transport by operators other than London Buses Ltd. (less than 1 million vehicle miles).

Road Accidents

Dr. Marek asked the Secretary of State for Transport what estimate he makes of the percentage of road traffic accidents where a contributory factor is, or is claimed to be, the jumping of traffic lights by one of the parties involved.

Mr. Peter Bottomley: I regret this information is not available.

AGRICULTURE, FISHERIES AND FOOD

Cereals (Production Costs)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is his estimate of the cost of production by an efficient cereal farmer per tonne of wheat, barley and rapeseed on optimum holding.

Mr. Gummer: Production conditions, husbandry practices, and therefore production costs vary throughout the country. This Department does not therefore produce figures for an optimum holding.

Foodstuffs (Prices and Levies)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will bring up to date the information concerning prices and levies charged on foodstuffs on the same basis as given in his reply of 26 February 1985, *Official Report*, columns *89-91;* and to what extent prices to United Kingdom farmers have risen in terms of pound sterling as a result of the fall in the exchange rate since July 1985.

Mrs. Fenner: The information requested on levies and "world" prices was set out in the reply of 21 April at column *42*. Average market-wholesale prices in the United

Kingdom are shown in the table. Support prices fixed under the common agricultural policy are converted into pound sterling at the representative rate of exchange: this rate has remained unchanged since 1979. The effects of changes in the market rate for the pound are generally offset, for most of the major agricultural products, by the operation of monetary compensatory amounts, import levies and export refunds.

Selected average market/wholesale prices in the United Kingdom for the week ending 5 April 1986

	Market/wholesale prices for week ending 5 April 1986 £/tonne
Common wheat (grower to merchant price in England and Wales)	114
Barley (grower to merchant price England and Wales)	107
Maize (USA export, Bristol)	157
Rice (USA long grain, London)	605
Sugar (refined, bulk, granulated)	428
Olive oil (EC origin, CIF United Kingdom)	Not quoted
Butter (English, wholesale, London)	2,231
Skimmed milk powder (list price)	1,100
Fat cattle (certified United Kingdom, liveweight)	961
Fat sheep (certified, Great Britain, estimated dressed carcase weight)	2,573
Fat pigs (all pigs, deadweight)	967
Poultrymeat (broilers, liveweight)	571
Eggs (size 3, packer to producer price)	483

Note:

A wide range of price quotations exists for individual commodities depending on quality, presentation, stage of marketing and so on. These shown are intended to be illustrative of prices paid by wholesalers or received by producers.

Meat Imports

Mr. Frank Cook asked the Minister of Agriculture, Fisheries and Food what standards exist and what physical controls are applied to ascertain whether any meats imported into the United Kingdom have been classified as unfit for human consumption in their country of origin; and if he will make a statement.

Mrs. Fenner: It is an offence under the Imported Food Regulations 1984 to import into England and Wales any food intended for human consumption which is unfit for human consumption or is unsound or unwholesome. In addition, the regulations implement Council directive 72/462/EEC (as amended) on health and veterinary inspection problems relating to the importation of fresh meat from third countries, Council directive 64/433/EEC (as amended) on health problems affecting intra-Community trade in fresh meat and Council directive 71/118/EEC (as amended) on health problems affecting trade in fresh poultrymeat. These directives require, inter alia, that fresh meat from domestic bovine animals including buffalo, swine, sheep and goats, solipeds and poultry exported for sale for human consumption must bear a health mark to indicate that it has been produced in an establishment which has been approved as meeting their hygiene and structural requirements. It is also a requirement that the consignment must be accompanied by a health certificate signed by the supervising official veterinarian stating that the meat was produced in accordance with the conditions specified in the relevant Directive and it is therefore considered to be fit for human consumption. Meat from species other than those covered by the directives is subject to national rules and my Department also requires such meat to be produced under corresponding conditions and to be health marked.

These regulations are enforced by the port health authorities who examine certificates and may exercise their discretionary powers to carry out a detailed inspection of the meat. Where, following an inspection, a port health authority considers that the meat contravenes the requirements of the regulations, that meat will either be destroyed, re-exported or disposed of in such a manner as to prevent its use for human consumption.

Parallel requirements apply under corresponding legislation in Scotland and Northern Ireland.

Badger Control (Report)

Mr. Chapman asked the Minister of Agriculture, Fisheries and Food what action his Department will take to implement the Dunnet report on badger control.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Apple Replanting Grant

Sir John Wells asked the Minister of Agriculture, Fisheries and Food if he will publish a table in the *Official Report* showing the percentage uptake of the apple replanting grant each year since its inception; and what sums were under consideration or otherwise outstanding at the latest convenient date.

Mr. Gummer: I shall reply to my hon. Friend as soon as possible.

Animal Welfare

Dr. Glyn asked the Minister of Agriculture, Fisheries and Food what steps he is taking to implement paragraph 37 of the Brambell report on animal welfare of 1965; and if he will make a statement.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Sherry

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food (1) why it was necessary to include provisions relating to the sale of British sherry for 10 years in the treaty of accession of Spain and Portugal to the EEC; for what reasons Her Majesty's Government agreed to the provisions of article 129 in relation to British sherry; and what discussions he had prior to the negotiations with the British sherry industry;

(2) under which part of article 43 of the treaty establishing the EEC a decision will be made in 1995 on the arrangements for use of the terms British sherry, Irish sherry and Cyprus sherry;

(3) what steps Her Majesty's Government have taken to implement the provisions of the treaty of accession of Spain and Portugal concerning the import or sale of Australian sherry in the United Kingdom.

Mr. Gummer: I shall reply to my hon. Friend as soon as possible.

"Diet, Nutrition and Health"

Mr. Coombs asked the Minister of Agriculture, Fisheries and Food if he plans any changes in policy in the light of the report "Diet, Nutrition and Health" produced by the Board of Science and Education of the British Medical Association, a copy of which has been sent to him; and if he will make a statement.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Sheepmeat

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each of the past six years and at the present time the difference between the support price for sheepmeat and the market price.

Mr. Gummer [*pursuant to his reply*, 21 April 1986, c. *43*]: The European Community's sheepmeat regime was introduced on 20 October 1980. Support levels are set by the Council of Ministers, and expenditure is reimbursed from Community funds. The following figures show the amount by which the average market price fell short of the guide price in the relevant marketing years.:

Year	*p/kg*
1981-82	18·0
1982-83	56·0
1983-84	75·0
1984-85	43·0
1985-86	66·0

Before October 1980 the support arrangements for sheep were provided under the United Kingdom's fat sheep guarantee scheme. Because the change in arrangements occurred during 1980, there is no comparable figure for 1980-81. However, the avearage market price in that year fell short of an average of the guaranteed and guide prices by 15·0p/kg.

The average market price for the week beginning 14 April 1986 is currently forecast as being 6·6p/kg higher than the seasonal guide price, but because of seasonal variations this is not an indication of the eventual figure for the marketing year.

Product Sales

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1970, 1979 and 1985 the tonnage of each agricultural product disposed of to non-European Community countries under the common agricultural policy and the cost to the European Economic Community budget.

Mrs. Fenner [*pursuant to her reply*, 21 April 1986, c. *44*]: In view of the large number of commodities which are covered by the CAP, it is not practicable to give the information requested for each product. The table provides details of exports for the main commodities. The cost to the EC budget of export refunds in 1970 was 1,205 mua which cannot be directly compared with later years. Expenditure on export refunds in 1979 and 1985 was 4,732 mecu and 6,588 mecu respectively.

Exports of Selected CAP Commodities to Non EC Countries

'000 tonnes.

	1970 EC(6)	*1979 EC(9)*	*1985 EC(10)*
Wheat	3,588	4,362	12,134
Wheat flour	*1,491	2,547	2,879
Barley	2,028	3,111	6,475
Malt	558	1,135	1,171
Rice	252	328	477
Sugar†	795	3,296	3,753
of which raw sugar equivalent	110	184	101
refined sugar	685	3,112	3,652
Olive oil	19	25	83
Oilseeds	410	33	72
Whole milk powder	68	385	483
Skimmed milk powder	224	636	307
Condensed milk	195	556	545
Butter and buttermilk	178	464	354
Beef and veal	55	224	592
Sheepmeat	15	4	5
Pigmeat	17	99	175
Poultrymeat	56	264	332
Eggs	36	60	102
Wine	447	877	787

Sources: 1970— OECD (except milk products which are from Eurostat) 1979, 1985—Eurostat.

* includes wheat meal;

† includes raw sugar converted to white sugar equivalent: 1 tonne raw sugar = 0·92 tonnes white sugar.

Council of Agriculture Ministers

Mr. Maclennan asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the Council of Agriculture Ministers' meeting on 21 and 22 April.

Mr. Jopling [*pursuant to his reply*, 23 April 1986, c. *163*]: I refer the hon. Member to the statement made to the House earlier today by my right hon. Friend the Minister of State.

Food Sales

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what amount of food has been exported by the EEC to Libya over the most recent 12 months for which figures are available; what were the comparable figures in each of the previous four years; and what was the total of export rebates provided in respect of each year's sales respectively.

Mrs. Fenner [*pursuant to her reply*, 23 April 1986, c. *164*]: The information requested for the volume of EC exports to Libya of the main agricultural products is contained in the table. Information on the expenditure on export rebates to individual countries is not available.

European Community exports of the main agricultural products to Libya

'000 tonnes

	1981	1982	1983	1984	1985
Wheat	3	3	11	0	..
Barley	79	33	49	227	386
Wheat flour	225	218	256	304	233
Malt	0	..	..	0	0
Rice	44	48	12	22	23
Wholemilk powder	6	4	5	7	7
Skimmed milk powder	4	5	4	3	4
Condensed milk	44	29	39	42	42
Butter and butteroil	9	3	13	12	7
Beef and Veal	14	15	17	10	14
Pigmeat	0	0	0	0	0
Poultrymeat	0	..	..	..	..
Sugar (total)	79	37	..	..	62
of which					
Refined sugar	79	37	..	..	62
Wine	..	..	..	..	n/a

.. less than 500 tonnes
n/a = not available

Expenditure

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish a table in the *Official Report* showing the total amount spent directly and indirectly on British agriculture directly by the United Kingdom Government and indirectly under the common agricultural policy in the latest year for which figures are available.

Mr. Jopling [*pursuant to his reply*, 24 April 1986, c. *202*]: Total voted expenditure, net of receipts, by the three Agriculture Departments and the Intervention Board for Agricultural Produce on agriculture, fisheries and food, including land drainage and flood protection and agency services provided by other public bodies in 1984-85, the latest year for which figures are available, was as follows:

	£ million
Ministry of Agriculture, Fisheries and Food	549
Department of Agriculture & Fisheries for Scotland	134
Welsh Office	47
Intervention Board for Agricultural Produce	313
Total	1,043

Intervention Stores (London)

Mr. Tony Banks asked the Minister of Agriculture, Fisheries and Food what is the location of each intervention store in the Greater London area; and what are the amounts stored.

Mr. Jopling [*pursuant to his reply*, 24 April 1986, c. *202*]: On 31 March the locations and amounts of agricultural produce in intervention stores in the Greater London area were as follows:

Location	Tonnes
Beef	
Acton	77
Colnbrook	1,713
Hackney	2,164
Hornsey	178
Stratford	291
Butter	
Acton	2,573
Colnbrook	5,476
Dagenham	2,257
Hackney	1,304
Southall	1,971
Stanmore	1,701
Stratford	988
Feedwheat	
Dagenham	25,874
Hayes	12,554
Silvertown	21,717

THE ARTS

Museums and Libraries

Mr. Nicholas Winterton asked the Minister for the Arts if he will introduce legislation to empower him to ensure that publicly-funded museums and libraries do not allow their facilities to be used for propaganda displays by pressure groups; and if he will make a statement.

Mr. Luce: No. Decisions on the uses to which their premises and facilities may be put are properly matters for the discretion of the authorities responsible for each institution, within the framework of the relevant governing legislation. I am not aware of any significant recent cases of abuse of such facilities for political purposes, which I would deplore.

Roundhouse Black Arts Centre

Mr. Tony Banks asked the Minister for the Arts whether he intends to take any action in respect of the future funding of the Roundhouse Black Arts Centre.

Mr. Luce [*pursuant to the reply*, 22 April 1986, c. 139]: The funding of arts projects is a matter for the Arts Council. I understand that the Arts Council has given £100,000 to keep the project in being, but it is essentially for the Roundhouse itself to raise the very large capital sums it is seeking in order to establish the proposed major new arts centre there.

CIVIL SERVICE

Planners and Architects

Mr. Steen asked the Minister for the Civil Service how many town and country planners and architects are employed in central Government Departments; and if he will give a breakdown by Department for each of the last five years.

Mr. Luce: I shall let my hon. Friend have a reply as soon as possible.

ENVIRONMENT

Radioactive Waste

Mr. Austin Mitchell asked the Secretary of State for the Environment what factors were taken into account in calculating the risk to the public from any accidents that could occur during the transporting of radioactive waste in the report on the "Assessment of Best Practicable Environmental Options for Management of Low- and Intermediate-Level Solid Radioactive Wastes".

Mr. Waldegrave: Research addressed the risk to the health of the most exposed individuals affected by an accident to radioactive waste in transit and the collective risk to health in a typical urban or rural population near the scene of an accident. The results of this research are given in DOE/RW/84-195, available through the National Lending Library.

Mr. Austin Mitchell asked the Secretary of State for the Environment if he will give a description of the worst case scenario associated with accidents during the transporting of nuclear waste as used for the report on the "Assessment of Best Practicable Environmental Options for Management of Low- and Intermediate-Level Solid Radioactive Wastes".

Mr. Waldegrave: Research on transport of low and intermediate-level radioactive wastes has addressed both probabilities and potential consequences of accidents. An assessment has been made of the implications of an accident in which one part in a million of the waste consignment was dispersed. The results of this research are reported in DOE/RW/85-175 and DOE/RW/84-195 available through the National Lending Library.

Mr. Austin Mitchell asked the Secretary of State for the Environment how many visits were made *(a)* to possible sites for radioactive waste repositories, *(b)* to other nuclear installations in the United Kingdom and *(c)* to foreign countries, in the course of the preparation of the report on the "Assessment of the Best Practicable Environmental Options for Low- and Intermediate-Level Solid Radioactive Wastes"; and if he will list all such places visited.

Mr. Waldegrave: In the course of preparation of the report the Department's research contractors visited AERE Harwell and AEE Winfrith. Information on waste arising was obtained from all major nuclear installations in the United Kingdom. Research contractors assessing the costs and impacts of surface storage of wastes have visited operational stores in Petten (The Netherlands), Mol (Belgium), Gorleben and Karlsruhe (the Federal Republic of Germany), Leibstadt (Switzerland), Olkiluoto (Finland) and Ringhals (Sweden). No visits have been made to possible sites for radioactive waste repositories in the United Kingdom.

This research is reported in DOE/RW/85-158 available through the National Lending Library.

Mr. Austin Mitchell asked the Secretary of State for the Environment what plans he has to investigate possible sites for deep cavity repositories for radioactive waste.

Mr. Waldegrave: NIREX were asked by my right hon. Friend in his statement on 24 January 1985 to start the search for at least three alternative sites for a deep facility for longer-lived wastes. That work continues.

Mr. Austin Mitchell asked the Secretary of State for the Environment if, in view of the recent report on the "Assessment of Best Practical Environmental Options for Management of Low- and Intermediate-Level Solid Radioactive Wastes" finding that the disposal of barium carbonate sludge in concrete lined trenches would be too close to the risk limit (table 4), he will give an assurance that this will not be allowed to occur.

Mr. Waldegrave: The acceptability of any specific type of radioactive waste for disposal in concrete-lined trenches will be assessed against the principles for the protection of the human environment, published in 1984, taking account of the characteristics of a disposal site that emerge from detailed investigations and of engineered structure proposed by UK NIREX Ltd. Should any waste pose risks that approach the limits set by the Government's authorising Department the assessment will take this factor fully into account.

Mr. Austin Mitchell asked the Secretary of State for the Environment how much the report on the "Assessment of Best Practicable Environmental Options for Management of Low- and Intermediate-Level Solid Radioactive Wastes" cost to prepare; and how many people were employed in its preparation.

Mr. Waldegrave: The report built on research commissioned by the Department of the Environment since 1982. This underlying research has cost about £800,000 over the four years 1982 to 1986. Research specifically related to the assessment published in March this year cost about £150,000. Eighteen independent scientific consultants were involved in the assessment, under the direction of one of the professional staff in the Department of the Environment. Scientists and other officials from the Ministry of Agriculture, Fisheries and Food, the Department of Health and Social Security, the National Radiological Protection Board, and Her Majesty's Nuclear Installations Inspectorate were also consulted in the preparation of the report.

Mr. Austin Mitchell asked the Secretary of State for the Environment if he will publish the data on which his Department's study to establish the best practicable environmental options for the management of low and intermediate level radioactive waste was based.

Mr. Waldegrave: Reports on the research and data on which the assessment was based are available through the National Lending Library, Boston Spa, West Yorkshire. A full list of research reports is given in section 9 of the assessment report. Copies of these research reports are also kept by the Department of the Environment for consultation on request.

Mr. Austin Mitchell asked the Secretary of State for the Environment if, in the light of the answer of 25 February, *Official Report*, column 505, he has anything to add to the reply of 21 April to the hon. Member for Great Grimsby, in so far as it relates to the possibility of sites operated by the Nuclear Industry Radioactive Waste Executive being used for waste from the reprocessing of United Kingdom-produced spent fuel; and if he will make a statement.

Mr. Waldegrave: There are no current plans to use a near-surface disposal facility developed by NIREX for wastes ensuing from reprocessed United Kingdom spent fuel. These wastes will continue to be disposed of at Drigg and at Dounreay. These sites do, however, have a finite capacity and it is therefore possible that in the distant future reprocessing wastes could be put into a NIREX site, assuming they meet the terms of its authorisation.

Mr. Michael Brown asked the Secretary of State for the Environment what is the difference in cost between shallow burial of low and intermediate short-lived radioactive waste and under sea bed burial of low and intermediate short-lived radioactive waste.

Mr. Waldegrave: The unit costs of disposal assuming a utilisation of disposal routes in line with design capacities are derived from information provided by NIREX and from ENSEC Ltd.

Disposal option	*Cost of packaged waste disposal £ per cu metre*
Shallow burial	25 (Drigg)
Near surface trench disposal	125 (LLW)
	615 (ILW)
Off-shore borehole disposal	2,600

Further details are given in "Assessment of Best Practical Environmental Options (BPEO's) for Management of Low and Intermediate-Level Solid Radioactive Wastes", Her Majesty's Stationery Office, March 1986.

Estimates of disposal costs are of course under continuing review by UK NIREX Limited.

Mr. Michael Brown asked the Secretary of State for the Environment when he intends to reply to the letter dated 7 April from the secretary of Humberside Against Nuclear Dumping requesting a meeting with him and representatives of that organisation.

Mrs. Rumbold: I have written to HAND today, agreeing to a meeting.

General Development Order

Mr. Hunter asked the Secretary of State for the Environment if he will amend the general development order so that agricultural buildings cannot be erected within a sensitive conservation area without planning permission; and if he will make a statement.

Mr. Tracey: No. It is, however, open to local planning authorities to make directions under article 4 of the General Development Order (GDO) if they consider that agricultural or other buildings should not be erected in specific locations without specific permission. We announced on 26 March that we propose to introduce a new special development order to give all National Park Authorities in England and Wales discretion to require approval of the design, external appearance and siting of farm and forestry buildings and roads, where such development is carried out as permitted development under the GDO.

Judicial Reviews

Sir Geoffrey Finsberg asked the Secretary of State for the Environment if he will give the number of judicial reviews in which his Department has been involved since 1 March 1974; and on how many occasions the court of final recourse has found against him.

Mr. Kenneth Baker: Proceedings instituted against me as Secretary of State are primarily handled by the Treasury Solicitor's Department as are most other proceedings against Ministers of the Crown and Government Departments. No departmental tally is kept except in relation to planning cases, of the number of actions brought, whether by way of judicial review or otherwise. Most planning cases involve an appeal under statute not judicial review proceedings in the technical sense. A recent assessment of Department of Environment litigation in the last two years produced the following figures:

Subject	*Won*	*Lost*
Planning	111	71
Other	11	5

If statistics could be produced for the period from 1 March 1974 onwards, it would be only at disproportionate expense.

Derelict Land

Mr. Steen asked the Secretary of State for the Environment how many orders relating to derelict land have been made by his Department in each of the last five years; how many acres were affected in each year; and if he will list the total number of acres on the registers of derelict land in each of the last three years and the current number of acres on the register.

Sir George Young: The register referred to contains records of unused and under-used land owned by public bodies and is compiled under powers set out in part X of the Local Government, Planning and Land Act 1980. My right hon. Friend has no powers to make orders relating to derelict land. Information about land on the land registers is as follows:

	Year			
	1983	*1984*	*1985*	*1986**
Notices issued under Section 99 of the 1980 Act	†Nil	9	50	48
Area of land affected (acres)	Nil	47	338	182
Area of land on register as at 31 December (acres)	101,000	104,000	106,000	—

Notes:
* Up to 25 April 1986.
† Notices were not issued prior to 1984.

There is a continuous flow of land onto and off the register.

There was 107,000 acres on the register on 31 March 1986.

Mr. Hickmet asked the Secretary of State for the Environment if he will make a statement about the application by Glanford and Scunthorpe borough councils for a derelict land grant to reclaim the old Normanby Park steelworks site.

Sir George Young: I shall answer this question shortly.

Planners and Architects

Mr. Steen asked the Secretary of State for the Environment what information he has about the number of town and country planners and architects who were employed in local government in each of the last three years; and if he will give a breakdown by local authority.

Mr. Tracey: This information is not available centrally.

Acid Rain

Mr. Craigen asked the Secretary of State for the Environment what recent discussions he has had with his European counterparts about acid rain and the United Kingdom joining the 30 per cent. club.

Mrs. Rumbold: My hon. Friend the Minister for the Environment, Countryside and Local Government recently discussed these subjects with Mrs. Surlien, the Norwegian Environment Minister. The outcome of these discussions was announced in the answer given by my hon. Friend to the hon. Member for South Shields (Dr. Clark) on Monday 21 April.

There are continuing discussions within the European Community about proposals to limit air pollution from large combustion plants; the matter was most recently discussed at the Council of Environment Ministers on 6 March.

County Hall (Tourist Centre)

Mr. Chris Smith asked the Secretary of State for the Environment if, pursuant to the answer given on 22 April, *Official Report*, column 111, by the hon. Member for Rossendale and Darwen (Mr. Trippier) he will list the potential purchasers who have expressed an interest in county hall and the uses they each have in mind.

Mr. Tracey: I refer the hon. Member to the reply given to the hon. Member for Newham, North-West (Mr. Banks) on 9 December 1985 at column *477*.

Aggregate Exchequer Grant

Mr. Orme asked the Secretary of State for the Environment what has been the saving to the Exchequer from the reduction of grant percentage (settlement) from 61 per cent. in 1980-81 to 48·7 per cent. in 1985-86.

Mrs. Rumbold: The level of aggregate exchequer grant is determined each year in relation to estimated local authority relevant expenditure and it is not possible to know what local authorities would have spent if a different proportion of relevant expenditure were met by grant. However, if grant were paid at 61 per cent. of the estimated relevant expenditure as set out in each of the rate support grant settlement reports from 1980-81, then the total available would be £8·25 billion more than shown in those reports.

Government Car Pool (Petrol)

Mr. Campbell-Savours asked the Secretary of State for the Environment how much the Property Services Agency pays for a gallon of petrol for the car pool currently; and how much was being paid before the Budget statement.

Sir George Young: The Crown Suppliers purchase fuel from two different sources; with agency credit cards where the price will fluctuate between different garages and areas; and through a bulk commercial contract where the information is commercial in confidence.

Mr. Campbell-Savours asked the Secretary of State for the Environment what was the total gallonage of petrol consumed by the Government car pool in each of the years 1979, 1980, 1981, 1982, 1983, 1984, 1985 and 1986.

Sir George Young: I regret that part of this information is unavailable and the balance cannot be supplied without disproportionte cost.

Midland Hotel, Bradford

Mr. Madden asked the Secretary of State for the Environment (1) what steps he is taking to secure the repayment of urban development grant paid to Midland Hotel (Bradford) Ltd and Electra Investment Trust plc for refurbishments at the Midland hotel, Bradford, in the light of the voluntary liquidation of Midland Hotel (Bradford) Ltd; and if he will make a statement;

(2) how much urban development grant was offered to Midland Hotel (Bradford) Ltd. and Electra Investment Trust plc to refurbish 34 bedrooms at the Midland hotel, Bradford; how much has been paid to date; and if he will make a statement.

Sir George Young: Urban development grant approval was given in June 1985 to a contribution of £250,000 proposed to be made by the City of Bradford metropolitan district council towards refurbishment of the Midland hotel, Bradford. I understand that no grant has been or will be paid. The question of recovery does not therefore arise.

Mr. Madden asked the Secretary of State for the Environment what appraisal was made when urban development grant was offered to Midland Hotel (Bradford) Ltd and the Electra Investment Trust plc in 1985 of both companies; what guarantees were given by both companies; what undertakings were given in the event of either, or both companies disposing of its interest in the Midland hotel, Bradford, or either company going into voluntary liquidation; and if he will make a statement.

Sir George Young: Appraisal of the application for urban development grant was carried out on the basis set out in the Department's guidance notes. The financial circumstances of prospective recipients of urban development grant are investigated in the course of appraisals and, where appropriate, conditions are attached to offers of grant requiring guarantees to be given by holding of associate companies or the repayment of grant on disposal of grant-aided assets of failure to complete the

project. For reasons of commercial confidentiality, it is not the practice to disclose the terms of individual offers of grant.

Mr. Madden asked the Secretary of State for the Environment when his Department carried out an appraisal of Midland Hotel (Bradford) Ltd. and the Electra Investment Trust plc, prior to these companies being offered urban development grant in 1985 to refurbish bedrooms at the Midland hotel, Bradford.

Sir George Young: Appraisal of the application submitted by the City of Bradford metropolitan district council on behalf of Midland Hotel (Bradford) Ltd. and negotiation with the parties took place between submission of the application in 1984 and the grant approval in June 1985.

NATIONAL FINANCE

Personal Taxation

Mr. Cartwright asked the Chancellor of the Exchequer what was the yield from income tax on earnings over £30,000 per year in 1979-80; what is this figure at 1985 prices; and what was the equivalent yield in 1984-85, expressed in 1985 prices.

Mr. Moore: I regret the delay in providing this reply. Estimates are available in terms of the income tax liabilities of taxpayers with gross income rather than earnings of over £30,000 and with the incomes of married couples combined. In 1979-80, the yield from taxpayers with incomes over £30,000 per year was £1,150 million — £1,850 million at 1985-86 prices. The equivalent level of income after adjusting for price inflation would be £45,800 in 1984-85. Tax yield in that year from incomes above that level is estimated to be £2,600 million — £2,750 million at 1985-86 prices.

Customs and Excise (Personal Data)

Mr. Cohen asked the Chancellor of the Exchequer what records will be kept by Her Majesty's Customs and Excise when personal data, supplied to them via the non-disclosure provisions of section 28 of the Data Protection Act, are passed on to other Government Departments; and what written statement will be sent to the data user by Customs and Excise to show that the disclosure of personal data was by that route.

Mr. Brooke: When personal data, including those supplied under section 28 of the Data Protection Act, are passed to other Government Departments, Customs and Excise retains local files showing the data which have been provided. Where the need to disclose such data under section 28(3) arises, the covering letter will declare that that is so.

Wool Products

Mr. Steel asked the Chancellor of the Exchequer if he will make a statement on the circumstances of references made on customs sheets on imports to certain amounts of wool products being noted as imported from the United Kingdom.

Mr. Lawson: It is quite normal for wool products produced in, and exported from, the United Kingdom to be subsequently reimported into the United Kingdom. For example, reimportation may occur where the goods were found to be surplus to requirements or not up to specification. Because there was some suggestion that the level of reimports of wool products is higher than might be expected, Customs and Excise has made a detailed examination of a number of documents relating particularly to imports of large consignments of wool products in 1985 where the country of origin was declared as the United Kingdom. In no case were any grounds found for doubting the declared country of origin.

Capital Transfer Tax

Dr. McDonald asked the Chancellor of the Exchequer if he will publish in the *Official Report* a list of the changes made in capital transfer tax in each Finance Act since 1979, and indicate in each case the cost in terms of revenue forgone.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Value Added Tax

Mr. Gould asked the Chancellor of the Exchequer what action he proposes to take in the light of the European Commission's application to the European Court for a ruling to compel the United Kingdom to extend value added tax to new houses, fuel and other items which are currently zero-rated.

Mr. Brooke: I shall let the hon. Member have a reply as soon as possible.

Tax Changes (Gains)

Mr. Meacher asked the Chancellor of the Exchequer if he will specify the distribution of gains in the Budget from each item where tax changes were made other than normal indexation, according to income bands as follows: less than £5,000 per year, £5,000 to £7,500, £7,500 to £10,000, £10,000 to £12,500, £12,500 to £15,000, £15,000 to £20,000, £20,000 to £30,000, £30,000 to £50,000 and above £50,000; and if he will indicate the percentage of total tax changes accruing to each group and the percentage of the total numbers of taxpayers that each group comprises.

Mr. Moore [*pursuant to his reply*, 9 April 1986, c. 124]: Information in the form requested is available only for income tax changes and is as follows:

**Range of gross income*	*†Tax units as percentage of total liable to tax*	*Reduction in income tax liability in 1986-87 from Budget proposals compared with indexation*	
		Amount	*As percentage of Total*
(£ per year)	*Per cent.*	*(£ million)*	*Per cent.*
Under 5,000	18	40	4
5,000 to 7,500	21	120	10
7,500 to 10,000	17	150	13
10,000 to 12,500	14	180	16
12,500 to 15,000	10	150	13
15,000 to 20,000	11	230	20
20,000 to 30,000	6	200	17
30,000 to 50,000	2	70	6
Above 50,000	1	8	1
ALL	100	1,150	100

* Income for income tax purposes.
† i.e. counting married couples as one and combining their income.

Mr. Meacher asked the Chancellor of the Exchequer what is the gain to taxpayers at less than half, half to three-quarters, three-quarters to one, one to one and a half, one and a half to two, two to three, three to five and five to 10, and more than 10 times average earnings from the 1p cut in income tax; if he will specify these bands in £ sterling per year at current earnings; how many taxpayers are in each of these bands; and what percentage of the total number of taxpayers each group comprises.

Mr. Moore [*pursuant to his reply*, 9 April 1986, c. 124]: Information on the effect of the Budget proposals compared with statutory indexation on tax liabilities for 1986-87 is shown in the following table. This includes the effect of the reduction of one penny in the basic rate of income tax and the increases of less than statutory indexation in the second and subsequent higher rate thresholds. The information is analysed by range of gross income, rather than earnings and the ranges are based on multiples of an illustrative figure for average adult male full time earnings of £213·80 per week at £11,118 per annum for 1986-87.

Estimates of numbers of tax units in each income range are derived by projecting data to 1986-87 from the 1983-84 survey of personal income. They are subject to a margin of error; and a reliable estimate of those with incomes above 10 times average earnings cannot be produced.

*Gross income range** -		*Number of tax units†*		*Reduction‡*	*Average per tax unit*
Multiples of average earnings in 1986-87	*£ per year at 1986-87 prices*	*Millions*	*As percentage of total*	*Total*	
				(£ million)	*£*
under ½	under 5,559	4·7	23	60	15
½-¾	5,559-8338	4·7	23	160	35
¾-1	8,338-11,118	3·5	17	180	50
1-1½	11,118-16,676	4·5	22	340	75
1½-2	16,676-22,235	1·7	8	200	120
2-3	22,235-33,353	1·0	5	160	160
3-5	33,353-55,588	0·3	1·5	45	150
above 5	above 55,5880	0·1	0·5	6	60
All	All	20·5	100	1,150	60

* Gross income for income tax purposes.
† Counting married couples as one and combining their incomes.
‡ Reduction in income tax liability under Budget proposals compared with indexation.

EC (Budget)

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing for each year since 1972 and the forecast for 1986 the amount of the gross contribution to the European Economic Community budget broken down into value added tax, customs duties and other imposts, together with the receipts under various heads, including any rebates.

Mr. Brooke [*pursuant to his reply*, 21 April 1986, c. 39]: Details of the United Kingdom's contributions to and receipts from the Community budget are given in the Official Journal of the European Communities, "Annual Report by the Court of Auditors". The copies covering the period 1973 to 1984 are in the Library of the House. The figures for 1985 (outturn) and 1986 are given below. The contributions figures for 1986 are based on the 1986 budget, though they exclude any contribution to the disputed elements of the budget adopted by the European Parliament. No forecast of our receipts in calendar year 1986 has been made, though figures for 1986-87 were published in the last public expenditure White Paper, Cmnd 9702.

(A) Contributions

mecu	*Value-added tax*	*Customs duties*	*Agricultural levies*	*Sugar and Isoglucose levies*	*IGA*
1985*	†3,268	2,192	227	94	‡628
1986	†1,585	2,310	260	88	—

Source:
* European Economic Community United Kingdom No. 1 Account. All figures are sterling outturn converted at the annual average exchange rate for 1985 (£1=1·6981 ecu).
† Abated VAT contributions. In 1985 the United Kingdom received only 275 mecu of the 1000 mecu payable in respect of its excessive net contribution to the 1984 Community budget. The balance (725 mecu) was paid in 1986. It is assumed that the United Kingdom's VAT contribution in 1986 will be abated by an additional 1,400 mecu in respect of its excessive net contribution to the 1985 budget.
‡ The United Kingdom contributed to two IGAs in 1985. It paid £119 million to the 1984 IGA, and £250 million to the 1985 IGA.

(B) Receipts

mecu	*Guarantee*	*Guidance*	*Social Fund*	*Regional Development Fund*	*10 per cent. own Resources Refunds*	*Negotiate Refunds*	*Other*
1985*	1,900	26	430	452	250	†103	71

Source:

* Departmental returns. Sterling information converted at the annual average exchange rate for 1985.

† Negotiated refunds: In the first quarter of 1985 the United Kingdom received £61 million in respect of its excessive contribution to the 1983 Community budget.

Taxation

Mr. Wrigglesworth asked the Chancellor of the Exchequer what proportion of tax units (households) are paying less income tax and national insurance contributions as a proportion of gross earnings in 1985-86 than in 1978-79.

Mr. Rooker asked the Chancellor of the Exchequer if, pursuant to his reply to the hon. Member for Birmingham, Perry Barr, 27 March, *Official Report*, columns *607-10*, he will publish a table for each taxpayer group shown there, showing at what multiple of average earnings the percentage of tax plus national insurance is the same for 1986-87 as it was in 1978-79 stating the figure used for average earnings in 1986-87; and how many taxpayers in each group fall above and below this figure.

Mr. Moore [*pursuant to his replies*, 24 February 1986, c. *493*, and 16 April 1986, c. *418*]: I regret the delay in replying to these questions. The first table shows the ranges of earnings within which income tax plus national insurance contributions form a smaller proportion of gross earnings in 1985-86 than in 1978-79, assuming that earnings have risen in line with the national average, and the equivalent comparison for 1986-87. The information is shown for five family types including the four in the question from the hon. Member for Birmingham, Perry Barr. The proportion of tax and national insurance is the same as in 1978-79 at the income levels specified. The values of average earnings used for these comparisons are £92·80, £199·80 and £213·80 per week for 1978-79, 1985-86 and 1986-87, respectively.

In both 1985-86 and 1986-87 at all income levels those whose earnings have risen in line with the national average have seen a real increase in their take home pay since 1978-79.

Ranges of earnings where income tax† and NIC‡ form a smaller proportion of gross earnings in 1985-86 and 1986-87 than in 1978-79 under the assumptions in the footnotes below*

	Up to: £ per week	*Percentage of average earnings*	*Above:* £ per week	*Percentage of average earnings*
1985-86				
Single	55	28	475	240
Married couple both working,‖ no children	139	¶42	810	¶245
Married couple, husband only working, no children	55	28	486	243
Married couple, husband only working, two children under 11	89	45	512	260
Married couple, husband only working, two children under 11, one child between 11 and 15, one over 16	83	42	588	294
1986-87				
Single	60	28	293	137
Married couple both working,‖ no children	140	¶39	554	¶156
Married couple, husband only working, no children	60	28	310	145
Married couple, husband only working, two children under 11	77	36	326	152
Married couple, husband only working, two children under 11, one child between 11 and 15, one over 16	85	40	378	177

* At the income levels specified tax plus NIC is the same proportion of earnings in the later year as in 1978-79. The income levels have been rounded to the nearest £1.

† Less child benefit, where appropriate.

‡ Assuming post-October 1985 rates of NIC for contracted-in employees for 1985-86.

‖ On the assumption that husband and wife each have the same multiple of the appropriate all occupations figure for average earnings (full time males and females respectively).

¶ Percentage of joint income.

The second table shows the numbers of single people and married couples whose main source of income is earnings from employment by ranges of earnings corresponding to the break-even points in the first table for single people, one-earner married couples and two-earner married couples (with two children). But many of the taxpayers in the middle ranges will not pay a higher proportion of their income in tax and national insurance since they also receive investment income which is not subject to national insurance contributions. The proportion depends also on other allowances and reliefs which may be available against tax and on whether the individual is contracted-in or contracted-out of the earnings-related part of the national insurance scheme. The comparisons for individual married couples also depend on the number of children and the split of earnings between the spouses. I

regret that it is not currently possible to provide a comprehensive analysis comparing income tax and NIC regimes which would allow for all of these factors.

	1985-86		1986-87	
	Range of earnings £ per week	*Number '000*	*Range of earnings £ per week*	*Number '000*
Single people	up to 55	810	up to 60	860
	55 to 475	6,250	60 to 293	6,020
	over 475	25	over 293	240
Married one-earner	up to 89	330	up to 77	200
	89 to 512	4,610	77 to 326	4,210
	over 512	100	over 326	610
Married two-earner	up to 138·65	100	up to 139·75	80
	138·65 to 810	3,020	139·75 to 554	2,950
	over 810	20	over 554	160

Numbers of single people and married couples liable to income tax whose main source of income is earnings from employment.

DEFENCE

Strategic Defence Initiative

Mr. Dalyell asked the Secretary of State for Defence what information he has about the latest trend in scientific opinion in the United States regarding the feasibility and practicability of the strategic defence initiative project.

Mr. Norman Lamont: These matters will be determined by the results of the research programme now under way for that purpose.

Nuclear Tests (Australia)

Mr. Strang asked the Secretary of State for Defence whether the transcripts of the hearing of the Australian Royal Commission on British nuclear tests have been placed in the Library.

Mr. Norman Lamont: I refer the hon. Member to the answer I gave the hon. Member for Islington, South and Finsbury (Mr. Smith) on 19 April 1985 at column *279*. A copy of the Royal Commission's report is available in the Library.

I will make arrangements for a complete set of transcripts, which amount to 10,424 pages, to be placed in the Public Records Office.

NATO Nuclear Planning Group

Mr. Strang asked the Secretary of State for Defence what improvement measures, as referred to in the NATO Nuclear Planning Group's final communiqué of 21 March, paragraph 6, are currently being undertaken by Britain.

Mr. Stanley: The Trident programme. Apart from that I cannot add to the answer I gave to the hon. Member for Sheffield, Central (Mr. Caborn) on 20 January at columns *90-91*.

Defence Equipment

Mr. Douglas asked the Secretary of State for Defence if he will list details and costs of the current international collaborative projects for defence equipment entered into by his Department.

Mr. Norman Lamont: My answer to the hon. Member for Blaydon (Mr. McWilliam) on 11 February, at columns *448-52*, detailed the collaborative equipment projects in progress at that time in which the United Kingdom is participating with other European countries. I shall write to the hon. Member with supplementary information.

Mr. Douglas asked the Secretary of State for Defence if he will list the nations with which his Department has a memorandum of understanding for the purchases of defence equipment.

Mr. Norman Lamont: I shall answer shortly.

Royal Ordnance Factories

Mrs. Dunwoody asked the Secretary of State for Defence what is the cost of redundancies to the royal ordnance factories for the year 1985-86.

Mr. Norman Lamont: Such information about Royal Ordnance plc's operations is a matter for the company.

Mrs. Dunwoody asked the Secretary of State for Defence what is the estimated value of the royal ordnance factories.

Mr. Norman Lamont: In accordance with the scheme made under the Ordnance Factories and Military Services Act 1984, a copy of which was laid before the House, a valuation of the property, rights and liabilities transferred to Royal Ordnance plc on 2 January 1985 is being prepared and will be certified by the reporting accountants appointed for the task. This certificate is expected to be available soon.

Mrs. Dunwoody asked the Secretary of State for Defence (1) if he will give the name of the consultants preparing the sale of the royal ordnance factories; and what safeguards he has asked for relating to the sale of royal ordnance factories to non-British shareholders;

(2) if he will list the royal ordnance factories which *(a)* have and *(b)* have not been offered guaranteed contracts in 1986-87;

(3) how he will satisfy himself that foreigners do no exceed their quota of 15 per cent. of royal ordnance shares by way of holding companies.

Mr. Norman Lamont: I shall answer shortly.

Auxiliary Oiler Replenishment Contract

Mr. Greenway asked the Secretary of State for Defence what account he proposes to take, in allocating

contract for an AOR vessel, of the employment prospects of secondary suppliers to Swan Hunter, such as Walter Kidd Ltd., Northolt; and if he will make a statement.

Mr. Norman Lamont: As my right hon. Friend the Secretary of State said in the House on 24 April 1986, at column 434, Swan Hunter Shipbuilders will be given a preferential opportunity to bid for the second ship of the class on the basis that it will be to the same design as the first AOR and that the terms and conditions, cost and programme will be no less favourable to the MOD than already available from the lead shipyard for a follow-on ship.

Within the limitations of this framework, the choice of subcontractors will be a matter for Swan Hunter Shipbuilders to determine.

Chemical Weapons

Mr. Strang asked the Secretary of State for Defence if he will make a statement on the Government's policy with regard to *(a)* the proposed modernisation of United States binary chemical weapons and *(b)* the case for a North Atlantic Treaty Organisation chemical deterrent.

Mr. Stanley: I refer the hon. Member to the reply that I gave to the right hon. Member for Llanelli (Mr. Davies) earlier today.

Foreign Service Personnel

Mr. Chris Smith asked the Secretary of State for Defence what regulations govern the conduct of service personnel of foreign nations on the public streets in Britain; what regulations govern the carrying of weapons on public streets by such people; and if he will make a statement.

Mr. Stanley: Service personnel of foreign nations on the public streets in Britain are subject to the offence-making provisions of British law in the same way as British service men are. However, the system of law under which they are dealt with for their misconduct will depend upon the terms of the Visiting Forces Act 1952 and how it applies to the facts of the case. The carriage of arms by members of visiting forces in Britain is governed by the provisions of the Visiting Forces and International Headquarters (Application of Law) Order 1965 (SI 1965/1536).

EMPLOYMENT

Work Creation Schemes

Ms. Clare Short asked the Paymaster General if he will publish references to all the available research studies sponsored by his Department that have examined the effect of (i) the young workers' scheme, (ii) the enterprise allowance scheme, (iii) the community programme, (iv) the YTS and (v) the small firms loan guarantee scheme; and if he will indicate the measures the Government are taking to monitor the effects of the new workers' scheme and the jobstart scheme.

Mr. Lang: The informaton is as follows:

(i) A summary of research on the young workers scheme was sent to the Employment Committee on 10 April and details of available research will be published in the next issue of the *Employment Gazette*. Surveys of the young workers scheme in 1983 and 1985 were conducted by the Social and Community Planning Research for the Department and published. The Institute of Manpower Studies produced a commentary on the young workers scheme, (Number 16), IMS 1982.

(ii) Two articles on the enterprise allowance scheme have been published in the *Employment Gazette:* "Evaluation of the pilot Enterprise Allowance Scheme", August 1984, and "An Evaluation of the Enterprise Allowance Scheme", August 1985. Two reports by Social and Community Planning Research, are in the House of Commons Library: "People on the Enterprise Allowance", January 1984, and "Two years after the Enterprise Allowance", December 1985.

(iii) Surveys of community programme participants and ex-participants are regularly placed in the Library of the House.

Those published since the start of the programme are "Survey of Community Programme Participants", Autumn 1983, Spring 1984 and Autumn 1984. Postal follow up surveys were published in December 1984 and November 1985.

In addition a survey of community programme sponsors was published in April 1984 and on 14th April this year the report "Value for Money in the Community Programme" was published and copies are in the Library.

(iv) YTS follow-up reports are regularly filed in the House of Commons Library. A survey of YTS providers was published in the *Employment Gazette* in August 1985 and two papers have been published in the Manpower Services Commission's R and D series: "Ethnic Minorities and the Youth Training Scheme", No. 20, and "A review of the ITEC programme. Its role in YTS and options for the future", No. 27.

(v) The Department of Employment took over responsibility for the loan guarantee scheme from the Departmnt of Trade and Industry in September 1985. The Department of Trade and Industry published five studies of the scheme: "Interim Assessment of the Small Business Loan Guarantee Scheme", July 1982; "An analysis of some early claims under the Small Business Loan Guarantee Scheme", 1983; "Commentary on a Telephone Survey of Borrowers", 1983; "Commentary on a telephone survey of borrowers financed under the Small Business Loan Guarantee Scheme" 1984; and "A Study of Businesses Financed under the Small Business Loan Guarantee Scheme", 1984.

We expect to monitor the new workers scheme in the same way as we have been monitoring the young workers scheme; we are closely monitoring the response to the jobstart allowance, including the number of successful and unsuccessful applications, in each of the nine pilot areas.

Labour Statistics

Mr. Austin Mitchell asked the Paymaster General what were the numbers of redundancies, the numbers of new jobs and the numbers and average rates of unemployment for each year since 1977 for the Grimsby travel-to-work area, the Scunthorpe travel-to-work area and the Lincoln travel-to-work area.

Mr. Lang: Following is the available information. Table 1 gives the numbers of redundancies confirmed as due to occur for each of the years requested. Information about total job gains and total job losses is not available from the Department's statistics, but an indication of the net changes can be seen by comparing the levels of employment at different dates. For the individual former travel-to-work areas requested the available information, which comes from the census of employment and relates to net changes in employees in employment, is in table 2. Table 3 gives the available unemployment statistics which are also in the Library. The figures are not comparable over the whole period because of the change in travel-to-work boundaries, the change in the basis of the unemployment count in October 1982, and the 1983 Budget provisions which meant that certain men, mainly aged 60 and over, no longer need to sign on to obtain benefit.

*Table 1—Redundancies confirmed as due to occur**

Year	Travel-to-work area†		
	Grimsby	Scunthorpe	Lincoln
1977	188	115	635
1978	806	91	267
1979	nil	623	667
1980	1,005	2,579	1,363
1981	1,886	4,407	129
1982	880	1,466	1,020
1983	1,436	1,280	1,220
1984	1,081	389	1,399
1985	322	342	440

* Confirmed by the Manpower Services Commission as due to occur and based on notifications of impending redundancies involving ten or more workers.

† Best fit of jobcentres to TTWA.

Table 2—Employees in Employment

Census Year (September)	Former travel-to-work area					
	Grimsby		Scunthorpe		Lincoln	
	Level	Change	Level	Change	Level	Change
1976	71,098	—	55,002	—	59,900	—
1977	71,323	+225	55,406	+404	61,366	+1,466
1978	71,513	+190	56,661	+1,255	60,768	−598
1981	64,792	−6,721	41,216	−15,445	57,961	−2,807

Table 3—Unemployment

Year	Former travel-to-work areas					
	Grimsby		Scunthorpe		Lincoln	
	Number	Rate	Number	Rate	Number	Rate
Unemployed Registrants						
1977	5,002	6·5	3,218	5·0	3,826	5·9
1978	5,215	6·8	3,702	5·6	4,173	6·4
1979	4,688	6·1	3,610	5·5	4,163	6·4
1980	6,463	8·4	5,580	8·4	5,260	8·1
1981*	9,698	12·6	10,869	16·4	7,933	12·2
1982†	10,678	13·9	11,516	17·4	8,392	12·9
Unemployed Claimants						
1983	11,295	14·7	10,629	16·1	8,207	12·0
Present travel-to-work areas						
1984	11,936	15·4	9,866	19·2	7,880	13·0
1985	12,449	16·1	9,578	18·6	8,376	13·9

* 1981 is the average of 10 months

† 1982 is the average of 10 months only; January to October.

Mr. Austin Mitchell asked the Paymaster General if he will publish in the *Official Report* a table showing for each EEC country the numbers employed in the steel, coal, textile, clothing, shoe, man-made fibre, shipbuilding and motor-vehicle industries, together with the corresponding figures for 1972.

Mr. Lang: The information requested is available in published form. The latest available data for most countries relate to 1983, and the earliest on a consistent basis relate to 1974. They are contained in "Employment and Unemployment 1985", published by the statistical office of the European Communities, a copy of which is in the Library. The relevant information for production and preliminary processing of metals (including the steel industry) is on page 138, for extraction and briquetting of solid fuels and coke ovens (approximating to the coal industry) on page 134, for the textile industry on page 146, for the clothing and footwear industries (combined) on page 147, for the man-made fibres industry on page 140, for manufacture of other means of transport (which includes shipbuilding) on page 144, and for manufacture of motor vehicles etc. on page 143.

Mr. Austin Mitchell asked the Paymaster General whether he will publish in the *Official Report* a table showing the number of full-time employees in the labour force each year since 1970, divided into male and female and non-adult; and if he will provide similar information for part-time workers.

Mr. Lang: Information is not available in the exact form requested.

The available information from the regular quarterly employees in employment series is presented in table 1 below.

The labour force survey provides information on a different basis, but allows an analysis by age. The available information, relating to years in which the survey has been carried out since 1979, is given in table 2 below.

TABLE 1

Employees in employment in Great Britain

June	Males full-time thousand	Males part-time thousand	Males all thousand	Females full-time thousand	Females part-time thousand
1971	12,840	584	—	5,468	2,757
1972	12,719	600	—	5,454	2,877
1973	12,813	665	—	5,442	3,163
1974	12,675	689	—	5,512	3,421
1975	12,542	697	—	5,422	3,551

June	Males full-time thousand	Males part-time thousand	Males all thousand	Females full-time thousand	Females part-time thousand
1976	12,398	699	—	5,366	3,585
1977	12,395	681	—	5,433	3,617
1978	12,396	705	—	5,486	3,688
1979	—	—	13,183	5,585	3,870
1980	—	—	13,018	5,500	3,941
1981	—	—	12,278	5,290	3,817
1982	—	—	11,945	5,121	3,861
1983	—	—	11,699	3,958	4,937
1984	—	—	11,660	4,942	4,179
1985	—	—	11,705	4,942	4,350

Note:

In this table a part-time employee is defined as one who normally works for 30 hours or less. The full-time, part-time split for males is available only at dates for which a Census of Employment was conducted.

At the Census for Employment in September 1981 there were 12,229,000 male employees of whom 11,511,000 were full-time and 9,085,000 females of whom 5,304,000 were full-time.

Table 2

Labour Force Survey data on employees in Great Britain*

Thousands

	Males		Females	
	Aged 16-19	Aged 20+	Aged 16-19	Aged 20+
1979				
Full-time†	1,002	11,902	838	4,496
Part-time†	41	235	75	3,631
All employees‡	1,044	12,137	913	8,127
1981				
Full-time†	840	10,798	727	4,381
Part-time†	122	287	181	3,594
All employees‡	975	11,237	917	8,058
1983				
Full-time†	742	10,542	616	4,354
Part-time†	114	251	200	3,399
All employees‡	860	10,814	822	7,907
1984				
Full-time†	768	10,443	652	4,383
Part-time†	163	292	236	3,729
All employees‡	932	10,745	888	8,116
1985				
Full-time†	651	10,453	574	4,428
Part-time†	157	277	250	3,780
All employees‡	808	10,733	824	8,210

* The Labour Force Survey estimates relate to the spring of each year. Figures for 1985 exclude those employees on Government schemes, whereas earlier years include those on schemes if reported as in employment as an employee.

† In this table an employee is shown as full-time or part-time according to whether he considers his job to be a full or part-time job.

‡ Includes those who did not state whether their job was full or part-time.

Mr. Donald Stewart asked the Paymaster General if he will give the latest unemployment figures, on a non-seasonally adjusted basis, for *(a)* Great Britain and *(b)* Scotland; and if he will compare them with the similar figures for (i) the EEC countries as a whole, (ii) Norway, (iii) Sweden, (iv) Finland and (v) Austria.

Mr. Lang: The figures are based on national definitions, using different methods of compilation, and should not be used for the purposes of comparison. The available information for February is given in the following table.

Unemployment: February 1986

	Total (thousands)	Percentage rate
Great Britain*	3,212	13·6
Scotland*	363	16·1
EC (9)	13,376	11·8
EC (12)	16,697	—
Norway	42	2·1
Sweden	120	2·8
Finland†	193	7·6
Austria	202	6·9

*For Great Britain and Scotland the latest figures for March are 3,199·4 (13·6 per cent.) and 359·3 (15·9 per cent.) respectively.

†January figures.

Mr. Ralph Howell asked the Paymaster General what was the total number of persons registered at jobcentres in January 1979, 1980, 1981, 1982, 1983, 1984, 1985 and 1986.

Mr. Lang: The following table gives the total numbers of persons (employed and unemployed) registered at jobcentres in Great Britain for the dates requested. From October 1982 it has not been necessary to register as a condition of claiming benefit, nor is it necessary to register in order to use the jobcentre.

	Number
January 1979	1,416,958
January 1980	1,450,451
January 1981	2,242,316
January 1982	2,803,832
January 1983	2,626,618
January 1984	1,011,886
January 1985	543,596
January 1986	419,842

Mr. Ralph Howell asked the Paymaster General what was the number of persons included in the unemployment figures or in receipt of supplementary benefit who had a part-time job in January in 1979, 1983 and 1986.

Mr. Lang: Figures are not collected in the form requested, but the number of supplementary benefit claimants who had earnings of their own (as distinct from the earnings of a partner) taken into account in the benefit assessment were about 40,000 in November 1979 and 126,000 in December 1983. Figures for 1986 are not available.

While these figures will include some claimants who are included in the unemployment count, the total number of persons in the count who had a part-time job is not available from the administrative sources. However, according to the labour force survey, there were about 90,000 claimants in the unemployment count who had a part-time job in the spring of 1983. Figures are not available for 1979, not yet for 1986.

Mr. Michael Forsyth asked the Paymaster General whether he is satisfied with the accuracy of the returns submitted by Central regional council for calculating the level of unemployment in the Stirling constituency.

Mr. Lang: I shall reply to my hon. Friend as soon as possible.

Mr. Donald Stewart asked the Paymaster General if he will publish the latest unemployment figures, on a non-seasonally adjusted basis for *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland.

Mr. Lang: The following information is in the Library. The numbers of unemployed claimants as at 6 March 1986 were:

	Number
England	2,655,808
Scotland	359,318
Wales	184,247
Northern Ireland	124,403

Mr. Ralph Howell asked the Paymaster General what is his latest estimate of the number of persons who have more than one job.

Mr. Lang: Preliminary results from the 1985 labour force survey indicate that in the spring of 1985 775,000 people had a second job, either as an employee or self employed, in addition to their main activity.

Unemployment Benefit Offices and Jobcentres

Mr. Pike asked the Paymaster General if he will give details of the numbers employed at the latest date for which figures are available and the comparative figures annually since 1979 in the following offices in Lancashire: *(a)* unemployment benefit offices and *(b)* jobcentres.

Mr. Lang: At 1 April each year the following numbers of permanent and casual staff were employed in the administrative county of Lancashire, excluding Greater Manchester and Merseyside:

	(a) Unemployment benefit offices	*(b) Jobcentres*
1979	431	—
1980	381	—
1981	526	—
1982	665	315·5
1983	502	302·5
1984	461	294·5
1985	468	289
1986	459	281·5

Information about the number of staff employed in Jobcentres in Lancashire from 1979 to 1981 is no longer available.

Mr. Pike asked the Paymaster General if he will give details of the numbers employed in the Burnley constituency at the latest date for which figures are available and comparative figures annually from 1979 in *(a)* jobcentres and *(b)* unemployment benefit offices.

Mr. Lang: At 1 April each year the following permanent and casual staff were employed in offices in the Burnley constituency.

(a) Jobcentres

	1982	*1983*	*1984*	*1985*	*1986*
Burnley	19	18	24	26·5	21·5
Padiham	2	2	2	2	2·5
Total	21	20	26	28·5	24

Information about the number of staff employed in jobcentres in the Burnley constituency from 1979 to 1981 is no longer available.

(b) Unemployment Benefit Offices

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*
Burnley A	35	30·5	54	65	49	22	21	20
Burnley B (including Padiham Part Time Office)	—	—	—	—	—	20	15	18
Total	35	30·5	54	65	49	42	36	38

Manufacturing Industry

Mr. Austin Mitchell asked the Paymaster General if he will publish in the *Official Report* a table showing the numbers currently employed in the sub-divisions of manufacturing industry, together with the corresponding figures for 1973 and 1979; and if he will add the peak figure for employment since 1956 together with the date the peak was reached.

Mr. Lang: The latest figures are as follows. Comparable estimates are not available for the same months in each of the years specified.

Employees in Employment in the Manufacturing Industries in Great Britain
(Standard Industrial Classification 1980. Unadjusted for seasonal variations)

	Division 2 (Other mineral and ore extraction etc)	*Division 3 (Metal goods, engineering and vehicles)*	*Division 4 (Other manufacturing industries)*
June 1973	1,215,000	3,518,000	2,959,000
June 1979	1,125,000	3,330,000	2,659,000
February 1986	777,000	2,561,000	2,037,000

In December 1979 the employed labour force in Great Britain was 24,940,000; its highest point in any of the years from 1956 to date. The employed labour force is the sum of employees in employment, the self employed, and Her Majesty's Forces.

Crown Immunity

Mr. Ashley asked the Paymaster General how many Crown notices have been issued to hospitals in each of the last five years; and to what aspects of health and safety they referred.

Mr. Lang: The information is given in the table. Figures for 1985 are not yet available.

Crown notices issued to Health Authorities

NHS hospital activity	*1980*	*1981*	*1982*	*1983*	*1984*
Safety Organisation, Safety Policy Instruction and Training	2	6	5	3	—
General Environmental Conditions (Heating, Lighting, etc.)	—	5	2	3	2
Asbestos (Works Departments)	1	3	10	7	8
Laboratories	6	30	25	7	3
Post Mortem Facilities	—	5	12	1	4
Disposal of Clinical Waste	—	7	1	2	3
Other matters connected with potentially infected material	—	—	1	—	—
Anaesthetic Gases (Theatres)	—	—	1	1	—
Dangerous Machinery (Workshops, Kitchens, Laundries)	4	15	9	3	1
Pressure Plant (Works Department)	—	—	1	1	1
Storage and use of Liquids, Gases and Solids (not already included above)	11	21	19	16	5
Unsafe Places of Work and Dangerous Buildings	—	7	4	2	5
x-Ray Departments, Radiotherapy Departments and other uses of Ionising Radiations	5	—	1	—	—
Electricity	—	—	2	—	—
Other	—	—	1	3	—
Totals	29	99	94	49	32

Mr. Ashley asked the Paymaster General what representations he has received regarding the removal of Crown immunity in respect of health and safety legislation; what response he has made; if he will prepare legislation to remove immunity: and if he will make a statement.

Mr. Lang: Since my hon. Friend's reply to the right hon. Member on 21 January at column *126* we have received six further letters regarding the removal of Crown immunity in respect of health and safety legislation. We have considered these representations carefully. The Crown is not immune from the Health and Safety at Work etc. Act itself; only from the Act's enforcement procedures. Where comparison between Crown and non-Crown establishments is possible it appears to the Health and Safety Executive, based on the experience of its inspectors, that no significant difference in standards of health and safety exists. We are not convinced that any change in the Crown's position under health and safety legislation is justified and will not be preparing legislation. We will, however, keep the issue under review.

Mr. Ashley asked the Paymaster General on how many occasions individual employees of the Crown have been prosecuted under the Health and Safety at Work etc. Act; and if he will categorise them according to the section of the Act under which the prosecution arose.

Mr. Lang: Two employees of the Crown have been prosecuted under the Health and Safety at Work etc. Act 1974. Both prosecutions arose from the same incident in 1979 for offences under regulation 58(3) of the Shipbuilding and Shiprepairing Regulations 1960.

Mr. Ashley asked the Paymaster General (1) how many Crown notices have been issued over the last five years in each of the areas of Crown employment;

(2) how many *(a)* Crown notices and *(b)* non-Crown notices have been issued in each of the last five years; and if he will express the figures in terms of the number of notices per thousand workers covered.

Mr. Lang: The best information now available is as follows:

Enforcement notices issued by enforcing authorities

	1980	*1981*	*1982*	*1983*	*1984*	*1980-84*
Crown notices						
(a) to Health authorities	29	99	94	49	32	303
(b) to others	6	17	15	11	16	65
Total Crown	35	116	109	60	48	368
Non-Crown notices	15,863	15,372	16,005	16,012	15,816	79,068

Figures for 1985 are not yet available.

It is estimated that in 1983, 0·04 Crown notices per thousand employees in Crown premises were issued, and 0·8 non-Crown notices per thousand employees in non-Crown premises.

Tourism

Mr. Adley asked the Paymaster General if, in seeking to promote tourism from the United States of America, he will make it his policy to use every opportunity open to him to highlight the fact that the level of homicide and violence in the United States of America far exceeds that in the United Kingdom; and if he will make a statement.

Mr. Trippier: I am well aware of my hon. Friend's concern about this issue and I can assure him that we shall do all we can to reassure potential American visitors that Britain is a safe destination. We shall certainly exploit every appropriate opportunity to put the risk from terrorism in its proper context.

Sheltered Employment

Mr. Ralph Howell asked the Paymaster General what was the number of severely disabled claimants included in the unemployment figures who would not normally be able to obtain employment except under sheltered conditions in January 1979, 1983 and 1986.

Mr. Lang: The information requested has not been available since October 1982. At that time they numbered about 23,000.

ACAS

Mr. Conway asked the Paymaster General when the Secretary of State for Employment expects to receive the annual report of the Advisory, Conciliation and Arbitration Service.

Mr. Kenneth Clarke: My right hon. and noble Friend and I have received the ACAS report for 1985, which will be laid before both Houses of Parliament tomorrow. The report is also published tomorrow and copies will then be available from the Vote Office.

TRADE AND INDUSTRY

Grocery Retailers

Mr. Ashdown asked the Secretary of State for Trade and Industry if he will give, for the last year for which figures are available, the number of single outlet grocery retailers in existence; and if he will investigate the future trend in the number of such retailers.

Mr. Peter Morrison: The provisional results of the retailing inquiry for 1984 indicate that there were then about 30,000 single outlet grocery retailers. Estimates of the numbers of such retailers in future will be available periodically from the retailing inquiries conducted by the Business Statistics Office.

EC (Foreign Investment)

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will bring up to date tables 6 to 9 on foreign investment in the evidence submitted by Her Majesty's Treasury to the Treasury and Civil Service Committee on 9 November 1984 in response to the Committee's inquiry on the financial and economic consequences of United Kingdom membership of the EEC.

Mr. Butcher: The available information is given in the tables.

Table 6
United Kingdom: inward direct investment (excluding oil companies)
£ million current prices

	World total	*EC total*	*Non-EC total*	*of which: USA*	*Japan*
1960	135·1	3·7	131·4	84·8	0·1
1961	236·3	17·9	218·4	185·2	−1·9
1962	130·0	2·5	127·5	95·4	−0·1
1963	160·0	10·3	149·7	105·0	0·7
1964	161·9	18·3	143·9	112·7	0·1
1965	196·6	14·6	182·0	150·9	−2·4
1966	195·5	11·2	184·3	154·7	0·5
1967	170·2	53·5	116·7	94·0	1·7
1968	274·1	25·6	248·5	208·3	1·6
1969	322·1	33·9	288·2	204·9	7·5
1970	363·2	61·4	301·8	225·8	7·9
1971	450·3	38·9	411·4	286·2	−3·6
1972	407·5	43·5	364·0	268·0	13·9
*1973	734·4	111·6	622·8	392·7	17·7
1974	853·7	75·5	778·2	409·8	−22·0
1975	615·4	98·0	517·4	310·0	−40·6
1976	798·9	176·4	622·5	549·9	−15·7
1977	1,326·0	268·2	1,057·8	635·7	98·9
1978	1,261·1	290·9	970·2	808·9	−23·9
1979	1,740·0	216·1	1,523·9	993·7	50·9
1980	2,540·9	0·5	2,540·4	1,912·4	14·0
1981	979·7	9·5	970·2	117·5	173·3
1982	1,073·7	136·6	937·1	376·8	−62·7
1983	2,114·7	473·3	1,641·4	1,227·0	188·7

*United Kingdom joined EC.
Note: Figures for 1979, 1980 and 1981 were affected by exceptional loan arrangements between United Kingdom affiliates and their overseas parents.

Table 7
Values of United States Outward Non-oil Direct Investment†
$m excluding oil
Current Prices

	World	*Europe*	**EC*	*UK*	*UK as percentage of EC*	*UK as percentage of world*
1966	4,473	1,721	—	480		
1967	3,522	1,326	—	174		
1968	3,898	1,329	—	441		
1969	5,067	2,093	—	455		
1970	5,390	2,305	—	593		
1971	5,553	2,654	—	671		

	World	Europe	*EC	UK	UK as percentage of EC	UK as percentage of world
1972	6,093	2,424	—	320		
1973	9,759	4,945	3,827	1,137	29·7	11·6
1974	12,548	5,105	3,541	934	26·4	7·4
1975	9,367	3,248	2,206	535	24·3	5·7
1976	9,528	4,112	3,141	440	14·0	4·6
1977	10,094	4,538	3,857	1,513	39·2	14·9
1978	14,579	7,171	5,743	1,916	33·4	13·1
1979	15,414	8,445	6,561	2,838	43·3	18·4
1980	17,201	10,908	8,904	5,210	58·5	30·2
1981	6,637	2,536	1,051	54	5·1	0·8
1982	−7,901	1,388	829	−9	—	−0·1
1983	2,298	2,609	845	509	60·2	22·1
1984	3,741	936	−20	−391	—	—

* Nine member countries up to 1980; including Greece from 1981 onwards.
† All figures cover all industries except oil. Direct investment is the amount invested in the year in unremitted profits, shares, loans, and short-term indebtedness by United States companies in their overseas subsidiaries, branches and associates.
— = Not available.
Source: Survey of Current Business published by US Department of Commerce.

*Japanese direct investment overseas**

	UK	EC	World	UK share of EC	Share of world investment UK	EC	USA
	US$m	US$m	US$m	per cent.	per cent.	per cent.	per cent.
1973-74	734	921	3,916	80	19	24	26
1975-82	496	2,402	22,487	21	2	11	—
1973-82	1,230	3,323	26,403	37	5	13	—

* These Japanese direct investment figures cover only share capital a long-term loans and unlike the United States figures do not include unremitted profits, short-term loans and direct credit.
Source: Japanese Balance of Payments.

Table 8 (Part 1)
United Kingdom inward direct investment (excluding oil companies)

£ million

	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971
Total												
World	135·1	236·3	130·0	160·0	161·9	196·6	195·5	170·2	274·1	322·1	363·2	450·3
EC	3·7	17·9	2·5	10·3	18·3	14·6	11·2	53·5	25·6	33·9	61·4	38·9
Non-EC	131·4	218·4	127·5	149·7	143·6	182·0	184·3	116·7	248·5	288·2	301·8	411·4
Manufacturing												
World	101·7	207·5	91·4	130·7	123·5	150·9	155·3	108·8	234·9	215·8	268·9	339·5
EC	3·8	n/a	−1·9	4·3	12·9	10·0	4·3	37·1	15·9	23·1	37·5	26·2
Non-EC	97·9	n/a	93·3	126·3	110·6	140·9	151·0	71·7	219·0	192·7	231·4	313·3
of which Food Drink Tobacco												
World	n/a	n/a	n/a	25·9	11·6	30·5	18·5	10·1	108·5	14·7	10·8	44·4
EC	n/a	n/a	n/a	0·6	0·1	0·2	0·3	—	−0·2	n/a	−0·7	2·0
Non-EC	n/a	n/a	n/a	25·3	11·5	30·3	18·2	10·1	108·7	n/a	11·5	42·4
Chemicals												
World	n/a	n/a	n/a	22·3	11·5	21·1	45·7	11·3	43·2	30·0	38·8	67·5
EC	n/a	n/a	n/a	1·1	5·0	2·7	1·0	2·3	13·6	2·8	8·9	13·9
Non-EC	n/a	n/a	n/a	21·2	6·5	18·4	44·7	9·0	29·6	27·2	29·9	53·6
Metal Manufacturing												
World	n/a	n/a	n/a	3·7	6·2	11·9	−0·8	−14·4	16·3	2·5	25·4	18·9
EC	n/a	n/a	n/a	0·5	−0·2	0·3	0·2	—	0·4	n/a	3·8	−2·1
Non-EC	n/a	n/a	n/a	3·2	6·4	11·6	−1·0	−14·4	15·9	n/a	21·6	21·0
Mechanical and Electrical Engineering												
World	13·4	n/a	33·6	22·2	37·1	52·6	64·3	78·8	26·6	108·7	136·5	125·3
EC	—	n/a	0·1	0·4	7·0	4·6	1·8	33·9	0·2	10·9	14·4	10·0
Non-EC	13·4	n/a	33·5	21·8	30·1	48·0	62·5	44·9	26·4	97·8	122·1	115·3
Vehicles												
World	16·0	n/a	9·3	33·0	35·6	17·8	12·1	6·6	22·2	4·0	16·0	39·6
EC	0·8	n/a	−1·9	1·0	−1·1	0·1	0·5	0·1	0·2	2·1	4·5	−6·2
Non-EC	15·2	n/a	11·2	32·0	36·7	17·7	11·6	6·5	22·0	1·9	11·5	45·8

	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971
Textiles												
World	n/a	n/a	n/a	1·4	7·6	1·6	0·9	1·1	0·5	2·3	5·5	6·0
EC	n/a	n/a	n/a	−0·1	0·5	1·2	0·1	0·1	0·2	0·1	4·4	3·5
Non-EC	n/a	n/a	n/a	1·5	7·1	0·4	0·8	0·1	0·3	2·2	1·1	2·5
Paper												
World	n/a	n/a	n/a	1·9	2·5	0·3	2·3	3·2	5·7	30·4	5·9	15·1
EC	n/a	n/a	n/a	0·1	0·4	—	0·1	0·3	0·6	—	—	0·1
Non-EC	n/a	n/a	n/a	1·8	2·1	0·3	2·2	2·9	5·1	30·4	5·9	15·0
Rubber												
World	n/a	n/a	n/a	4·3	0·6	5·0	4·8	2·7	5·8	7·6	5·5	3·2
EC	n/a	n/a	n/a	0·2	0·3	0·5	0·1	0·1	−0·1	n/a	0·1	−1·5
Non-EC	n/a	n/a	n/a	4·1	0·3	4·5	4·7	2·6	5·9	n/a	5·4	4·7
Other Manufacturing (including Shipbuilding)												
World	n/a	n/a	n/a	16·5	10·9	10·0	7·5	9·5	6·1	15·7	24·5	19·5
EC	n/a	n/a	n/a	0·5	0·9	0·6	0·3	0·4	0·9	4·7	2·1	6·3
Non-EC	n/a	n/a	n/a	16·0	10·0	9·4	7·2	9·1	5·2	11·0	22·4	13·2
Non-Manufacturing												
World	33·4	28·8	38·6	29·3	38·4	45·7	40·2	61·4	39·2	106·3	94·3	110·8
EC	−0·1	n/a	4·4	6·0	5·4	4·6	6·9	16·4	9·7	10·8	23·9	12·7
Non-EC	33·5	n/a	34·2	23·3	33·0	41·0	33·3	45·0	29·5	95·5	70·4	98·1

Table 8 (Part 2)
United Kingdom inward direct investment (excluding oil companies)

£ million

	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
Total												
World	407·5	734·4	853·7	615·4	798·9	1,326·0	1,261·1	1,740·0	2,540·9	979·7	1,073·7	2,114·7
EC	43·5	111·6	75·5	98·0	176·4	268·2	290·9	216·1	0·5	9·5	136·6	473·3
Non-EC	364·0	622·8	778·2	517·4	622·5	1,057·8	970·2	1,523·9	2,540·4	970·2	937·1	1,641·4
Manufacturing												
World	226·6	452·6	468·0	323·0	590·5	907·0	922·7	1,049·3	1,472·6	266·0	146·3	991·4
EC	17·3	28·8	28·3	33·2	85·6	108·7	120·7	103·6	−91·1	57·5	−50·0	174·9
Non-EC	209·3	423·8	439·7	289·8	504·9	798·3	802·0	945·7	1,563·7	208·5	196·3	816·5
of which												
Food Drink Tobacco												
World	41·3	82·1	71·4	74·9	104·0	57·1	94·7	176·1	230·9	173·4	129·6	258·0
EC	4·3	6·9	1·1	2·4	54·9	n/a	6·6	7·7	27·7	15·6	9·5	19·8
Non-EC	37·0	75·2	70·3	72·5	49·1	n/a	88·1	168·4	203·2	157·8	120·1	238·2
Chemicals												
World	56·4	52·7	82·9	35·7	63·4	137·5	334·8	265·9	91·9	208·6	178·7	224·1
EC	9·6	4·1	27·1	5·9	18·2	17·3	8·3	29·4	−16·1	7·5	31·4	65·9
Non-EC	46·8	48·6	55·8	29·8	45·2	120·2	326·5	236·5	108·0	201·1	147·4	158·2
Metal Manufacturing												
World	−22·3	14·1	35·1	−10·8	22·9	67·5	−26·7	86·9	43·0	−3·9	−26·8	−69·2
EC	6·0	5·4	2·7	1·0	2·8	15·7	12·8	n/a	−6·9	−17·9	n/a	n/a
Non-EC	−28·3	8·7	32·4	−11·8	20·1	51·8	−39·5	n/a	49·9	14·0	n/a	n/a
Mechanical and Electrical Engineering												
World	72·4	179·1	173·5	189·4	257·1	279·7	231·5	417·3	286·3	299·2	10·7	452·4
EC	−0·8	−4·3	−6·6	29·9	−24·0	41·2	8·0	24·5	29·5	28·6	−5·6	58·2
Non-EC	73·2	183·4	180·1	159·5	281·1	238·5	223·5	392·8	256·8	270·6	16·3	394·2
Vehicles												
World	33·0	50·6	−41·9	−22·9	67·9	131·0	125·6	−39·2	708·3	−521·6	−137·2	65·8
EC	−1·2	−0·1	0·3	n/a	n/a	n/a	86·9	n/a	n/a	n/a	n/a	n/a
Non-EC	34·2	50·7	−42·2	n/a	n/a	n/a	38·7	n/a	n/a	n/a	n/a	n/a
Textiles												
World	1·0	−3·6	48·5	−17·7	−5·2	11·1	−2·9	19·9	−31·2	17·9	10·5	8·7
EC	−1·5	3·6	0·1	−6·6	n/a	2·2	−0·7	4·7	−38·8	n/a	2·7	−1·8
Non-EC	2·5	−7·2	48·4	−11·1	n/a	8·9	−2·2	15·2	7·6	n/a	7·8	10·5
Paper												
World	5·2	44·4	27·2	7·9	35·6	72·7	51·2	34·3	31·6	52·7	6·8	−41·5
EC	0·7	15·6	1·1	n/a	30·1	8·7	−0·9	−0·7	−4·5	4·8	−2·2	−12·7

	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
Non-EC	4·5	28·8	26·1	n/a	5·5	64·0	52·1	35·0	36·1	47·9	9·0	−28·8
Rubber												
World	13·2	0·8	13·5	15·8	6·9	31·8	3·1	−3·3	−12·1	−13·6	−97·2	29·3
EC	−0·7	−0·8	1·9	n/a	4·4	n/a	−14·3	n/a	n/a	n/a	−5·5	3·6
Non-EC	13·9	1·6	11·6	n/a	2·5	n/a	17·4	n/a	n/a	n/a	−91·7	25·7
Other Manufacturing (including Shipbuilding)												
World	26·3	32·4	57·8	50·8	37·8	1118·7	11·5	91·3	123·9	53·3	71·2	63·8
EC	0·7	−1·5	0·5	0·9	6·3	10·5	14·0	9·1	5·2	15·4	7·9	7·6
Non-EC	25·6	33·9	57·3	49·9	31·5	108·2	97·5	82·2	118·7	37·9	63·3	56·2
Non-Manufacturing												
World	180·9	281·9	385·7	292·4	208·3	419·0	338·4	690·7	1,068·3	713·7	927·4	1,123·3
EC	26·2	82·8	47·2	64·8	90·8	159·5	170·2	112·5	91·6	−48·0	186·5	298·4
Non-EC	154·7	199·0	338·5	227·6	117·6	259·5	168·2	578·2	976·7	761·7	740·9	824·9

Table 9

	United Kingdom inward direct investment in manufacturing EC £ millions	United Kingdom outward direct investment in manufacturing EC £ millions	Net outward investment
1960	3·8	20·2	16·4
1961	n.a.	n.a.	—
1962	−1·9	n.a.	—
1963	4·3	23·9	19·6
1964	12·9	19·9	7·0
1965	10·0	12·7	2·7
1966	4·3	30·4	26·1
1967	37·1	118	80·9
1968	15·9	43·2	27·3
1969	23·1	86·3	63·2
1970	37·5	70·9	33·4
1971	26·2	183·5	157·3
1972	17·3	117·3	100·0
1973*	28·8	272·8	244·0
1974	28·3	166·6	138·3
1975	33·2	108·4	75·2
1976	85·6	287·0	201·4
1977	108·7	322·7	214·0
1978	120·7	304·7	184·0
1979	103·6	94·0	−9·6
1980	−91·1	140·4	231·5
1981	57·5	412·0	354·5
1982	−50·0	121·5	171·5
1983	174·9	259·8	84·9

Note:
EC includes Denmark, Irish Republic and Greece in all years.
* United Kingdom joined EC.
Source: Overseas Transactions Inquiry.

EC (Trade Statistics)

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry what share of the United Kingdom market for office machinery and data processing equipment is taken by imports from the EC; and if he will provide estimates for each year since 1970.

Mr. Alan Clark: The information available is given in the table.

Share of EC imports in the United Kingdom market for office machinery and data processing equipment

	Percentage
1975	37
1976	38
1977	41
1978	45
1979	46
1980	41
1981	39
1982	48
1983	47
1984	40
1985	41

Notes:
EC imports are imports from the eleven other members of the Community.
Office machinery and data processing equipment is defined as Class 33 of the Standard Industrial Classification (SIC80).

Food Imports

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the proportion of United Kingdom food imports supplied by the principal food-exporting countries in 1970 and in 1985, together with the United Kingdom's share of the supplying countries' imports of manufactures.

Mr. Alan Clark: Information for 1985 is not yet available. Figures for 1970 and 1984 are in the table.

United Kingdom trade with principal suppliers of food†*

	Share of United Kingdom food imports	United Kingdom share of imports of manufactures‡
1970		
1 Denmark	9·6	15·0
2 New Zealand	8·8	45·0‖
3 Ireland	8·0	61·7
4 Australia	7·7	25·0‖
5 United States of America	6·5	6·5
6 Canada	5·9	5·8
7 Netherlands	5·0	7·3
8 South Africa	4·2	26·2‖
9 Spain	3·5	10·4
10 France	3·0	6·2
1984		
1 Netherlands	13·8	8·3
2 Ireland	9·3	37·0
3 Denmark	8·4	8·0
4 France	6·2	6·1
5 New Zealand	4·5	10·5
6 Federal Republic of Germany	4·2	7·0

	Share of United Kingdom food imports	United Kingdom share of imports of manufactures‡
7 United States of America	4·0	3·8
8 Italy	3·7	6·7
9 Belgium/Luxembourg	3·6	9·3
10 Spain	3·5	7·6

Notes:
* Top ten countries in order of United Kingdom food imports
† Standard International Trade Classification (SITC) Section 0
‡ Standard International Trade Classification (SITC) Sections 5 to 8
‖ United Kingdom share of OECD countries' exports of manufactures

VS Export Control Regulations

Mr. Meadowcroft asked the Secretary of State for Trade and Industry what is his policy in relation to the United States export control regulations which take effect on 24 April.

Mr. Alan Clark: Companies and persons doing business in the United Kingdom should be guided by United Kingdom law and their own commercial judgment.

Steel

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the production of steel in each European Economic Community country in 1970 and in the latest 12 months for which figures are available, together with figures showing the steel-making capacity in each case.

Mr. Peter Morrison: The following is the available information:

Million tonnes

	Crude steel production		Production potential	
	1970	1985	1970	1985
Belgium	12·6	10·7	15·2	14·8
Denmark	0·5	0·5	†0·5	0·8
France	23·8	18·8	26·1	27·0
Greece	0·3	1·0	†0·8	4·4
Irish Republic	0·1	0·2	†0·1	0·3
Italy	17·3	23·7	21·2	36·3
Luxembourg	5·5	3·9	6·0	5·4
Netherlands	5·0	5·5	5·3	8·0
United Kingdom	28·3	15·7	†29·3	24·1
West Germany	45·0	40·5	53·0	48·9
Spain	*7·4	14·2	†9·5	n/a
Portugal	*0·4	0·7	†0·4	n/a

Source:
Except where otherwise stated, Eurostat for production data; ECSC Investment in the Community coalmining and iron and steel industries for data on production potential.
* International Iron and Steel Institute.
† OECD, the iron and steel industry in 1970 and trends in 1971.
n/a=Not available.

Westland plc

Mr. Gould asked the Secretary of State for Trade and Industry if he will appoint inspectors under section 456 of the Companies Act 1985 to investigate allegations of an illegal concert party in relation to share dealings in Westland plc in early 1986; and if he will make a statement.

Mr. Howard: I assume the hon. Member means section 442. I propose to consider in the light of the findings of the Stock Exchange Special Committee, and those of Westland's own inquiries which I understand are nearing their conclusion, whether any action by my Department is required.

Ultraleisure

Mr. Gould asked the Secretary of State for Trade and Industry (1) why the credit limit for Ultraleisure over the period 1979 to 1981 was continually increased; what account was taken in reaching these decisions as to the appropriateness of the company's export turnover; and why a further increase was specifically approved by a senior officer;

(2) whether the full facts concerning the credit limits approved for and the export turnover of Ultraleisure were known to the Export Credits Guarantee Department throughout the period 1979-81.

Mr. Alan Clark: Certain aspects of the involvement of this company with the Export Credits Guarantee Department are the subject of police investigation. In these circumstances, it would be inappropriate for me to give the information requested.

Written Answers to Questions

Tuesday 29 April 1986

WALES

Hearing Aids (Waiting List)

Dr. Roger Thomas asked the Secretary of State for Wales what is the present waiting list for appointments to attend the ear, nose and throat clinics for patients requiring hearing aids; and what is the waiting list, after such an examination, for the patient to be supplied with the apparatus in each of the Welsh health authorities.

Mr. Mark Robinson: This information is not available centrally.

ENERGY

Petrol Prices

Sir Eldon Griffiths asked the Secretary of State for Energy if he will publish a table showing the average price per litre on 1 January and 1 April of petrol on sale in London, together with such information as he has about the price in Paris, Bonn, Rome, Athens, Tokyo, Los Angeles, Chicago and New York.

Mr. Buchanan-Smith: The data are not available in the form requested. Sample petrol prices for the relevant European countries on the available dates nearest to those requested are as follows. Similar data are not available for Japan or the United States of America.

p/litre

Country	*1 January*	*7 April*
United Kingdom	42·1	38·3
France	48·0	41·5
Germany	38·4	30·4
Italy	53·4	53·0
Greece	37·3	35·6

Source: EC Oil Bulletin

Mr. Allen Adams asked the Secretary of State for energy what information he has about the current average retail profit margin on petrol sales; what information he has about regional variations in the retail price of petrol within the United Kingdom; if he will seek powers to limit such regional variations; and if he will make a statement.

Mr. Buchanan-Smith: The information is not available in the form requested. There is a wide variation in petrol prices at present, both locally and between regions. I do not intend to seek powers to limit these variations.

Mr. Allen Adams asked the Secretary of State for energy what information he has about the trend in the retail price of petrol in Scotland since 19 March; and if he will make a statement.

Mr. Buchanan-Smith: Petrol prices have fallen throughout the United Kingdom over recent weeks and are now below the levels predicted by the Chancellor in his Budget statement.

Oil Products

Mr. Allen Adams asked the Secretary of State for Energy if he will seek powers to limit the retail price of oil products; and if he will make a statement.

Mr. Buchanan-Smith: No.

Oil and Gas Developments

Mr. Knowles asked the Secretary of State for Energy when he will publish his next report on oil and gas developments in the United Kingdom.

Mr. Buchanan-Smith: I have published the latest edition of the "Brown Book", and have arranged for copies to be placed in the Library of the House and the Vote Office stores. The report gives a detailed account of oil and gas development in 1985.

Coal Industry

Mr. Powley asked the Secretary of State for Energy what financial support he made available to the coal industry in 1985-86.

Mr. Peter Walker: The coal industry received the following support from public funds during 1985-86:

	£ million
Social Grants	212
Deficit Grant	695
Payments to individuals under the Redundant Mineworkers Payments Scheme	564
	1,471

In addition, the National Coal Board will accrue in its accounts for 1985-86 substantial further sums in respect of deficit grant and social grants which will be paid in later years.

PRIME MINISTER

Severn Bridge

Q48. **Mr. Roy Hughes** asked the Prime Minister if she will introduce legislation to extend the boundaries of Wales to ensure that the Secretary of State for Wales has responsibility for the Severn bridge.

The Prime Minister: No. The importance of the existing bridge and the need to maintain a first-class road crossing of the Severn is fully recognised by my right hon. Friend the Secretary of State for Transport. My right hon. Friend the Secretary of State for Wales is closely involved in all matters concerning the existing bridge and the present studies for a second Severn crossing.

Sovereign Bases, Cyprus

Q102. **Mr. Dalyell** asked the Prime Minister if she is now satisfied with security at the United Kingdom sovereign bases on Cyprus, in the light of the recent trial of service men of 9 Signals Regiment; and if she will make a statement.

The Prime Minister: As I informed the House on 12 November 1985, at column 101, I have asked the Security Commission to consider the adequacy of the measures already in hand for improving security at 9 Signals Regiment. I await the commission's report.

Northern Ireland (Public Services)

Mr. Wigley asked the Prime Minister what is the estimated total cost of maintaining civil and military services in Northern Ireland for the current year.

The Prime Minister: The estimated cost of public services for 1986-87 is best represented by the public expenditure planning total for Northern Ireland (£4,521 million) as shown in Cmnd. 9702, plus expenditure in Northern Ireland by the Ministry of Agriculture, Fisheries and Food (£66 million) and expenditure by the Northern Ireland Court Service (£15 million). The additional cost of the army's task in Northern Ireland for 1986-87 is estimated at £150 million.

YTS Trainees

Mr. Lawler asked the Prime Minister how many YTS trainees are currently on a scheme with a Government Department or a sponsored non-departmental public body, listed by Department; and how many two-year places they have provided.

The Prime Minister: The number of places available on the YTS within the Civil Service in November 1985, the latest available date, was as follows:

	Places
Ministry of Defence	875
Departments of the Environment and Transport	30
Home Office	5
Inland Revenue	12
Ordnance Survey	25
Property Services Agency	30
Scottish Office	30
Department of Trade and Industry	39

There are no two-year programmes currently running in the Civil Service. In addition to the above, some Departments offer work experience places to young people on YTS schemes operated by other managing agents, and sponsored non-departmental bodies offer an estimated 400 places on YTS either as managing agent or as placement providers.

Mr. Lawler asked the Prime Minister if she will make a statement regarding negotiations between her office, the Manpower Services Commission and trade unions concerning the creation of wider opportunities for young people to train with a Government Department through YTS.

The Prime Minister: In November 1983 the Cabinet Office (Management and Personnel Office) concluded with the Council of Civil Service Unions a national framework agreement for the operation of the youth training scheme within the Civil Service. Two-year YTS has not changed this formal position, and that agreement still stands. None the less, and despite there being some 1,000 places available on YTS now, progress on promoting YTS in the Civil Service at large has been severely limited by the opposition of some Civil Service trade unions, mainly at local and departmental levels. My right hon. Friend the Secretary of State for Employment, my right hon. and learned Friend the Paymaster General and my right hon. Friend the Minister of State, Privy Council Office are seeking by every means possible to remove this impasse to the full implementation of an existing agreement.

Libya

Mr. Austin Mitchell asked the Prime Minister (1) whether she tried to discourage President Reagan from using British bases for attacking Libya before finally agreeing to his request; and if she will make a statement; (2) if she will publish in the *Official Report* a list of those consulted in the six days prior to the United States attack on Libya; when her consultations were concluded; and when her agreement to the attack was communicated to President Reagan.

The Prime Minister: I have nothing further to add to my statement in the House on 15 April and my speech in the debate on 16 April.

Fire Disasters

Mr. Madden asked the Prime Minister what criteria Her Majesty's Government use in deciding, in cases of fire disasters, whether *(a)* to make a direct contribution from central Government funds to the cost of restoration and repairs or *(b)* to leave the relevant local authority to bear the cost through increased borrowing; and if she will make a statement.

The Prime Minister: Decisions about such matters are made in the light of the circumstances surrounding individual cases.

Shops Bill

Mr. Kaufman asked the Prime Minister, pursuant to her reply to the right hon. Member for Manchester, Gorton of 24 April, *Official Report*, column *206*, if she will specify the nature of the false premise upon which she indicated the right hon. Member's original question was based; and if she will make a statement.

The Prime Minister: My hon. Friend the Member for Peterborough (Dr. Mawhinney) was the duty Minister in Northern Ireland on the evening of 14 April.

Engagements

Mr. Peter Bruinvels asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

Mr. Flannery asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Tuesday 29 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

EDUCATION AND SCIENCE

Further Education

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science how many pupils remained in education after *(a)* 16 and *(b)* 17, but under 19 years, in each local education authority in England at the latest date for which figures are available; and what was the amount granted in discretionary awards by each local education authority in that year.

Mr. Chris Patten: Table 1 below shows the numbers of 16, 17 and 18-year-olds who remained in full-time

education at maintained schools and further education establishments in the academic year 1984-85 in each local education authority in England. Table 2 gives each authority's maintenance expenditure on full value and lesser value discretionary awards in that year in England and Wales.

Table 1
Local Education Authority in England
Academic Year 1984-85

	Schools and FE Establishments		
	16	*17*	*18*
Barking	700	378	475
Barnet	2,414	1,802	941
Bexley	1,619	1,072	313
Brent	1,773	1,368	833
Bromley	2,041	1,315	553
Croydon	2,029	1,326	667
Ealing	1,782	1,338	794
Enfield	1,874	1,291	515
Haringey	1,346	906	595
Harrow	1,610	1,068	521
Havering	1,626	963	285
Hillingdon	1,410	919	402
Hounslow	1,531	937	475
Kingston-upon-Thames	944	640	296
Merton	1,153	765	328
Newham	1,467	897	501
Redbridge	1,530	1,030	385
Richmond-upon-Thames	777	563	345
Sutton	1,266	887	276
Waltham Forest	1,391	905	442
Inner London	12,800	8,024	4,290
Birmingham	7,044	4,282	1,478
Coventry	2,142	1,490	528
Dudley	2,106	1,382	459
Sandwell	1,754	1,172	554
Solihull	1,598	1,281	459
Walsall	1,783	1,261	492
Wolverhampton	1,737	1,097	469
Knowsley	992	570	315
Liverpool	3,170	2,087	930
St. Helens	1,284	869	304
Sefton	2,481	1,597	694
Wirral	2,260	1,709	731
Bolton	1,673	1,292	601
Bury	1,306	836	411
Manchester	2,750	2,036	1,121
Oldham	1,077	748	364
Rochdale	1,199	884	340
Salford	1,378	915	412
Stockport	2,020	1,520	709
Tameside	1,279	840	356
Trafford	1,370	1,159	520
Wigan	2,327	1,536	620
Barnsley	1,349	761	248
Doncaster	1,691	1,238	452
Rotherham	1,651	1,035	426
Sheffield	3,526	2,185	878
Bradford	2,740	1,754	825
Calderdale	1,202	870	378
Kirklees	2,693	1,768	766
Leeds	4,532	2,802	1,175
Wakefield	2,051	1,123	437
Gateshead	1,212	715	305
Newcastle upon Tyne	1,469	931	482
North Tyneside	1,269	765	423
South Tyneside	799	549	214
Sunderland	1,567	1,117	461
Isles of Scilly	15	9	7
Avon	5,715	3,904	1,506
Bedfordshire	3,470	2,350	1,020
Berkshire	5,306	3,447	1,534
Buckinghamshire	4,525	3,378	1,397
Cambridgeshire	3,865	2,566	1,107
Cheshire	6,928	4,958	2,306
Cleveland	4,095	2,699	1,057
Cornwall	3,206	2,156	943
Cumbria	3,105	1,898	751
Derbyshire	5,877	4,060	1,505
Devon	6,047	4,222	1,787
Dorset	3,611	2,514	907
Durham	3,369	2,178	795
East Sussex	4,123	2,897	1,297
Essex	9,817	6,363	2,569
Gloucestershire	3,197	2,326	874
Hampshire	10,479	7,136	3,191
Hereford and Worcester	4,178	3,115	1,263
Hertfordshire	7,915	5,575	1,846
Humberside	5,511	3,393	1,601
Isle of Wight	809	560	251
Kent	10,943	7,425	2,923
Lancashire	8,342	6,219	2,700
Leicestershire	6,197	4,198	1,951
Lincolnshire	3,577	2,616	1,096
Norfolk	4,155	2,706	1,004
North Yorkshire	4,883	3,567	1,574
Northamptonshire	3,646	2,393	863
Northumberland	2,026	1,243	467
Nottinghamshire	5,670	4,105	1,796
Oxfordshire	3,941	2,455	1,102
Shropshire	2,755	2,013	898
Somerset	2,932	1,768	762
Staffordshire	6,620	4,597	1,888
Suffolk	3,373	2,117	914
Surrey	7,341	5,209	2,592
Warwickshire	3,644	2,579	1,104
West Sussex	4,770	3,259	1,385
Wiltshire	3,639	2,435	947

Table 2
Local education authority (maintenance) expenditure: 1984-85

	Full value discretionary awards (1) £	*Lesser value discretionary awards (2)* £	*All discretionary awards (3)* £
Barking	60,789	114,476	175,265
Barnet	418,115	21,722	439,837
Bexley	286,715	34,805	321,520
Brent	1,600,398	0	1,600,398
Bromley	229,063	26,408	255,471
Croydon	195,570	169,654	365,224
Ealing	69,504	224,678	294,182
Enfield	51,003	165,011	216,014
Haringey	229,022	201,841	430,863
Harrow	189,431	15,854	205,285
Havering	95,851	187,529	283,380
Hillingdon	114,456	30,104	144,560
Hounslow	123,874	0	123,874
Kingston upon Thames	75,084	19,581	94,665
Merton	53,022	44,063	97,085
Newham	166,912	192,020	358,932
Redbridge	206,199	18,496	224,695
Richmond upon Thames	201,794	31,871	233,665
Sutton	110,105	64,531	174,636
Waltham Forest	243,792	193,033	436,825
Inner London	11,100,970	1,440,598	12,541,568
Birmingham	558,173	95,746	653,919
Coventry	260,088	172,062	432,150
Dudley	99,870	182,524	282,394
Sandwell	293,460	61,878	355,338
Solihull	99,804	3,207	103,011
Walsall	175,574	280,193	455,767
Wolverhampton	143,566	2,409	145,975

	Full value discretionary awards (1) £	Lesser value discretionary awards (2) £	All discretionary awards (3) £
Knowsley	16,280	955,916	972,196
Liverpool	71,900	1,218,201	1,290,101
St. Helens	144,832	236,108	380,940
Sefton	185,173	13,666	198,839
Wirral	691,734	181,829	873,563
Bolton	89,020	387,520	476,540
Bury	245,062	236,847	481,909
Manchester	484,487	516,872	1,001,359
Oldham	111,898	197,425	309,323
Rochdale	190,817	124,310	315,127
Salford	209,728	252,555	462,283
Stockport	201,988	249,663	451,651
Tameside	146,900	94,928	241,828
Trafford	122,464	159,182	281,646
Wigan	255,490	326,289	581,779
Barnsley	221,987	156,657	378,644
Doncaster	272,178	80,867	353,045
Rotherham	137,620	233,371	370,991
Sheffield	841,143	796,541	1,637,684
Bradford	1,180,209	107,947	1,288,156
Calderdale	167,893	50,345	218,238
Kirklees	557,610	443,119	1,000,729
Leeds	255,151	647,722	902,873
Wakefield	390,902	205,852	596,754
Gateshead	86,627	109,375	196,002
Newcastle upon Tyne	261,223	174,599	435,822
North Tyneside	200,618	283,222	483,840
South Tyneside	3,124	187,505	190,629
Sunderland	728,234	48,704	776,938
Isles of Scilly	1,775	24,015	25,790
Avon	864,880	726,171	1,591,051
Bedfordshire	503,731	119,476	623,207
Berkshire	687,425	185,084	872,509
Buckinghamshire	466,026	115,951	581,977
Cambridgeshire	645,456	2,408	647,864
Cheshire	2,221,948	759	2,222,707
Cleveland	877,173	297,601	1,174,774
Cornwall	420,969	488,578	909,547
Cumbria	882,315	584,511	1,466,826
Derbyshire	368,418	1,547,288	1,915,706
Devon	2,257,110	305,620	2,562,730
Dorset	974,293	250,239	1,224,532
Durham	246,920	331,209	578,129
East Sussex	490,663	1,004,760	1,495,423
Essex	1,217,064	2,092,276	3,309,340
Gloucestershire	1,110,775	556,411	1,667,186
Hampshire	2,592,754	709,337	3,302,091
Hereford and Worcester	725,085	52,888	777,973
Hertfordshire	185,470	625,429	810,899
Humberside	1,497,187	768,280	2,265,467
Isle of Wight	203,377	50,901	254,278
Kent	2,557,655	1,208,670	3,766,325
Lancashire	1,791,411	1,709,361	3,500,772
Leicestershire	1,763,004	284,162	2,047,166
Lincolnshire	1,056,499	165,845	1,222,344
Norfolk	544,772	649,905	1,194,677
North Yorkshire	1,949,851	827,230	2,777,081
Northamptonshire	664,219	45,614	709,833
Northumberland	247,641	444,016	691,657
Nottinghamshire	1,015,463	341,195	1,356,658
Oxfordshire	401,109	0	401,109
Salop	713,787	79,868	793,655
Somerset	242,156	298,920	541,076
Staffordshire	811,019	240,915	1,051,934
Suffolk	1,096,895	75,388	1,172,283
Surrey	591,511	133,046	724,557
Warwickshire	701,351	59,151	760,502
West Sussex	435,718	59,706	495,424
Wiltshire	562,633	238,560	801,193
Clwyd	590,611	193,745	784,356
Dyfed	1,873	1,035,706	1,037,579
Gwent	545,031	979,891	1,524,922
Gwynedd	7,300	478,211	485,511
Mid-Glamorgan	0	231,483	231,483
Powys	415,065	94,810	509,875
South Glamorgan	620,029	74,262	694,291
West Glamorgan	536,698	55,787	592,485
Total	65,228,611	33,516,070	98,744,681

Female Students

Mr. Meadowcroft asked the Secretary of State for Education and Science if he will publish in the *Official Report* the current distribution of female students by National Advisory Body programme areas.

Mr. George Walden: The full-time equivalent numbers in each National Advisory Body programme area of home and European Community female students on advanced courses in institutions which fall within the remit of NAB, and their proportion of the total, are given in the table.

FTE Numbers of Students in Public Sector Institutions in England as at November 1984

Subject Group:	Males	Female	Total	Females as percentage of Total
Initial Teacher Training	5,644	19,351	24,995	77·4
In-Service Teacher Training	4,228	5,259	9,487	55·4
Medicine etc.	2,601	7,378	9,979	73·9
Engineering	41,087	1,344	42,431	3·2
Technology	4,943	1,630	6,573	24·8
Agriculture etc.	435	149	584	25·6
Science	15,016	9,105	24,121	37·7
Maths/Computer Studies	9,270	2,719	11,990	22·7
Business Management etc.	33,458	21,782	55,239	39·4
Social & Admin Studies	10,999	13,206	24,205	54·6
Other Prof & Vocational Studies	9,628	8,030	17,659	45·5
Languages & Literature	1,959	5,916	7,875	75·1
Humanities	5,218	9,029	14,247	63·4
Music, Drama & Visual Arts	10,753	14,652	25,405	57·7
All Programmes	155,239	119,551	274,790	43·5

Mr. Meadowcroft asked the Secretary of State for Education and Science if he will publish in the *Official Report* his estimate of the impact on the total numbers, and the percentage of women in public sector higher education, by programme area, of the differential cuts in programme areas.

Mr. Walden: No decisions have yet been taken on target student numbers in public sector higher education for 1987-88. Decisions on the resources available for the public sector will be taken in the autumn, and my right hon. Friend the Secretary of State will decide on the disposition of academic provision and the allocation of the advanced further education pool in December following advice in that month from the National Advisory Body for Public Sector Higher Education.

No estimates are therefore available of the target number of students and the likely percentage of women, in 1987-88. In 1984, the latest year for which figures of actual enrolments are available, the total full-time equivalent number of home and EC students following courses of advanced further education at institutions falling within the remit of the NAB was 274,790, of whom 119,551 were women students. Since 1979 the growth in female enrolments has exceeded that for male enrolments by a substantial margin (41·9 per cent. compared with 26·2 per cent.), sufficient to raise the proportion of the total represented by women from 40·7 per cent. in 1979 to 43·5 per cent. in 1984.

HOME DEPARTMENT

Prison Education Services

Mr. Greenway asked the Secretary of State for the Home Department what is the planned expenditure for prison education services for the financial year 1986-87; and what was the planned expenditure for those services for the financial years 1984-85 and 1985-86.

Mr. Mellor: At the beginning of each of the financial years shown, forecast expenditure on educational services was as follows:

	£
1984-85	12,867,000
1985-86	13,581,960
1986-87	14,539,905

The figures do not include expenditure on religious education, physical education, industrial training, library, vocational training and construction industry training staff, building and maintenance costs and prison officer escort costs.

Mr. Greenway asked the Secretary of State for the Home Department (1) what is the planned number of prison education teaching hours, both in total and for hourly paid teachers, for the financial year 1986-87; and what was the planned number of prison education teaching hours, both in total and for hourly paid teachers, for the financial years 1984-85 and 1985-86;

(2) what was the planned number of prison education teaching hours delivered, both in total and for hourly paid teachers, for the financial years 1983-84, 1984-85 and 1985-86.

Mr. Mellor: The available information is as follows:

Financial Year	*Planned Hours Hourly Paid Teachers*	*Total*
1984-85	445,340	700,259
1985-86	479,934	730,077
1986-87	499,324	759,628

The number of teaching hours delivered annually is not collected centrally and could be obtained only at disproportionate cost.

City of London Police (Black People)

Mr. John Fraser asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of the City of London police as to how many and what percentage of the City of London police force are black.

Mr. Giles Shaw: On 31 March 1986, one of the 774 members of the City of London police (0·13 per cent.) was a member of the ethnic minorities.

Police Establishments

Mr. John Mark Taylor asked the Secretary of State for the Home Department if he will seek from the appropriate chief constables and if he will publish the current police manning figures expressed in population per capita for the police divisions most approximate to the boundaries of the cities of Oxford, Exeter, Norwich, Carlisle and Peterborough.

Mr. Giles Shaw: I understand from the chief constables concerned that the population per police officer in these areas is as follows:

	Population per police officer
Oxford	1 : 399
Exeter	1 : 611
Norwich	1 : 585
Carlisle	1 : 583
Peterborough	1 : 596

Mr. Peter Bruinvels asked the Secretary of State for the Home Department what recent request he has received from *(a)* the chief constable of Leicestershire police and *(b)* other police forces in the midlands for an increase in police establishment; and what were the reasons cited for their requests.

Mr. Giles Shaw: We have not received an application recently from the Leicestershire police authority for an increase in the authorised establishment of the force.

The following four police authorities in the midlands have applied for increases totalling 140 in their authorised establishments for the financial year 1985-86 or later, mainly for uniformed patrol duties, including the policing of motorways. Eighty-eight additional posts have so far been approved for three of these forces. A decision will be made later on the remaining application.

Police authority/ force	*Increase applied for*	*Increase approved*
Northamptonshire	29	29
Staffordshire	*52	—
Warwickshire	29	29
West Mercia	30	30

* Further consideration will be given later to this application.

Community Radio

Mr. Norman Atkinson asked the Secretary of State for the Home Department if the Advisory Panel on Community Radio is yet ready to announce the successful Greek-speaking and Afro-Caribbean applications; and if he will consider what technical assistance will be made available by the British Broadcasting Corporation to those granted an experimental radio licence.

Mr. Giles Shaw: The advisory panel's report was received in February and my right hon. Friend will announce the successful applicants for experimental licences as soon as possible after completing his consideration of the panel's advice. Community radio stations will operate independently of the BBC and IBA; and it will be for the BBC to consider how to respond to any requests for technical advice or assistance that may be made to it.

Mr. Iorwerth Jones

Dr. Roger Thomas asked the Secretary of State for the Home Department if he will make a statement on the physical condition of Iorwerth Jones; a constituent of the hon. Member for Carmarthen, at present in the hospital wing of Her Majesty's prison, Cardiff.

Mr. Mellor: No. My noble Friend will be writing to the hon. Member.

"Policing the Miners' Dispute"

Mr. Nellist asked the Secretary of State for the Home Department if he will seek to obtain a copy of the Association of Police Officers' paper entitled "Policing the Miners' Dispute" with a view to placing it in the Library; and if he will make a statement.

Mr. Giles Shaw [*pursuant to his reply*, 21 April 1986, c. *19*]: With the agreement of the Association of Chief Police Officers, I am today placing a copy of the paper in the Library.

CHURCH COMMISSIONERS

St. Alphege's, Southwark

Mr. Simon Hughes asked the hon. Member for Wokingham, as representing the Church Commissioners, what is the current position in relation to the redundant church of St. Alphege's, Southwark.

Sir William van Straubenzee: This church is not yet officially redundant. A draft pastoral scheme providing for it to be declared redundant and leased for storage and ancillary purposes was published last autumn and no objections were received. This procedure was always, however, subject to the London borough of Southwark granting planning permission. Such permission was recently refused, and the position is now being reconsidered by the diocesan authorities in the light of this refusal.

TRADE AND INDUSTRY

Cement

Mr. Barry Jones asked the Secretary of State for Trade and Industry what tonnage of cement has been imported into the United Kingdom for each of the last three years; from what source; and what this tonnage represents in estimated cash terms.

Mr. Howard: The information is as follows:

Quantity (thousand metric tonnes)/Value (£ million)

	1983		*1984*		**1985*	
	Quantity	*Value*	*Quantity*	*Value*	*Quantity*	*Value*
France	2·0	0·5	11·4	1·1	39·8	3·2
Belgium/Luxembourg	14·2	0·4	10·9	0·5	4·4	0·2
Netherlands	131·8	5·0	137·9	5·2	110·5	5·0
Federal Republic of Germany	114·3	4·1	114·2	4·3	72·5	3·3
Irish Republic	86·8	3·0	73·2	2·3	211·3	5·5
Spain	7·1	0·2	43·0	1·2	44·2	1·4
German Democratic Republic	54·9	1·6	50·0	1·4	62·3	1·7
Poland	15·8	0·4	56·0	1·3	56·6	1·6
Other Countries	1·5	0·3	3·0	0·4	17·3	1·8
TOTAL	428·5	15·3	499·6	17·7	618·9	23·7

Source: Country of Origin data corresponding to SITC/R2 Sub-group 661·2 in the *UK Overseas Trade Statistics*.
* Figures for 1985 are provisional.
Note: Due to rounding totals shown may not correspond exactly to the sum of constituent items.

SCOTLAND

Fishing Industry

Mr. Austin Mitchell asked the Secretary of State for Scotland what was the number of fishing vessels laid up, the number of new vessels introduced, the number actually fishing and the number of fishermen employed in the Scottish fishing industry for each of the years 1976 to 1985.

Mr. John MacKay: The available information is set out in the following table. Statistics are not collected for laying up. This varies widely in duration and may be voluntary or enforced by, for example, seasonal fisheries and quota exhaustion.

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Number of active fishing vessels at end of each year	2,616	2,580	2,616	2,517	2,514	2,370	2,233	2,214	2,180	2,198
Number of newly built vessels joining fleet (30 feet and over)	40	24	25	35	52	34	25	18	27	27
Number of regularly and partially employed fishermen	8,866	8,985	9,241	8,824	8,699	8,461	8,184	8,075	8,100	8,102

Notes:
1. The 1985 statistics are provisional.
2. Only one Scottish fishing vessel has been the subject of a laying-up grant under the Fishing Vessels (Financial Assistance) Scheme 1983.

Social Work Staff (Qualifications)

Mr. Henderson asked the Secretary of State for Scotland what proportion of social work staff serving in local authority residential establishments, day care establishments, and in the field, respectively, have either a certificate of qualification in social work or a certificate in social service or both; and how these figures compare with five and 10 years earlier.

Mr. John MacKay: Figures for 1984, the latest year available, and for 1979 are given in the table. Information for 1974 is not available in the form requested.

Proportion of social work staff holding CQSW or CSS or both

	At October 1979 per cent.	1984 per cent.
In day care establishments	0·8	5·4
In residential establishments	1·1	3·8
In field work	75·5	84·1

Detailed information on the qualifications of all local authority social work staff is contained in the SWSG statistical bulletins "Staff of Scottish Social Work Departments" published each year from 1978 to 1984. Copies are in the Library.

Local Authority Services

Mr. Donald Stewart asked the Secretary of State for Scotland if he will list the range of services funded from local authority rates in *(a)* Scotland, *(b)* England and *(c)* Wales.

Mr. Rifkind: The services funded from local authority rates in Scotland which are relevant for rate support grant are set out in the "Report on the Rate Support Grant (Scotland) (No. 4) Order 1985". In addition, Scottish authorities provide housing services, which are not relevant for rate support grant. The services funded from local authority rates in England are set out in the "Rate Support Grant Report (England) 1986-87". The services funded from local authority rates in Wales are set out in the "Welsh Rate Support Grant Report 1986-87". Copies of all these reports are in the Library.

Rates

Mr. Donald Stewart asked the Secretary of State for Scotland if he will publish a comparison of the level of non-domestic rates in *(a)* England, *(b)* Scotland and *(c)* Wales.

Mr. Rifkind: The estimated total amount of non-domestic rates collected in each country in 1985-86 was:

	£ million
Scotland	1,030
England	7,200
Wales	290

In view of the differences in the dates of the most recent revaluations it is not possible to make direct comparisons between non-domestic rates in the three countries.

Teachers (Pay)

Mr. Maclennan asked the Secretary of State for Scotland what representations he has received from local authorities concerning the payment to teachers of the wage settlement for the 1985-86 financial year; what calculation he has made of the likely extra cost of the settlement in money terms to each region above that provided for in the 4·25 per cent. guideline advice given by his Department to councils for budgets; and whether he will compensate regional councils for the extra expenditure incurred.

Mr. Ancram: The Convention of Scottish Local Authorities and a number of authorities have asked my right hon. and learned Friend to provide extra grant to help meet the costs of the teachers' pay settlement for 1985-86 and also to disregard authorities' extra expenditure on teachers' pay when calculating rate support grant penalties for that year. He told the convention when he met it on 18 April that he had made it clear to the convention's representatives before the authorities settled with the teachers' unions that they had to do so within the resources available to them and that no additional resources were available. He told them that it had been made clea to the local authority representatives that there would be no disregard. He therefore told the convention that he could not meet its requests.

NORTHERN IRELAND

Anglo-Irish Agreement

Mr. Archer asked the Secretary of State for Northern Ireland what changes he expects to bring forward in social legislation in Northern Ireland as a result of the Anglo-Irish agreement.

Mr. Tom King: Changes in social legislation are the sole responsibility of the United Kingdom Government. In considering any changes we take account of views, expressed by the Irish Government under article 5*(c)* of the Anglo-Irish agreement as well as those expressed by other interested parties. I have put in the Library the joint

statement issued after each meeting of the intergovernmental conference, which notes matters, including social matters which were discussed there.

EMPLOYMENT

Business Licensing

Mr. Ashdown asked the Paymaster General if he intends to conduct an exercise to examine the impact of local governmental licensing arrangements upon business similar to that exercise currently being undertaken by the enterprise unit on central Government licensing.

Mr. Trippier: Yes. The enterprise and deregulation unit is discussing with the local authority associations how to take forward this second stage of the review. As with licensing requirements imposed by central Government, views will be sought from business interests on the impact of local requirements.

Factory Inspectorate

Mr. David Atkinson asked the Paymaster General if he is satisfied with current staffing levels of the Factory Inspectorate; and if he will make a statement.

Mr. Trippier: Decisions on the number of inspectors employed by the Health and Safety Executive are a matter for the executive, subject to the limits set by the Government on its total salary expenditure and manpower. I understand that 26 new factory inspectors have recently taken up post or will do so shortly and there will be further recruitment to the inspectorate during 1986-87.

Workplace Accidents

Mr. David Atkinson asked the Paymaster General if he will list the numbers of recorded fatalities and injuries at work since 1970; and if he will make a statement.

Mr. Trippier: The available information is as follows: figures for 1985 are not yet available.

Reported occupational injuries to employees and self-employed persons at work in Great Britain, resulting in:

Year	*Death*	*Major injury**	*Over three day absence from work (thousands)*
1970	821	—	†685
1971	780	—	†622
1972	671	—	†630
1973	765	—	†623
1974	651	—	†577
1975	620	—	—
1976	584	—	†553
1977‡	524	—	†579
1978	622	—	†581
1979	615	—	†509
1980‖	579	—	—
1981	503	12,406	*435
1982	516	12,402	*390
1983	507	12,561	—
1984¶	496	12,624	—

—=not available.

* as defined under the Notification of Accidents and Dangerous Occurrences Regulations 1980.

† Claims for industrial injury benefit from DHSS in year starting on first Monday in June (employees only).

‡1970-1977 fatalities to employees only.

‖ 1978-1980 fatalities include those voluntarily reported to non-employees.

¶ 1981-1984 fatalities and major injuries to employees and self-employed as reported under NADOR.

Over three-day injuries to employees only.

Factory Inspectors

Mr. David Atkinson asked the Paymaster General if he is satisfied with the frequency of visits to industrial premises by factory inspectors; and if he wil make a statement.

Mr. Trippier: Yes. The frequency of visits by factory inspectors is determined by the Health and Safety Executive in the light of its overall resources. The factory inspectorate's programme of visits is planned on the basis of a rating system. This takes into account the level of risk to employees and the public, management performance and the time elapsed since the last inspection. There is no fixed period between inspections.

YTS and Community Industry

Mr. John Fraser asked the Paymaster General how many people were in youth training schemes and community industry in Lambeth in March.

Mr. Lang: I regret the information is not available in the precise form requested. However, at the end of February, the latest date for which YTS statistics at local authority district level are available, there were 734 young people in training on YTS schemes and there were 84 young people participating in the community industry scheme in the borough of Lambeth.

Community Programme

Mr. Colin Shepherd asked the Paymaster General how many community programme places are presently filled in the area covered by the Hereford city council and the South Herefordshire district council; how many are available but vacant; and how many projects are presently in operation.

Mr. Lang: On 27 March, the latest date for which statistics are available, there were 208 community programme projects in operation in the Marches area, which includes Herefordshire. These projects had a total of 3,020 filled places.

It is not known how many places were "available but vacant". On 4 April jobcentres in the area held notifications of 436 community programme jobs, but these were not all immediately available; sponsors often notify jobs in advance of their becoming available.

Separate figures in respect of the areas covered by Hereford city council and the South Herefordshire district council are not available.

Maternity Pay

Ms. Richardson asked the Paymaster General how many women received maternity pay in the years ended March 1983, 1984 and 1985; and what was the balance held in the maternity pay fund in March 1985 or at the latest available date.

Mr. Trippier: The information is not available in the form requested. The numbers of maternity pay rebate payments made to employers by the Department of Employment are as follows:

	Number
1982-83	127,477
1983-84	131,433
1984-85	131,201

The balance in the maternity pay fund at 31 March was £27,922,000.

Jobclubs

Mr. Maples asked the Paymaster General what results are being achieved by the jobclub network; and if he will make a statement.

Mr. Lang: The results achieved by jobclubs are very encouraging. Two thirds of people passing through jobclubs have found work. A recent Manpower Services Commission report shows that jobclubs are cost effective and compare very favourably with other ways jobcentres help long-term unemployed people. A copy is in the Library.

We have agree that the Manpower Services Commission should work to establish about 200 jobclubs by the end of the year, and 450 as soon as possible thereafter. This will mean a jobclub for each main jobcentre area.

Labour Statistics

Mr. Michael Forsyth asked the Paymaster General whether he is satisfied with the accuracy of the returns submitted by Central regional council for calculating the level of unemployment in the Stirling constituency.

Mr. Lang [*pursuant to his reply*, 28 April 1986]: No. Unemployment rates for travel-to-work areas are based on figures from the census of employment. Figures given by the Central regional council for the 1981 census did not provide the appropriate address information for my officials to classify employees to the correct travel-to-work areas.

NATIONAL FINANCE

Stamp Duty

Mr. Freeman asked the Chancellor of the Exchequer what representations he has received on the stamp duty proposals in his Budget.

Mr. Lawson: My proposals to halve the rate of stamp duty on shares as part of a self-financing package involving a broadening of the base of the duty has been generally welcomed. As foreshadowed by my right hon. Friend the Chief Secretary earlier today, I am making some modifications to the original proposals.

In my Budget statement I proposed an additional tax on the creation of certificates representing the deposit of shares, such as American depositary receipts. The certificates can be transferred from seller to buyer without payment of stamp duty, so creating a potential loss of revenue. In this respect ADRs are not unlike United Kingdom bearer shares. They are attractive to many overseas investors in British shares and, mainly for this reason, business in them has recently grown substantially. But United Kingdom institutions and other investors are also free to buy them, and sometimes do.

My objective is that depositary receipts—and similar arrangements — should be taxed at a rate which will broadly speaking eliminate the incentive to use them for tax avoidance. It follows that the tax on the creation of the certificate should so far as possible recompense for the loss of stamp duty on subsequent sales and purchases. From the point of view of the investor he will be getting a transferable "season ticket". He pays more now, but subsequent transfers are free of duty.

I have re-examined the rate of the tax against this criterion and, in the light of information that has become available to us since the Budget, I have concluded that the revenue should be sufficiently safeguarded if the tax on conversion of shares into ADRs and similar instruments were put at 1½ per cent. This is three times what the duty on registered shares will be after the big bang, the same multiple that has applied for some years to the issue of United Kingdom shares in bearer form. The tax on all bearer shares from the big bang will be fixed at the same level, 1½ per cent.

I am confident that the 1½ per cent. rate, which is only a half per cent. more than the rate which applied before the Budget, will ensure that there is no diminution in overseas interest in British shares. But if after the big bang it looks as if ADRs are being used as a means of avoiding stamp duty by United Kingdom residents, I shall have to reconsider the rate of tax on conversion. I shall expect the co-operation of the issuing banks and other market participants in monitoring developments after the big bang.

I have also received representations about the proposal that certain loan stocks should bear stamp duty at the rate of a half per cent.

In the light of these representations, I have decided to restore the exemption for most categories of loan stock. Registered convertibles will, however, continue to be taxed like equities, as they were before the Budget.

I have also decided to make a small modification to my proposal to impose a charge on transactions that take place within a stock exchange account. Purchase of shares by broker-dealers will exempt from the new charge provided the shares are resold within seven days.

The net effect of all these changes, and recent evidence of market activity, leave unchanged the estimated yield of stamp duty as forecast at the time of the Budget.

Fuller details are contained in an Inland Revenue press notice, published today.

Banking Act 1979

Mr. Freeman asked the Chancellor of the Exchequer if he has any plans to exercise any of his order-making powers under the Banking Act 1979.

Mr. Lawson: The Government have decided to remove the constraints which prevent companies from financing themselves by issuing sterling commercial paper.

The necessary amendment to the Banking Act 1979 (Exempt Transactions) Regulations is being laid today to exempt sterling commercial paper from the definition of deposit taking in the Banking Act. An order is also being laid today amending the Control of Borrowing Order 1958 to exempt sterling commercial paper from the controls contained in part 1 of that order. A copy of the Bank of England's market notice describing the arrangements for the issue of sterling commercial paper is being placed in the Library.

As a transitional measure the Government will introduce an amendment to the Financial Services Bill specifically providing for British companies, in respect of sterling commercial paper, the dispensation from publishing a full prospectus which section 79(2) of the Companies Act already bestows on oversea companies including oversea subsidiaries of British companies. The proposed amendment would take effect when the Financial Services Bill receives Royal Assent. Definitive disclosure provisions will be made subsequently by regulation under the Financial Services Act.

An order is also being laid today to amend schedule 8 to the Finance Act 1984 to reduce the minimum term for qualifying time deposits and qualifying certificates of deposit to be excluded from composite rate tax from 28 to seven days. This is to bring the relevant minimum maturity provisions into line with those for sterling commercial paper. After the Building Societies Bill takes effect, building societies will also be able to issue certificates of deposit with a minimum maturity of seven days.

Departmental Budgeting

Mr. Richard Shepherd asked the Chancellor of the Exchequer if he will publish the results of the multi-departmental review of budgeting in Government Departments; and if he will make a statement.

Mr. MacGregor: Yes. I have today arranged for a copy of the report by the head of the Government accountancy service to be placed in the Library.

Mr. Wilson was asked to examine the way in which managers construct budgets, challenge the budgets put to them, and subsequently monitor actual performance against budget. The purpose was to help Departments to continue their development of budgeting as an effective means of expenditure planning and control and as a tool which management can use to improve the allocation of resources and the delivery of better value for money. This is a vital part of the Government's programme for better financial management in the Civil Service.

The review has confirmed that our financial management initiative was soundly based and is being carried forward. It found evidence of good results in many areas. Civil Service managers are now much more aware of their costs and responsibilities. Managers have responded by taking the initiative to make savings and improve the efficiency and effectiveness of the activities they manage.

There are still gaps in Department's systems and in managers' use of budgeting, but this was not unexpected. The Government knew in 1982 that it would take a long, sustained effort to help managers to run the Civil Service more effectively, and the review points the way forward to a further stage in this programme. It makes recommendations to improve four crucial aspects of budgeting: the responsibility of all managers for setting and reviewing budgets; the links between budgeting and the public expenditure survey in which the Government decide their overall spending plans; the use of output and performance indicators and regular evaluations to measure achievement against objectives; and the identification within senior management structures of clear-cut responsibilities for the control and use of resources.

These recommendations will be the basis for action in each department. Each will apply them to its particular circumstances as it rolls forward plans for better financial management and better value for the taxpayers' money.

Mortgage Interest Tax Relief

Sir Peter Hordern asked the Chancellor of the Exchequer if he will estimate the cost-revenue of restricting mortgage interest tax relief to the basic rate with *(a)* the existing threshold, *(b)* the existing threshold double the present rate for married couples or *(c)* no threshold whatsoever.

Mr. Moore: Assuming no consequential changes in the distribution of mortgages by amount outstanding, estimates of the direct revenue yield in a full year at 1986-87 levels are as follows:

Direct revenue yield from restricting relief to the basic rate only

Amount of loan qualifying for relief	*£ million*
£30,000	320
£60,000 (for married couples)	200
No limit	160

Gross Domestic Product

Mr. Austin Mitchell asked the Chancellor of the Exchequer whether he will publish a target for the growth rate of non-oil money gross domestic product for 1986 and 1987.

Mr. MacGregor: Figures for total money GDP are given in table 2.1 of the Financial Statement and Budget Report 1986. Although these figures are not targets, the aim will be to avoid substantial departures in either direction in the medium term.

Capital Transfer Tax

Dr. McDonald asked the Chancellor of the Exchequer if he will publish in the *Official Report* a list of the changes made in capital transfer tax in each Finance Act since 1979, and indicate in each case the cost in terms of revenue foregone.

Mr. Moore [*pursuant to his reply*, 28 April 1986, c. *326*]: The yield of tax in respect of transfers of capital in 1985-86 is estimated to be £70 million lower than it would have been if the 1978-79 regime had been in force, with scales indexed (in line with price movements) to 1985-86 levels. The table analyses this cost of £70 million to show the effect of the main changes introduced since 1979. The figures are therefore at 1985-86 levels and take the level and value of transfers in that year as given. It is not possible to estimate to what extent changes to the tax system may have affected levels of transfers. Each change has been costed on the assumption that all the changes preceding it in the list have already been made.

	Cost £ million	*Year of Change*
Scale Changes		
Abolition of rates above 60 per cent.	6	1984
Abolition of rates below 30 per cent.	231	1980

	Cost £ million	Year of Change
Changes in other thresholds	−207	
Reliefs and Exemptions		
Increased business relief	1	1983
Increased agricultural relief	7	1981, 1983
Increased charity exemption	20	1980, 1983
Lifetime CTT		
Scale and other changes	10	1981, 1982, 1984
Other		
Extended interest free instalment eligibility		1981
Easing of CTT/CGT interactions		1980
Repeal of free loan provision	2	1981
Relaxation of rules for maintenance funds for historic houses		1980-82
Other changes		1980-85
Total	70	

DEFENCE

Chemical Weapons

Mr. Strang asked the Secretary of State for Defence whether the NATO defence planning committee on 28 April adopted the force goal on the modernisation of chemical weapons referred to in the United States Department of Defence Authorisation Act 1986.

Mr. Stanley: This force goal has not yet been considered by the NATO defence planning committee.

Armed United States Personnel

Mr. Madden asked the Secretary of State for Defence what authority is required by United States service personnel to carry weapons in the United Kingdom; what authority has been given to United States personnel to carry weapons on streets in central London; what representations he has received about this matter; and if he will make a statement.

Mr. Skinner asked the Secretary of State for Defence whether he will make a statement regarding the presence of armed United States Marines from the United States embassy on the streets of London on the morning of 24 April.

Mr. Stanley: I shall answer shortly.

FOREIGN AND COMMONWEALTH AFFAIRS

Anti-ballistic Missile Treaty

Mrs. Clwyd asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United States Government regarding the anti-ballistic missile treaty; and what is Her Majesty's Government's position regarding the treaty.

Mr. Renton: As my right hon. Friend the Prime Minister said in this House on 6 November at column 24 in the context of the US-Soviet Geneva summit, the United Kingdom wants to see the ABM treaty strengthened and reaffirmed. Issues raised by the ABM treaty are discussed as appropriate with the United States Government although the United Kingdom is not a party to this treaty.

Chemical Weapons

Mrs. Clwyd asked the Secretary of State for Foreign and Commonwealth Affairs what progress has been made at the Conference on Disarmament in Geneva regarding a ban on chemical weapons.

Mr. Renton: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Rutland and Melton (Mr. Latham) on 24 April at column 223.

Council of Ministers

Mr. Sackville asked the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* a statement of forthcoming business in the European Community Council of Ministers.

Mrs. Chalker: The usual forecast was deposited in the House today. At present six formal and one informal meeting of the Council are scheduled for May 1986.

At the Internal Market Council on 6 May a report on progress since publication of the White Paper "Completing the Internal Market" is expected from the Commission. The Council is expected to consider progress on a number of proposed directives including those on construction equipment and narrow wheeled tractors. There will be discussion of a proposed directive on forklift trucks and of a draft directive on easing of frontier controls. This Council may also consider the progress in the Transport Council of the transport items in the action programme for implementing the internal market.

The Consumer Affairs Council on 6 May will hold a full discussion of the Commission's paper on a new impetus for consumer protection policy and a review of progress on the proposed consumer credit directive and on the proposed unit pricing directive.

At the Foreign Affairs Council on 12 and 13 May Ministers will consider Community strategy in the run-up to the launch of a new round of GATT multilateral trade negotiations in September. European Community/United States trade relations may be discussed. In considering Mediterranean policy the Council will discuss modifications to the Community's mandate for negotiations with Mediterranean third countries on the adaptation of their co-operation/association agreements to take account of enlargement. The Council will review progress towards a meeting of the European Community/Turkey Association Council in the autumn.

European Community Ministers of Education will meet informally in The Hague on 16 and 17 May to celebrate 10 years of co-operation in education within the Community and to discuss arrangements for co-operation in the future. During the meeting there will be a presentation on the European Community's activities in the field of education and vocational training.

The Economic and Finance Council is expected to meet on 26 May. The agenda has not yet been fixed.

The Agriculture Council is expected to meet on 26 and 27 May to discuss the Commission's socio-structural proposals, pesticide residues in cereals and foodstuffs, undesirable substances in feedingstuffs, residues in meat, the directive prohibiting the use of ethylene oxide and a Commission report on imitation dairy products.

The Health Council will meet on 29 May to discuss the Commission's proposals for an action programme against cancer; the co-ordination of medical research and toxic

substances in human breast milk. The Ministers will also consider how the member states might co-operate to combat AIDS and alcohol-related problems. They may also consider papers on the Commission's proposals on toxicology, the monitoring of the aluminium content of water used in renal dialysis, the emergency health card and further training for general practitioners.

Twinning

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs whether he has any information as to the overseas towns or countries overseas with which British towns are twinned; and if he will make a statement.

Mr. Eggar: The Foreign and Commonwealth Office works closely with the Joint Twinning Committee of Local Authority Associations of Great Britain and Northern Ireland. The secretariat of the committee maintains a record of United Kingdom twinnings. British towns are twinned with 1,250 overseas towns in 48 overseas countries.

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs whether the Foreign and Commonwealth Office is represented on the Joint Twinning Committee of Local Authorities Associations of Great Britain and Northern Ireland.

Mr. Eggar: The Foreign and Commonwealth Office is represented with observer status on the Joint Twinning Committee.

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs what funds were made available to the Joint Twinning Committee of Local Authorities Associations of Great Britain and Northern Ireland by the British Council in each of the last five years.

Mr. Eggar: The British Council made the following funds available to the Joint Twinning Committee in each of the last five financial years: 1981-82 — £37,350; 1982-83 — £39,800; 1983-84 — £46,500; 1984-85 — £49,600; 1985-86—£52,680.

AGRICULTURE, FISHERIES AND FOOD

Trichinenla Spiralis

Mr. John asked the Minister of Agriculture, Fisheries and Food (1) what is the total annual cost of testing pig carcases for the presence of trichinenla spiralis; and what is the average cost per carcase;

(2) in what circumstances pig carcases are tested for the presence of trichinenla spiralis; and by whom such tests are undertaken;

(3) what was the incidence of trichinenla spiralis in the last year for which figures are available.

Mrs. Fenner: I shall reply to the hon. Member as soon as possible.

Animals (Religious Slaughter)

Mr. Hunter asked the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy towards the religious slaughter of animals, following the report of the Farm Animal Welfare Council.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Badger Control

Mr. Chapman asked the Minister of Agriculture, Fisheries and Food what action his Department will take to implement the Dunnet report on badger control.

Mrs. Fenner [*pursuant to her reply*, 28 April 1986, c. *314*]: The Government have already modified their badger control operations in response to Professor Dunnet's report. Action against badgers is now being confined to that part of the breakdown farm where it is believed that tuberculosis was transmitted to cattle, or to the whole farm if it is not possible to be more precise. It may still be necessary to go on to neighbouring land to find setts so as to assist the identification of badger runs leading to the breakdown farm. A consequence of this change should be that fewer badgers will be killed.

We are considering the other detailed recommendations in Professor Dunnet's report and seeking the advice of the Consultative Panel on Badgers and Bovine Tuberculosis.

Animal Welfare

Dr. Glyn asked the Minister of Agriculture, Fisheries and Food what steps he is taking to implement paragraph 37 of the Brambell report on animal welfare of 1965; and if he will make a statement.

Mrs. Fenner [*pursuant to her reply*, 28 April 1986, c. *314*]: Paragraph 37 of the Brambell report dealt with the freedom of movement of animals which are confined. Since that report the Agriculture (Miscellaneous Provisions) Act 1968 has made it an offence to cause unnecessary pain or unnecessary distress to farm livestock. The codes of recommendations made under that Act seek to protect the welfare of animals kept in intensive systems. Members of the state veterinary service visit farms to check on compliance with these codes. The independent Farm Animal Welfare Council, set up in 1979, also advises Ministers on such welfare matters.

THE ARTS

Disabled Persons

Mr. Tony Banks asked the Minister for the Arts if he will make available to the Arts Council additional funds for the provision of facilities for people with disabilities; and if he will make a statement.

Mr. Luce: I have no immediate plans for offering additional funding; but I am confident that the Arts Council will do all that it can within existing resources.

SOCIAL SERVICES

Claimant Statistics

15. **Mr. Wallace** asked the Secretary of State for Social Services what was the expenditure in single payments, both in total and per capita, to social security claimants in 1978-79 and 1984-85.

Mr. Major: Expenditure was £37 million in 1978-79 and £241 million in 1984-85. On a per capita basis this is equivalent to slightly over 20p per week to each claimant on benefit in 1978-79, and about £1 in 1984-85.

Health District General Managers

16. **Mr. Haynes** asked the Secretary of State for Social Services how many health district general managers appointed in the current year have no previous National Health Service experience.

Mr. Hayhoe: All 191 district general manager appointments had been made by 31 December 1985. Of these, 41 were from outside the National Health Service.

Physically and Mentally Handicapped People (Supplementary Benefit)

17. **Mr. Michie** asked the Secretary of State for Social Services how many physically and mentally handicapped people living in residential and nursing homes are now receiving reduced supplementary benefit as a result of the board and lodging regulations; and if he will make a statement.

Mr. Newton: In July 1985 it was estimated that less than 2,000 people in residential care and nursing homes were receiving transitional protection which was due to expire on 28 April 1986. Many of these people will have made alternative arrangements. Others will have been helped by last November's increases in the limits. The remainder may qualify for an extension of transitional protection under the Secretary of State's discretionary power to extend the period when exceptional hardship would otherwise result.

Housing Benefit

18. **Mr. David Atkinson** asked the Secretary of State for Social Services how many representations he has received on the new method of assessment of housing benefit.

Mr. Major: Over 2,000 submissions were made by individuals and organisations in response to the housing benefit proposals contained in our Green Paper "Reform of Social Security." Further comments have been received on our subsequent White Paper. Virtually every submission commented—favourably—on the proposed new method of assessing housing benefit on the same basis as income support.

Embryo Research

19. **Mr. Amess** asked the Secretary of State for Social Services if Her Majesty's Government have any plans to introduce legislation controlling embryo research.

34. **Mr. Geraint Howells** asked the Secretary of State for Social Services when his Department intends to introduce legislation on the Warnock report.

Mr. Hayhoe: I refer my hon. Friend and the hon. Member to my reply to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 25 March at columns *445-46*.

Pension and Social Security Upratings

20. **Dr. Marek** asked the Secretary of State for Social Services what is his latest estimate of the saving to Her Majesty's Government of the latest bringing forward of the annual pension and social security upratings.

Mr. Newton: Our proposed change from a November to an April date for the uprating of social security benefits as from 1987 is being effected via an interim uprating in July 1986. The cost of that uprating is estimated to be about £420 million in a full year. It will not be possible to determine what, if any, difference the change of uprating date makes to eventual expenditure on benefits until a comparison can be made between benefit levels at April 1987 and what they would have been if the uprating had continued to be in November.

Welfare Food Scheme

21. **Mr. Sean Hughes** asked the Secretary of State for Social Services what savings he estimates will result, in its first year of operation, from the change in the operation of the welfare food scheme as announced in health notice (85) 36 of January 1986.

Mr. Whitney: Savings would occur if some mothers elect to exchange their welfare milk tokens for one 900g pack of dried baby milk instead of two 450g packs.

Free School Meals

22. **Mr. Allen McKay** asked the Secretary of State for Social Services what representations he has received in support of the Government's proposals to restrict the availability of free school meals.

Mr. Major: Representations have not been generally in a form which can sensibly be used to provide a simple breakdown between those in support of or against the Government's proposals, but some endorsed the general principle of higher cash payments rather than payments in kind.

Yorkshire Regional Health Authority

23. **Mr. O'Brien** asked the Secretary of State for Social Services when he last met the chairman of the Yorkshire regional health authority; and what matters were discussed.

Mr. Hayhoe: My right hon. Friend the Secretary of State for Social Services and I had a meeting with Bryan Askew on 23 January 1986. We discussed the Stanley Royd report and the need for the authorities concerned to take action and to report.

Personal Social Services

24. **Mr. Wainwright** asked the Secretary of State for Social Services when the consultation on the role of personal social services will take place.

Mr. Whitney: I have nothing to add to my reply to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 25 February at column *537*.

Vacant Hospital Beds

25. **Mr. Stern** asked the Secretary of State for Social Services if he is satisfied with existing arrangements whereby a vacant hospital bed in one district is made known to other health authorities.

Mr. Whitney: Yes. Health authorities are expected to make the most efficient and effective use of their beds. It would be for local agreement whether that should involve use by other health districts of vacant beds.

Foetal Scan Systems

26. **Mr. Peter Thurnham** asked the Secretary of State for Social Services what representations he has received about the operation of foetal scan systems within the National Health Service; and if he will make a statement.

Mr. Whitney: The Association for Improvements in Maternity Services has expressed concern about the safety of ultrasound in the routine screening of every pregnant woman. In June 1984 the Department asked the Medical Research Council to convene a meeting of experts to consider the risks and benefits of obstetric ultrasound. The Department is considering the council's report and the need for any further action.

It remains our view that the decision to recommend an ultrasound scan is one of clinical judgment and that the reasons for all procedures and tests should be explained to each expectant mother so she has the opportunity to decline if she wishes.

Mentally Ill Persons

27. **Mr. Janner** asked the Secretary of State for Social Services whether he will make a statement on the current level of funding for the care in the community of the mentally ill.

Mr. Whitney: Such care is provided both by health authorities and by local authorities. The form of National Health Service costing returns does not allow us to make an accurate estimate of the proportion of the total current expenditure on mental illness services by health authorities (about £960 million in 1983/84) which is attributable to community care. For example, we are aware that psychiatrists and other staff are increasingly spending time in the community at locations such as health centres, but the relevant salary and associated costs cannot be identified separately, except for grades of staff working wholly in the community. However, we estimate that in 1983-84 expenditure on psychiatric out-patient care, day-patient care and care by community psychiatric nurses totalled some £150 million.

Details of total spending by the social services departments of local authorities on care of mentally ill people in the community are not available for similar reasons, but expenditure in 1984-85 on two of the main elements is estimated to have been some £18 million on day care and £21 million on residential care. These figures do not include the cost of time spent by approved social workers and other social workers on the care of mentally ill people, since this, too, is not separately identified; and the figure for expenditure on residential care does not include the cost of a large number of mildly or more seriously demented people cared for in local authorities' homes for the elderly, as distinct from their homes for mentally ill people. Separate figures are not available for other local authorities—for example, housing—costs; for social security expenditure; or for employment and training services and so on.

NHS Beds

28. **Mr. Simon Hughes** asked the Secretary of State for Social Services if he is satisfied with the present provision of hospital beds within the National Health Service; and if he will make a statement.

Mr. Whitney: The number of beds must be a matter for decision by each health authority as part of an overall judgment on the pattern of services which need to be provided. It will also be affected by clinical decisions by doctors about individual cases. Experience over the last decade has shown that it is possible to treat far more patients with fewer beds.

Mr. Ron Davies asked the Secretary of State for Social Services how many National Health Service beds are available at the latest available date.

Mr. Whitney: I refer the hon. Member to my reply to the hon. Member for Oldham, West (Mr. Meacher) on 11 November 1985 at columns *94-95*. Figures for 1985 are not yet available.

Medical Treatment (Supplementary Benefit)

29. **Mr. Latham** asked the Secretary of State for Social Services what arrangements are available to give financial assistance through supplementary benefit to a person needing a regular course of a particular medicine prescribed by a general practitioner which is no longer available under the National Health Service and where no medicine available under the limited list suits that person medically.

Mr. Newton: Supplementary benefit is not payable to meet any medical need and we have no plans for change. However, we have been assured that the drugs remaining available for prescription on the National Health Service meet all real clinical needs and that there is no medical reason for anyone to have to buy their medicine.

Residential Homes (Board and Lodgings Regulations)

30. **Mr. Alex Carlile** asked the Secretary of State for Social Services if he will make a statement on the implications of the board and lodgings regulations for elderly and disabled inmates of residential homes.

Mr. Newton: The supplementary benefit limits for residential care and nursing homes are currently under review and an announcement will be made shortly. In respect of longer-term possibilities, I refer the hon. Member to my reply to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 28 January at column *501*.

Community Care Resources (Lincolnshire)

31. **Mr. Campbell-Savours** asked the Secretary of State for Social Services what representations he has received from Lincolnshire county council on the subject of community care resources.

Mr. Whitney: We have received no such representations.

Hospital Beds (South-East Thames Region)

32. **Mr. Andrew Bowden** asked the Secretary of State for Social Services what percentage of hospital beds in the South-East Thames region are occupied by patients of pensionable age.

Mr. Whitney: I am sorry I cannot give my hon. Friend the information in precisely the form he seeks. Figures readily available centrally are for patients aged 65 and over. During 1984, the latest year for which information

is available centrally, in-patients in this age group occupied, on average, an estimated 55 per cent. of all occupied beds in the South-East Thames regional health authority.

Conductive Education

33. **Mr. Nellist** asked the Secretary of State for Social Services if he will make a statement on his Department's consideration of possible central Government funding of research projects into conductive education.

Mr. Whitney: The Department has so far received two requests for funds to help support projects on conductive education. One was from Mr. Andrew Sutton for a project in Birmingham. It was decided after very careful consideration that it would be inappropriate for us to support this particular project. The other request was from the Spastics Society for a study of current provision and an evaluation of the implications of wider development of the system in this country. No decision has been taken on this application as yet but our officials and officials from the Department of Education and Science will be discussing the application with the Spastics Society in the near future. We will, of course, be happy to consider any other requests for funding of research projects in this field.

Unemployment Benefit

35. **Mr. Clelland** asked the Secretary of State for Social Services whether he will reconsider the level of benefit paid to the long-term unemployed; and if he will make a statement.

Mr. Newton: Benefits for the unemployed are reconsidered at each uprating, and will rise in line with other benefits in July. There will be a further uprating of benefits in April 1987; and the family premium in the new income support scheme proposed for April 1988 is intended to give additional weekly help to unemployed and other families with children.

Residential Homes Act 1984

36. **Mr. Spencer** asked the Secretary of State for Social Services what recent representations he has received on the working of the Residential Homes Act 1984.

Mr. Whitney: Representations about the operation of the Act which came into operation on 1 January 1985 have ranged widely. Registration authorities have been criticised for being too demanding or not demanding enough and registration fees for being too high or too low. It is too early to make any judgment, but the two-year study which the Department's Social Services Inspectorate is carrying out on the operation of the new arrangements will enable us to take a more considered view.

Computerisation

37. **Mr. Ashdown** asked the Secretary of State for Social Services if he will make a statement on progress on computerisation within his Department.

Mr. Major: An outline of the Department's plans for computerising social security benefits work was published in September 1982 with the issue of "Social Security Operational Strategy — A framework for the future" (copies of the publication are held in the Library). We envisage the progressive installation over the coming years of a network of mainframe computers linked to visual display terminals in every local office. Existing mainframes will be replaced as they approach the end of their natural life cycle, or built on where it is sensible and economic to do so. New systems will be built for benefits where no computer support exists at the moment.

The computerisation strategy is comprised of a series of separate projects, some of which have already reached the implementation stage. For example, in local unemployment benefit offices the teletype terminals linking them to the ICL 2966 mainframe computers at the Reading and Livingston national unemployment benefit computer centres are being replaced. The new system provides for Honeywell visual display units to be installed which will be linked to the computer centres by British Telecom Packet Switchstream Service. Two hundred and sixty-eight terminals have been delivered, out of an eventual national total of 844. Seventy-nine offices are now converted, and approximately 10 offices a week will be added on a rolling programme which is scheduled for completion in October 1987.

In local social security offices assistance in the short term is being provided by the widescale introduction of microcomputers for some of the most difficult and laborious supplementary benefit tasks. British Telecom microcomputers have already been installed in the majority of the 450 offices scheduled, with the full agreement of the departmental trade union side. Completion and full running of the three separate micro applications in all offices is expected by the summer.

In the longer term the local office project (LOP) will link social security offices into a national network and provide mainframe computer support for the assessment and payment of supplementary benefit income support and incapacity benefits. Approval has been given for a prototype to be established at a development centre at Lytham in 1988. If successful, three new area computer centres will be constructed and national implementation of the project will begin in 1989.

Approval has also been given for the establishment of a departmental central index which will begin to provide indexing and tracing facilities for local office staff in 1988. Other projects, providing on-line access via visual display units for local office staff to existing mainframes dealing with child benefit, retirement pensions and contributions, are at the planning stage.

Students (Benefits)

38. **Mr. Freud** asked the Secretary of State for Social Services what representations he has received in respect of the proposals to restrict student eligibility to benefits; and if he will make a statement.

Mr. Newton: Since publication of the White Paper we have received approximately 1,050 written representations and inquiries on the proposals which were put to the Social Security Advisory Committee and the local authority associations on 7 January. We are currently considering the committee's report and the association's views.

NHS Accommodation

39. **Mr. Willie W. Hamilton** asked the Secretary of State for Social Services if he will make a statement on the progress being made in the sale of National Health Service residential accommodation.

Mr. Hayhoe: The Department is considering the action plans submitted by regional health authorities, some of which are still not in final form.

Pensioners (Income Support)

40. **Mrs. Beckett** asked the Secretary of State for Social Services how many pensioners he expects to be in receipt of income support in the year 2000.

Mr. Newton: It is not possible to provide an accurate estimate but, given the expansion of personal and occupational pensions and the growing value of state pensions as more is paid out through the state earnings-related pension scheme to those retiring this century, it is expected that the proportion of pensioners entitled to income support in the year 2000 will be lower than now. This assumes the value of basic pension relative to the illustrative income support rates in the technical annex to Cmnd. 9691 is maintained.

Wrightington Hospital, Lancashire

41. **Mr. Robert Atkins** asked the Secretary of State for Social Services what recent consultations and representations he has had in connection with the proposed closure of the children's ward at Wrightington hospital, Lancashire.

Mr. Whitney: Consultations are a matter for the West Lancashire health authority and North Western regional health authority. Four representations have been received recently, two from my hon. Friend, one from my hon. Friend the Member for Bury, North (Mr. Burt) and one from the Arthritis and Rheumatism Council (Preston branch).

Anaesthetics

42. **Mr. Colvin** asked the Secretary of State for Social Services what measures are taken to ensure that adequate supplies of anaesthetics are available to the National Health Service.

Mr. Whitney: Supplies of anaesthetics are obtained by the National Health Service through the normal trade distribution channels. It is customary for purchasers to ensure adequate supplies through their procurement arrangements with suppliers.

Medical Techniques

43. **Mr. Greenway** asked the Secretary of State for Social Services if he will list the major new medical techniques introduced into the National Health Service since 1979; at what cost; and if he will make a statement.

Mr. Whitney: Most new techniques in health care are developed gradually, often as extensions of the use of existing techniques to treat new conditions. A period of development—often substantial—and clinical trial and evaluation is likely to precede general introduction. While the introduction into the National Health Service of some major techniques, such as stereotactic radiosurgery, lithotripsy, nuclear magnetic resonance imaging and digital subtraction angiography, can clearly be attributed to the period since 1979, these are not representative of the overall scale of technological advance in medicine that has been occurring. The costs of specific techniques cannot be separately identified.

Registered Homes

44. **Mr. Peter Bruinvels** asked the Secretary of State for Social Services how many nursing homes and old people's homes were registered and licensed under the Registered Homes Act 1984 in the first three months of 1986; and how that compares with the same period in 1985.

Mr. Whitney: Information collected centrally on nursing homes and registered residential homes for the elderly and disabled in England relates to the number operating on a particular day in each year and does not indicate the period when new homes were first registered. The latest information on this basis shows that there were 1,491 registered nursing homes at 31 December 1984 compared with 1,316 in 1983; and 6,308 registered residential homes for the elderly and disabled at 31 March 1985 compared with 5,222 in 1984.

Supplementary Benefit

45. **Mr. Kirkwood** asked the Secretary of State for Social Services if he has any proposals to introduce regulations governing payment of supplementary benefit to claimants in three-bedded residential homes.

Mr. Newton: Residential care homes with less than four residents are not required to be registered under the Registered Homes Act 1984. Supplementary benefit regulations already include provisions governing the payment of benefit to people in these homes. (Paragraphs 3(4) and 6 of schedule 1 to the Supplementary Benefit (Requirements and Resources) Miscellaneous Provisions (No. 2) Regulations 1985-SI 1985 No. 1835.)

Occupational Pensions

47. **Mr. Clay** asked the Secretary of State for Social Services when he expects to publish regulations on disclosure of information on occupational pensions; and if he will make a statement.

Mr. Major: The consultative proposals for these regulations produced a very large and detailed response from a wide variety of organisations and individuals and we have tried to take full account of the many different views expressed in that response. In preparing the regulations, we have continued to consult regularly with representatives of the relevant professional bodies as well as representatives of and advisers to occupational pension schemes and we expect to be in a position to publish them very soon.

Drug Abuse

48. **Mr. Kennedy** asked the Secretary of State for Social Services if he will make a statement outlining the steps which his Department is taking currently to combat drug abuse.

Mr. Whitney: We aim to reduce demand by continuing our campaign of information and education, whilst taking steps to encourage better services for those who suffer harm from misuse. We have taken a series of initiatives including a video package for schoolchildren and central funding to stimulate service provision. Our approach is described in detail in chapters 6 and 7 of "Tackling Drug Misuse: A Summary of the Government's Strategy", which the Home Office published last month.

Sheltered Workshops

46. **Mr. Strang** asked the Secretary of State for Social Services what representations he has received on behalf of sheltered workshops about the effect of the proposed abolition of social security single payments; and if he will make a statement.

Mr. Newton: At present, where someone is awarded a supplementary benefit single payment for household goods or furniture, and the item is known to be available at a reasonable price from a local sheltered workshop, staff are instructed to explain this to the claimant and to offer to arrange for its supply with the claimant's agreement and on his behalf. The White Paper "Reform of Social Security" proposes that such payments should be replaced by loans or grants from the new social fund from April 1988. We have received a number of representations from hon. Members about the possible effect of this proposal on the level of orders from sheltered workshops.

We value the contribution made by sheltered workshops, and indeed our proposals for changes this year to single payments for the first time cover, in regulations, items available from such workshops. As far as the social fund is concerned, we are giving sympathetic consideration to the possibility of continuing the present arrangements in the case of grants and loans for items available from sheltered workshops.

Psychiatric Patients (Community Care)

Mr. Proctor asked the Secretary of State for Social Services what representations he has received from the Royal College of Psychiatrists concerning the treatment of patients discharged from hospitals in the community; and if he will make a statement.

Mr. Whitney: We have recently received a letter from the registrar of the Royal College of Psychiatrists urging consideration of some change in the law which would empower doctors to ensure that former detained patients who are discharged back to the community continue their treatment. Officials will be having further discussions with the Royal College and others about the recognised difficulties.

War Pensioners (Housing Benefit)

Mr. Haynes asked the Secretary of State for Social Services (1) how many local authorities go beyond the £4 disregard for war pensioners when applying for housing benefit; and if he will list them in the *Official Report*;

(2) how many local authorities act on the guidelines to implement the £4 disregard for war pensioners when applying for housing benefit; and if he will list them in the *Official Report*.

Mr. Major: All 489 authorities administering housing benefit are required by law to apply a £4 disregard to war disablement and war widows' pensions. (Regulation 16 of the Housing Benefits Regulations 1985).

Information on the number of authorities applying a discretionary disregard higher than the statutory amount is not held centrally.

Nuclear Installations (Cancer)

Mr. Best asked the Secretary of State for Social Services if, further to the answer to the hon. Member for Southend, East (Mr. Taylor) of 15 April, *Official Report*, column *371*, he will give the equivalent figures for Ynys Môn for each year from 1962.

Mr. Whitney: The readily available information is given in the table. It should be remembered that the numbers of deaths from myeloid leukaemia are small and the number in any particular area may fluctuate considerably from year to year. No great significance should therefore be attached to the rate for any particular area in just one year.

Ynys Môn (Anglesey) Number of deaths from Myeloid Leukaemia (ICD (7) 204.1, ICD* (8 and 9) 205), estimated population and crude death rate, persons 1962 to 1984*

	Number of deaths	Estimated population (thousands)	Crude death rate (per hundred thousand)
1962	—	Not readily available	
1963	2		
1964	—		
1965	—		
1966	—		
1967	—		
1968	2		
1969	—		
1970	2		
1971	3	60·6	4·95
1972	5	61·1	8·18
1973	2	62·7	3·19
1974	—	63·7	—
1975	3	64·7	4·64
1976	5	65·6	7·62
1977	—	66·4	—
1978	1	66·8	1·50
1979	3	67·0	4·48
1980	—	67·7	—
1981	1	68·0	1·47
1982	5	68·4	7·31
1983	2	68·4	2·92
1984	9	68·7	13·10

* International Classification of Diseases, 7th 8th and 9th revisions.

South-East Thames Regional Health Authority

Mr. Evennett asked the Secretary of State for Social Services how many staff are employed within the South-East Thames regional health authority; and what proportions are *(a)* doctors, *(b)* nurses and midwives and *(c)* administrators.

Mr. Hayhoe: The provisional (whole-time equivalent) total of National Health Service staff directly employed within the South-East Thames regional health authority at 30 September 1985 was 63,260. Of this total, 5·2 per cent. were medical and dental staff (including locums but excluding hospital practitioners and part-time medical-dental officers); 48·7 per cent. were nursing and midwifery staff (including agency staff); and 14·1 per cent. were administrative and clerical staff.

Police Pension Schemes

Sir Eldon Griffiths asked the Secretary of State for Social Services what assessment he makes of the implications for police pension schemes of the contracting out provisions proposed in the Social Security Bill; and if he will make a statement.

Mr. Newton: The contracting-out provisions for salary-related occupational pension schemes will remain broadly the same as now, with some modifications and simplifications. We do not expect the new right for employees to opt for a personal pension to have a significant effect on existing occupational schemes, like the police scheme, which offer good benefits and protection to early leavers.

Cyclosporin

Mr. Carter-Jones asked the Secretary of State for Social Services if he will estimate the current annual average cost of treating an adult, following a transplant, with cyclosporin as the main immunosuppressive agent; what are the cost trends in the administration of the drug; if he has any plans to seek to reduce the cost; and if he will make a statement.

Mr. Hayhoe: The average annual cost of treatment with cyclosporin of patients who have received an organ transplant will be dependent upon the individual clinical management of the patier s concerned. I regret that the detailed relevant information is not collected or recorded centrally. However, it is estimated that the current average annual cost of treatment per patient with cyclosporin in the first year post-transplant is approximately £2,000. It is not possible to be more precise as dosage used varies from transplant unit to unit and patient to patient. The current maintenance cost is in the range £1,600 per patient per annum.

The annual dosage has fallen by approximately 20 per cent. since the drug was launched in 1983 as better understanding of its use has been gained. The annual cost of the drug per patient has therefore fallen considerably and it is anticipated that costs will continue to decline in the future.

Mr. Carter-Jones asked the Secretary of State for Social Services if he will publish in the *Official Report* the cost of a standard unit or dose of cyclosporin in 1979, 1980, 1981, 1982, 1983, 1984 and 1985; and if he will make a statement.

Mr. Hayhoe: Cyclosporin was launched in the United Kingdom in 1983. Since then its list price has been as follows:

Type	*Strength mg/ml*	*Quantity*	*Price £*
1ml ampoule	50	10	16·24
5ml ampoule	50	10	77·15
Oral solution 50ml	100	1	105·00

Contract prices to hospitals will be somewhat less.

Convalescent Homes

Sir David Price asked the Secretary of State for Social Services (1) if he will make a statement on the future of the Netley Castle convalescent home in the parish of Hound, near Southampton;

(2) if he will make a statement on the future of the Fred Woolley House convalescent home in Southampton.

Mr. Whitney: Management of these hospitals is the responsibility of the Southampton and South-West Hampshire health authority, which yesterday considered their future use. I understand the authority decided that there was a continuing role for the hospitals within the district.

Residential Homes

Sir David Price asked the Secretary of State for Social Services what representations he has received from voluntary and charitable bodies as to the effect the introduction of limits on the amount of board and lodging supplementary benefit payments to people living in residential care has had on the voluntary sector's ability to provide residential care to elderly and disabled people.

Mr. Newton: There have always been limitations to the amount of supplementary benefit that can be paid to people in residential care homes. Prior to 29 April 1985 there were locally based limits; since that date the limits have been determined centrally and the rates apply nationwide.

We have received a copy of the National Council of Voluntary Organisations' report on the operation of the new structure of limits. Representations have also been received from individual voluntary organisations. The report and the representations are being considered in the context of the current review of limits together with information from a management consultant's study on homes' costs and charges and the Department's own monitoring of the new structure.

Snake Attacks

Mr. Janner asked the Secretary of State for Social Services how many people have died in the United Kingdom through attacks by snakes in each of the last 10 years for which records are available.

Mr. Whitney: Information for 1975 to 1984 (the latest available year) is shown in the table.

Number of accidental deaths from snake bites
Persons, all ages
United Kingdom 1975 to 1984

Cause of death code	*Year*	*Number*
E905(pt), E906(pt)*	1975	1
	1976	—
	1977	—
	1978	—
E905.0(pt), E906.2(pt)†	1979	—
	1980	—
	1981	—
	1982	—
	1983	—
	1984	—

* International Classification of Diseases 8th revision.
E905 Bites and stings of venomous animals and plants.
E906 Other accidents caused by animals.
† International Classification of Diseases 9th revision.
E905.0 Venomous snakes and lizards.
E906.2 Bite of non-venomous snakes and lizards.

ENVIRONMENT

Merseyside Residuary Body

Mr. Wareing asked the Secretary of State for the Environment how much has been spent on consultants' fees by the Merseyside Residuary Body since its creation; and how many consultants were involved.

Mr. Tracey: These are matters for the Merseyside Residuary Body.

Merit Bonuses

Mr. Alan Howarth asked the Secretary of State for the Environment whether the planning inspectorate is included in the Civil Service arrangements for performance-related merit bonuses.

Mr. Tracey: Yes.

European Year of the Environment

Mr. Key asked the Secretary of State for the Environment to what extent he proposes to support and celebrate the European Year of the Environment which commences in March 1987; whether he will be supporting selected projects; and if he will make a statement.

Mr. Waldegrave: My right hon. Friend has pledged his full support for the European Year of the Environment. This important and worthwhile venture has the aim of increasing public awareness of environmental questions throughout the Community. The United Kingdom will play a full and vigorous part.

My right hon. Friend announced on 6 March that he had appointed Sir Peter Harrop to chair the United Kingdom's National Committee and to sit on the Steering Committee in Brussels. It will be the responsibility of the National Committee to develop a strategy for the United Kingdom and we expect to announce the remaining membership very shortly.

My Department has already indentified a number of schemes to support and will keep in close touch with the National Committee.

Planning Applications

Mr. Hunter asked the Secretary of State for the Environment (1) how many planning applications have been submitted to planning authorities in England in each year since 1975;

(2) how many planning applications in England have gone to appeal in each year since 1975, expressed also as a percentage of the total number of planning applications for each year.

Mr. Tracey: The information, so far as it is available, is set out in the following table:

Planning applications and appeals—England 1975-1985

	(a) Applications received*	(b) Appeals received	(c) (b) as percentage of (a)†
1975	—	11,690	—
1976	—	11,656	—
1977	—	10,833	—
1978	—	11,609	—
1979	‡583,000	12,990	—
1980	527,000	16,208	3·1
1981	450,000	16,637	3·7
1982	399,000	13,900	3·5
1983	429,000	13,699	3·2
1984	427,000	16,192	3·8
1985	431,000	17,053	4·0

* Statistics for planning applications received were not collected before April 1979.

† Applications received in one year may not result in an appeal until the following year.

‡ Relates to the financial year 1979-80 (see also *).

Mr. Hunter asked the Secretary of State for the Environment how many planning applications have been granted at appeal on the stated grounds of consistency with circular 14/85, expressed also as a percentage of the total number of successful appeals, since the circular was published.

Mr. Tracey: This question could be answered only at disproportionate cost.

Mr. Hunter asked the Secretary of State for the Environment how many planning applications from the borough of Basingstoke and Deane have been granted at appeal on the stated grounds of consistency with circular 14/85, expressed also as a percentage of the total number of successful appeals in the borough, since the circular was published.

Mr. Tracey: Since circular 14/85 was published on 24 July 1985, 59 appeals have been decided following planning applications to Basingstoke and Deane borough council. The advice in circular 14/85 was cited in nine of the 32 cases in which the appeal was allowed (about 28 per cent.); and in a further eight cases in which the appeal was dismissed.

Non-departmental Bodies

Mr. Tony Banks asked the Secretary of State for the Environment if he will list the number and description of the non-departmental bodies to which he has appointed members in 1984, 1985 and 1986.

Mr. Kenneth Baker: The total number of non-departmental bodies to which the Secretary of State has made appointments is in 1984, 32; in 1985, 48; and in 1986, 17.

The bodies are listed as follows:

Body	Appointment(s) made in 1984	1985	1986
Architectural Heritage Fund		/	
Audit Commission for Local Authorities in England and Wales			/
Board of Trustees of the Royal Armouries	/		
British Board of Agrément	/	/	
British Waterways Board	/	/	/
Building Regulations Advisory Committee	/	/	
BRE Visitors	/		
Commission for The New Towns	/	/	/

Body	Appointment(s) made in 1984	1985	1986
Committee of Enquiry into the Handling of Geographic Information—set up April 1985		/	
Committee of Inquiry into the Conduct of Local Government Business—set up February 1985		/	
Committee on the Management of Privately Owned Blocks of Flats—wound up in November 1985	/		
Countryside Commission	/	/	/
English Water Authorities (9)			
North West		/	
Severn-Trent		/	/
Southern		/	
South West		/	
Thames		/	
Yorkshire		/	
Historic Buildings and Monuments Commission for England—set up April 1984		/	
Housing Corporation		/	
Imperial War Museum	/		
Inland Waterways Amenity Advisory Council	/	/	/
Local Government Boundary Commission for England	/	/	/
London Docklands Development Corporation	/	/	
London Housing Staff Commission	/		
London and Metropolitan Government Staff Commission—set up in August 1984	/	/	
Merseyside Development Corporation	/	/	
National House Building Council		/	
National Parks Planning Boards and Committees (7)	/	/	/
Nature Conservancy Council	/	/	
New Town Development Corporations			
Aycliffe and Peterlee	/	/	/
Basildon	/	/	
Central Lancashire—wound up March 1986	/		
Milton Keynes	/	/	/
Northampton—wound up June 1985	/	/	
Peterborough	/	/	
Redditch—wound up June 1985	/	/	
Skelmersdale—wound up June 1985		/	
Telford	/	/	
Warrington and Runcorn		/	/
Washington	/	/	/
Ordnance Survey Management Board—set up December 1985		/	
PSA Advisory Board—wound up February 1986	/	/	
Property Advisory Group	/		
Radioactive Waste Management Advisory Committee	/	/	/
Regional Council for Sport and Recreation (10)	/	/	/
Rent Assessment Panels (13)	/	/	/
Residuary Body (7)			
Greater Manchester—set up August 1985		/	
London—set up August 1985		/	
Merseyside—set up September 1985		/	
South Yorkshire—set up September 1985		/	
Tyne and Wear—set up August 1985		/	
West Midland—set up August 1985		/	
West Yorkshire—set up August 1985		/	
Sports Council	/	/	/
Sutton Housing Trust		/	/

London Residuary Body

Mr. Tony Banks asked the Secretary of State for the Environment if any upper limit has been set on expenditure relating to the payment of expenses of members of the board of the London Residuary Body; and if he will make a statement.

Mr. Tracey: The provision made in its budget to meet members' expenses claims is a matter for the London Residuary Body.

Snakes

Mr. Janner asked the Secretary of State for the Environment how many poisonous snakes he estimates there are in the United Kingdom in public and private zoos; what controls there are on the manner in which they are kept; whether he is satisfied with such controls; and if he will make a statement.

Mr. Tracey: My Department has no figures of the number of poisonous snakes kept in zoos. However, zoos keeping these species must be inspected and licensed by local authorities under the Zoo Licensing Act 1981. Local authorities may put conditions on licenses concerning the conduct of the zoo, including precautions to be taken against the escape of animals, and steps to be taken in the event of any escape or unauthorised release. I have no plans to change these controls.

Mr. Janner asked the Secretary of State for the Environment (1) whether he will issue guidance to those who keep boa constrictors or other non-poisonous but potentially dangerous snakes as to safe methods for their custody; and if he will make a statement;

(2) how many boa constrictors and how many other non-poisonous but potentially dangerous snakes he estimates are in captivity in the United Kingdom; and how many and what percentage are in public and in private zoos, respectively;

(3) if he will introduce legislation to require the licensing of those who keep boa constrictors or other non-poisonous but potentially dangerous snakes; and if he will make a statement.

Mr. Tracey: A review of controls on dangerous wild animals was carried out in 1984. The review concluded, on the basis of expert advice, that boa constrictors and other non-poisonous snakes need not be subject to control under the Dangerous Wild Animals Act 1976.

Advice for private individuals who keep these snakes is obtainable from several non-Government sources, including a leaflet published by the Pet Trade and Industry Association.

My Department has no figures of the number of these snakes kept in captivity.

Local Government Finance

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 local authorities with the

lowest percentage increase in their budgeted current expenditure in 1986-87 compared with 1985-86, including any which may have reduced their budgeted current expenditure in the same period.

Mr. Kenneth Baker: Following is the available information:

30 authorities with the lowest percentage changes in budgeted current expenditure from 1985-86 to 1986-87

	Percentage change in current expenditure from 1985-86 to 1986-87	*Percentage change in local rate or precept from 1985-86 to 1986-87*
Mendip	−34·2	34·3
Oxford	−25·4	0
Kingswood	−10·2	6·6
Wychavon	−10·2	5·1
Christchurch	−8·2	5·5
Winchester	−8·0	9·2
Basingstoke and Dean	−7·3	−12·9
Stevenage	−6·7	0
West Norfolk	−4·7	0·4
South Shropshire	−4·5	2·1
Kingston-upon-Hull	−3·8	29·4
Thamesdown	−3·7	−4·4
Corby	−3·6	0
Mansfield	−3·6	3·6
Rossendale	−3·2	22·0
West Dorset	−2·5	1·5
Sevenoaks	−2·4	−1·7
Broxbourne	−2·1	0
East Hampshire	−1·9	5·6
Tewkesbury	−1·8	1·4
Southampton	−1·5	4·3
Chiltern	−1·0	3·6
Copeland	−0·8	−0·5
Rushcliffe	−0·6	6·2
Wyre Forest	−0·5	0·9
East Yorkshire	0·1	19·4
Slough	0·3	−49·2
Medway	0·5	0
Ashfield	0·6	7·7
Scunthorpe	1·1	7·9

Notes:

1. Because of the abolition of the GLC and metropolitan counties, authorities in London and the metropolitan areas and Northumberland CC have taken on additional functions in 1986-87 and have therefore been excluded from the table.
2. Current expenditure figures for 1985-86 are based on returns used in the RSG second supplementary report.
3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 authorities with the largest percentage increase in their local rate or precept in 1986-87 compared with 1985-86, showing also the change in their budgeted current expenditure in the same period.

Mr. Kenneth Baker: Following is the available information:

30 authorities with the largest percentage increases in local rate or precept from 1985-86 to 1986-87

	Percentage change in local rate or precept from 1985-86 to 1986-87	*Percentage change in current expenditure from 1985-86 to 1986-87*
Leicester	80·4	21·7
Nottingham	77·0	11·8
North Warwickshire	40·2	28·6
Selby	36·5	16·2
Cumbria	36·4	8·7
Beverley	35·1	10·5
Mendip	34·3	−34·2
South Somerset	33·7	18·8
Cambridgeshire	32·9	11·8
West Somerset	32·8	17·9
Buckinghamshire	30·0	10·7
Holderness	29·5	3·1
Kingston-upon-Hull	29·4	−3·8
Bolsover	28·0	8·0
Gloucester	27·7	24·8
Leicestershire	27·0	7·6
Somerset	26·5	13·8
North West Leicester	26·2	7·3
Derbyshire	25·9	12·9
Wiltshire	25·9	12·9
Forest of Dean	25·7	15·4
Glanford	25·4	4·4
Oxfordshire	24·8	13·4
Wealden	22·9	9·0
Lincolnshire	22·0	8·3
Rossendale	22·0	−3·2
Hertfordshire	21·9	11·3
Hart	21·9	16·3
Blyth Valley	21·6	3·6
South Derbyshire	21·5	5·9

Notes:

1. Because of the abolition of the GLC and metropolitan counties, authorities in London and the metropolitan areas and Northumberland CC have taken on additional functions in 1986-87 and have therefore been excluded from the table.
2. Current expenditure figures for 1985-86 are based on returns used in the RSG second supplementary report.
3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 local authorities with the largest percentage increase in their budgeted current expenditure in 1986-87 compared with 1985-86, showing also the change in their rate or precept in the same period.

Mr. Kenneth Baker: Following is the available information:

30 authorities with the largest percentage increases in budgeted current expenditure from 1985-86 to 1986-87

	Percentage change in current expenditure from 1985-86 to 1986-87	*Percentage change in local rate or precept from 1985-86 to 1986-87*
Surrey Heath	36·7	5·7
Bracknell	28·9	0·4
North Warwickshire	28·6	40·2
Gloucester	24·8	27·7
Eastleigh	23·6	9·3
Darlington	23·5	21·4
Eden	23·1	21·3
Basildon	22·4	4·8
Daventry	22·2	5·9
Leicester	21·7	80·4
Barrow in Furness	21·6	15·4
Gillingham	20·8	−100·0
Northampton	20·1	7·3
South Somerset	18·8	33·7
Mid Suffolk	18·8	7·8
Runnymede	18·2	0
West Somerset	17·9	32·8

	Percentage change in current expenditure from 1985-86 to 1986-87	Percentage change in local rate or precept from 1985-86 to 1986-87
Hereford	17·8	0
Gosport	17·7	0
Oadby and Wigston	17·4	16·6
Lincoln	17·4	8·3
Oswestry	17·1	17·8
Chelmsford	16·8	9·2
Blackpool	16·8	13·3
Brentwood	16·7	12·3
Hart	16·3	21·9
Selby	16·2	36·5
Harlow	16·0	9·8
Woodspring	15·9	7·4
Eastbourne	15·9	0

Notes:

1. Because of the abolition of the GLC and metropolitan counties, authorities in London and the metropolitan areas and Northumberland CC have taken on additional functions in 1986-87 and have therefore been excluded from the table.
2. Current expenditure figures for 1985-86 are based on returns used in the RSG second supplementary report.
3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 authorities with the largest percentage increase in their local rate or precept in 1986-87 compared with 1981-82, showing also the change in their budgeted current expenditure in the same period.

Mr. Kenneth Baker: Following is the available information:

30 authorities with the largest percentage increases in local rate or precept from 1981-82 to 1986-87

	Percentage change in local rate or precept from 1981-82 to 1986-87	Percentage change in current expenditure from 1981-82 to 1986-87
Selby	164·7	35·8
Malvern Hills	145·0	55·1
Forest of Dean	142·5	56·5
Nottingham	138·7	93·3
Thurrock	131·3	88·8
Chorley	129·2	35·5
West Somerset	125·3	48·9
Uttlesford	123·9	31·5
Kingston-upon-Hull	122·1	31·7
Castle Morpeth	119·0	24·8
Mendip	113·7	−13·6
South Norfolk	112·8	45·3
Derbyshire	109·9	48·2
Basildon	109·3	81·0
North Kesteven	108·3	43·7
Leicester	102·2	98·4
South Somerset	101·7	48·1
Nottinghamshire	100·9	35·8
Babergh	99·1	5·4
North Warwickshire	98·1	47·0
Bolsover	97·3	49·0
Suffolk Coastal	95·7	51·2
Wealden	93·5	66·6
Kerrier	93·2	45·0
Torbay	91·7	59·7
Harlow	91·4	80·8
Torridge	91·2	44·2
South Ribble	90·4	61·0
Broxbourne	87·9	16·2
Harborough	87·0	47·9

Notes:

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2. Current expenditure figures for 1985-86 are based on returns used in the RSG second supplementary report.
3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 authorities with the lowest percentage increase in their local rate, or precept in 1986-87 compared with 1985-86, including any which may have reduced their rate or precept, showing also the changes in their budgeted current expenditure in the same period.

Mr. Kenneth Baker: Following is the available information for the 25 authorities which reduced their local rate between 1985-86 and 1986-87, and the 22 authorities which maintained it at the same level in both years.

47 authorities with the lowest percentage changes in local rate or precept from 1985-86 to 1986-87

	Percentage change in local rate or precept from 1985-86 to 1986-87	Percentage change in current expenditure from 1985-86 to 1986-87
Hove	−100·0	6·1
Gillingham	−100·0	20·8
Slough	−49·2	0·3
Basingstoke and Deane	−12·9	−7·3
Reading	−11·5	6·7
Bath	−9·1	6·0
Erewash	−7·9	7·9
Huntingdon	−6·9	4·7
Vale of White Horse	−5·6	5·6
Newbury	−4·8	2·4
North Bedfordshire	−4·7	7·3
Thamesdown	−4·4	−3·7
Southend on Sea	−4·3	6·5
Bournemouth	−3·8	9·4
Penwith	−3·6	7·7
Brighton	−2·7	12·5
Bridgnorth	−1·9	8·9
Sevenoaks	−1·7	−2·4
Aylesbury Vale	−0·8	2·8
Tunbridge Wells	−0·8	2·0
Caradon	−0·5	5·6
Copeland	−0·5	−0·8
South Lakeland	−0·3	10·1
St. Albans	−0·1	12·1
Adur	−0·1	5·4
Peterborough	0	7·5
Exeter	0	6·9
Plymouth	0	8·5
Weymouth and Portland	0	14·6
Eastbourne	0	15·9
Hastings	0	11·4
Castle Point	0	12·2
Cheltenham	0	4·4
Gosport	0	17·7
Hereford	0	17·8
Broxbourne	0	−2·1
Stevenage	0	−6·7
Medway	0	0·5
Blackburn	0	10·3
Norwich	0	10·4
Corby	0	−3·6
York	0	5·6
Oxford	0	−25·4

	Percentage change in local rate or precept from 1985-86 to 1986-87	Percentage change in current expenditure from 1985-86 to 1986-87
Tamworth	0	6·9
Elmbridge	0	11·7
Runnymede	0	18·2
Worthing	0	6·3

Notes:

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3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlief years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 authorities with the lowest percentage increase in their local rate or precept in 1986-87 compared with 1981-82, including any which may have reduced their rate or precept, showing also the change in their budgeted current expenditure in the same period.

Mr. Kenneth Baker: Following is the available information:

30 authorities with the lowest percentage changes in local rate or precept from 1981-82 to 1986-87

	Percentage change in local rate or precept from 1981-82 to 1986-87	Percentage change in current expenditure from 1981-82 to 1986-87
Hove	−100·0	36·8
Gillingham	−100·0	25·7
Slough	−37·6	37·2
Reading	−28·1	21·2
Vale of White Horse	−22·2	38·6
Bracknell	−21·9	33·1
East Northampton	−19·6	33·0
Corby	−16·5	29·7
Great Yarmouth	−12·9	50·0
Basingstoke and Deane	−10·4	−3·3
Rochester on Medway	−9·4	43·4
Bath	−9·1	−0·9
York	−7·4	53·4
Worcester	−7·0	57·6
South Shropshire	−5·8	29·1
Salisbury	−5·7	47·4
Eastbourne	−5·2	8·4
Derby	−4·3	35·2
Peterborough	−2·9	51·0
Copeland	−0·5	17·8
Hartlepool	0	31·6
Bournemouth	0	55·8
Hereford	0	46·5
Carlisle	0·4	29·2
Dartford	1·5	21·7
East Cambridgeshire	2·0	48·2
Bassetlaw	2·8	60·6
Lincoln	4·0	58·3
Lancaster	4·1	35·4
Worthing	6·1	21·4

Notes:

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3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 local authorities with the largest percentage increase in their budgeted current expenditure in 1986-87 compared with 1981-82, showing also the change in their rate or precept in the same period.

Mr. Kenneth Baker: Following is the available information.

30 authorities with the largest percentage increases in budgeted current expenditure from 1981-82 to 1986-87

	Percentage change in current expenditure from 1981-82 to 1986-87	Percentage change in local rate or precept from 1981-82 to 1986-87
Wellingborough	119·2	28·7
Crawley	114·7	18·1
Brentwood	110·7	84·3
Leicester	98·4	102·2
Nottingham	93·3	138·7
Preston	89·4	49·9
Thurrock	88·8	131·3
Darlington	87·7	41·8
Surrey Heath	86·0	18·8
Wimborne	85·6	84·4
Gloucester	85·4	69·0
Basildon	81·0	109·3
Harlow	80·8	91·4
West Lindsey	79·9	71·8
West Devon	79·2	67·6
Windsor and Maidenhead	76·3	56·5
Eastleigh	75·5	41·0
Milton Keynes	75·4	36·0
Reigate and Banstead	75·4	69·2
Chester le Street	74·5	39·6
Cambridge	74·2	15·6
North West Leicester	73·2	69·7
Woking	73·2	52·8
Plymouth	72·1	54·2
Mid Devon	70·3	67·4
South Lakeland	70·2	26·1
Havant	68·9	48·8
New Forest	68·7	46·5
Rutland	67·3	25·0
Oadby and Wibston	67·1	40·7

Notes:

1. Because of the abolition of the GLC and metropolitan counties, authorities in London and the metropolitan areas and Northumberland CC have taken on additional functions in 1986-87 and have therefore been excluded from the table.
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3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.
4. Local rates include parish precepts where applicable.

Dr. Cunningham asked the Secretary of State for the Environment if he will list the 30 local authorities with the lowest percentage increase in their budgeted current expenditure in 1986-87 compared with 1981-82, including any which may have reduced their expenditure, showing also the change in their rate or precept in the same period.

Mr. Kenneth Baker: Following is the available information:

30 authorities with the lowest percentage changes in budgeted current expenditure from 1981-82 to 1986-87

	Percentage change in current expenditure from 1981-82 to 1986-87	*Percentage change in local rate or precept from 1981-82 to 1986-87*
Oxford	−30·6	28·7
Harrogate	−23·1	12·1
Mendip	−13·6	113·7
Basingstoke and Deane	−3·3	−10·4
Bath	−0·9	−9·1
Rossendale	2·4	32·1
Kettering	4·9	23·4
Babergh	5·4	99·1
East Hampshire	6·8	44·4
Sevenoaks	8·1	24·7
Eastbourne	8·4	−5·2
Stevenage	8·4	9·8
Dover	10·4	15·0
Bristol	12·5	25·0
Lichfield	13·8	32·0
East Yorkshire	13·9	66·6
Rushcliffe	14·1	25·6
Richmondshire	14·8	43·1
Mole Valley	15·4	60·6
Broxbourne	16·2	87·9
Aylesbury Vale	16·4	29·3
Teignbridge	17·5	55·6
Copeland	17·8	−0·5
Vale Royal	17·9	39·4
Langbaurgh	18·1	14·0
West Dorset	18·7	46·5
Bromsgrove	18·8	31·4
Wyre Forest	18·8	22·4
Craven	19·3	38·2
North East Derbyshire	19·8	36·3

Notes:

1. Because of the abolition of the GLC and metropolitan counties, authorities in London and the metropolitan areas and Northumberland county council have taken on additional functions in 1986-87 and have therefore been excluded from the table.

2. Current expenditure figures for 1985-86 are based on returns used in the RSG 2nd supplementary report.

3. Current expenditure figures for shire counties in 1986-87 are not strictly comparable with those for earlier years due to a change to the education pooling formula.

4. Local rates include parish precepts where applicable.

TRANSPORT

Vehicle Registration Prefix

Mr. Allen Adams asked the Secretary of State for Transport (1) what representations he has received from the Scottish Motor Trade Association opposing the change in the prefix licensing date from 1 August to 1 October;

(2) if he will change the date of prefix licensing in Scotland from August to June; and if he will make a statement.

Mr. Michael Spicer: The Scottish Motor Trade Association expressed its opposition to an October change at a meeting with my right hon. Friend on 24 April. My right hon. Friend made it clear that he would be prepared to consider an alternative if the weight of opinion in the motor industry as a whole changes, including United Kingdom manufacturers, and provided that this is acceptable to the police. Otherwise the change would go ahead as planned in October 1987.

Written-off Vehicles

Mr. Crowther asked the Secretary of State for Transport whether he will introduce legislation to require that when a vehicle is re-sold after having been the subject of a write-off decision by an insurance company, that fact is recorded on the registration documents.

Mr. Michael Spicer: I shall answer this question shortly.

Written Answers to Questions

Wednesday 30 April 1986

TRANSPORT

Pelican Crossings

Mr. Campbell asked the Secretary of State for Transport when he will issue the new regulations covering pelican crossings.

Mr. Peter Bottomley: This year.

Orange Badge Scheme

Sir David Price asked the Secretary of State for Transport if he will publish in the *Official Report* the names of all those local authorities who do not operate the orange badge scheme for disabled drivers and the reasons given by each of these authorities for refusing to do so.

Mr. Peter Bottomley: The orange badge scheme of parking concessions does not operate in the City of London, the City of Westminster, the Royal Borough of Kensington and Chelsea and that part of the London borough of Camden to the south of and including Euston road. These areas are excluded from the national scheme because of their particular problems with traffic congestion and pressure on parking space.

Road Safety

Mr. Mason asked the Secretary of State for Transport if he will list the consultative meetings he has held with road transport unions on the new EEC Regulations [3820/85 and 3821/85] on road safety; and what assurances he has been able to give them regarding the future health, safety and welfare of lorry drivers; and if he will make a statement.

Mr. Ridley: I discussed the Commission's proposals with officers of the TGWU on 4 June 1984. My officials had further discussions on 27 September 1984, 3 June 1985 and 21 June 1985. Both I and my officials made it clear in the discussions that road safety has been one of our main considerations in the negiotiation of the regulation. My hon. Friend the Parliamentary Under-Secretary of State has arranged to meet officers of the TGWU on 30 April to discuss our proposals for implementing the regulations and for changes to the domestic driving code.

Mr. Mason asked the Secretary of State for Transport whether the proposed new EEC Regulations on road safety, due to be enacted on 29 September, have received the support of the European Parliament and the Social and Economic Committee of the Community and the backing of the road haulage unions; and if he will make a statement.

Mr. Ridley: In adopting the new regulations, which come into force on 29 September, the Council of Ministers took account of the views of the other institutions of the Community and of the European trade union organisations.

Mr. Mason asked the Secretary of State for Transport whether he has established that all member nations of the EEC will introduce the new regulations governing road safety on or before 29 September; and if he will make a statement.

Mr. Ridley: Regulations 3820/85 and 3821/8 enter into force on 29 September. They will be directly applicable in all member states.

Mr. Mason asked the Secretary of State for Transport what representations he has received from the Transport and General Workers Union asking for the suspension of the introduction of the new EEC regulations, relating to lorry drivers' hours and rest periods; what reply he has given to the union's representations concerning the effect of the regulations on the levels of mental and physical fatigue of drivers; and if he will make a statement.

Mr. Ridley: My Department has received a letter from the TGWU dated 13 March 1986 setting out the United Kingdom road transport unions' objections to the regulations. This will be discussed at the meeting on 30 April which my hon. Friend the Minister with responsibility for roads and traffic has arranged with officers of the TGWU to discuss our proposals for implementing the regulations.

Mr. Mason asked the Secretary of State for Transport what assessment he has made of the implications of *(a)* the omission from the new EEC regulations on road safety of any provision for a full weekend's rest for lorry drivers and *(b)* the procedures proposed for enforcing the regulations, for the safety of road haulage drivers; and what assurances he has given to the road transport unions on these matters.

Mr. Ridley: The new regulation increases the standard weekly rest requirement from 40 to 45 hours, and imposes new obligations on operators to ensure that their drivers comply with its provisions.

"Door to Door"

Mr. Carter-Jones asked the Secretary of State for Transport if he will publish in the *Official Report* the methods and organisations he has used in order to publicise the second edition of his Department's publication "Door to Door", the guide to transport for disabled people; if he is satisfied that this publication is sufficiently known to disabled people and their families or friends; and if he will make a statement.

Mr. Peter Bottomley: The second edition of "Door to Door", a guide to transport for disabled people, was published by the Department in February. One million copies of this free guide were printed. So far 755,000 copies have been distributed to voluntary groups, local authorities and other organisations and to individuals. Almost 800 copies on audio cassette for blind people have also been distributed.

The guide has been publicised widely through the magazines of voluntary organisations and through the national press. Posters and Freepost request cards have been circulated. Boots the Chemists are also distributing the guide.

A video film to publicise the guide and give information about transport for disabled people is available on free loan from the Department.

The guide is becoming known to disabled people and their families and friends.

Optica Aircraft (Crash Report)

Mr. Key asked the Secretary of State for Transport when he will publish the report of the accidents investigation branch on the crash of the Optica aircraft on 15 May 1985.

Mr. Michael Spicer: The accidents investigation branch anticipates submitting the report on this accident to my right hon. Friend the Secretary of State in the next three weeks or so. The interested parties involved then have a three-week statutory period in which to ask for a review board. If no such request for review is made the report will go to Her Majesty's Stationery Office for printing. It is not possible at this moment to give a precise date for publication.

Written-off Vehicles (Resale)

Mr. Crowther asked the Secretary of State for Transport whether he will introduce legislation to require that when a vehicle is resold after having been the subject of a write-off decision by an insurance company, that fact is recorded on the registration documents.

Mr. Michael Spicer [*pursuant to his reply*, 28 April 1986]: I am aware of the problems associated with the resale of written-off vehicles and my Department is invesigating the options for improving the position with interested parties, expecially the police. Recording the fact that a vehicle has been written-off on the registration document would, however, create a number of problems. It would not, for instance, be possible to identify all potential safety risks by this method and many of the vehicles so identified would have been repaired to perfectly acceptable safety standards. The best safeguard for those buying used cars is to have them checked by independent experts.

Airlines (Change of Gauge Facilities)

Mr. Carter-Jones asked the Secretary of State for Transport (1) if he will give a list of the airlines allowed to use change of gauge facilities in the United Kingdom; if he will estimate the size of such activities; and if he will make a statement;

(2) what information he has as to facilities available in the United States or any other countries for British airlines to operate change of gauge facilities; and if he will make a statement;

(3) what is his policy regarding change of gauge facilities for foreign airlines bringing passengers into the United Kingdom and then taking them on in their own aricraft to other destinations; and if he will make a statement.

Mr. Michael Spicer: Thirty-eight of our bilateral air services agreements contain a reciprocal change of gauge provision. In practice, these rights are little used nowadays by either British or foreign airlines. However, for United States airlines with more than one route to the United Kingdom these rights are valuable when used in conjunction with combination rights beyond the United Kingdom to other European cities. Pan Am, for example, uses both change of gauge and combination rights to operate a hub and spoke system at Heathrow. Although change of gauge rights are available for British airlines in the United States, these rights are not of comparable value. British airlines may operate only to a limited number of United States gateway cities where they inevitably compete with United States airlines operating non-stop services to the United Kingdom. There is therefore little opportunity or commercial benefit for a British airline to mount its own hubbing operations within the United States. This is one reason among others why the Government are negotiating with the United States Government for a better balance of rights and opportunities, the need for which has become apparent. The Government's policy in general towards change of gauge operations within the United Kingdom by foreign airlines is to grant such rights where British airlines can make comparable use of such reciprocal rights overseas or enjoy other compensatory competitive opportunities in return.

Vehicle Registration Prefix

Mr. Amess asked the Secretary of State for Transport what representations he has had from motor traders, importers, manufacturers, retailers and car leasing companies on the proposals to change car prefix dates from August to October; and what proportion of those supports this move and what proportion opposes it.

Mr. Michael Spicer: The Society of Motor Manufacturers and Traders, its British manufacturer members, and large distributor members representing both British and importer franchises support the change to October. The other interests referred to by my hon. Friend generally oppose it.

Finart Oil Terminal

Dr. Godman asked the Secretary of State for Transport what controls are exercised over merchant vessels in excess of 100 gross registered tonnage proceeding to the Finart oil terminal on the Clyde; what breaches of these controls have occurred in the last five years; with what consequences; and if he will make a statement.

Mr. Ridley: Merchant vessels over 100 gross registered tonnes must take a pilot. Vessels must obey speed restrictions and the instructions of the Queen's harbour master during the passage through the royal dockyard port of Gareloch and Loch Long, and keep outside the protected area off the Royal Naval armament depot, Coulport. There have been no breaches of these requirements in the last five years. Within the area of jurisdiction of the Clyde port authority, vessels are subject to any byelaws or directions to shipping made by that authority, to which any questions about breaches should be addressed.

Helicopter Rescue Service, Stornoway

Mr. Maclennan asked the Secretary of State for Transport if he will make a statement on the outcome of the United Kingdom search and rescue services committee's discussions on 29 April concerning the possibility of locating a helicopter rescue service at Stornoway, Isle of Lewis.

Mr. Ridley: Yes.

The United Kingdom SAR committee met on 29 April and considered the level of helicopter coverage off north-west Scotland.

Although the committee was of the opinion that there was no case for any immediate redeployment of existing

SAR helicopter cover, it was made aware of the continuing trend towards greater fishing activity north and west of the Hebrides which may be beyond the effective range of present resources. Furthermore, better lifeboat cover of the area was deemed impractical.

Therefore, the committee agreed to refer the matter to a working group to study all aspects of the problem. The group, which is to consist of representatives of the Government Departments concerned, civil agencies and the fishing industry, was invited to make recommendations as soon as possible.

ENVIRONMENT

Acid Pollution

Mr. Powley asked the Secretary of State for the Environment when he expects to publish the report of his Department's acid waters review group; and if he will make a statement.

Mr. Waldegrave: The interim report by the United Kingdom Acid Waters Review Group is being published today. I have arranged for copies to be placed in the Library.

The group's report assesses the data currently available and sets out the scientific background to the various processes that may contribute to freshwater acidity. Criteria and definitions for identifying acidific waters are recommended and methods and guidelines for monitoring freshwaters are reviewed.

The report notes that acidification has been identified in some distinct geological regions of the north of England, south-west Scotland and Wales, but that there is no evidence of widespread acidification of United Kingdom freshwaters generally. It discusses the decline of salmon and trout fisheries in some parts of Scotland and Wales, and suggests that the importance of land use practices for fisheries may be indicated by the tendency for poor fishery status to correlate with afforested catchment areas, although a casual relationship between afforestation and fishery decline has not been established.

The report notes that available data on the chemical and biological status of freshwaters were mostly obtained for purposes other than the assessment of freshwater acidification, and are not generally of the quality required to produce the clear picture of historical trends which is needed to establish whether links exist between freshwater acidification and acid rain or other factors such as soil chemistry or land use practices. Of the 75 sets of acidity data examined only six appear to give firm evidence of increasing acidity.

I have decided that we need a better picture of freshwater acidification and am taking steps to extend monitoring work in order to improve our understanding. Work already in progress under my Department's research programme on the analysis of diatom remains in sediment cores will also be extended to surfact waters in other regions identified in the report as susceptible to acidification.

The group's final report, due in late 1987 or early 1988, will draw on the results of current research and monitoring and aim to assess both the probable causes of freshwater acidification and the possibilities for remedial measures.

Mr. Chris Smith asked the Secretary of State for the Environment what systematic monitoring for acid pollution is carried out in rivers in England.

Mrs. Rumbold: The water authorities routinely monitor the acidity of rivers as part of their general responsibility for water quality monitoring. Specific monitoring of acidity is carried out in certain areas of the United Kingdom which may be susceptible to surface water acidification. In England, continuous measurements of acidity are made on the Rivers Esk and Duddon as part of a joint project between my Department and the North West water authority. My Department is also funding the study being carried out by the river purification boards into the effects of acid deposition on Scottish catchments, and co-funding the study of catchment systems feeding the Llyn Brianne reservoir, which is being carried out jointly with the Welsh water authority, the Natural Environment Research Council and the University College of North Wales, Bangor.

Mr. Chris Smith asked the Secretary of State for the Environment if salmon and trout found dead on river banks are tested for signs of poisoning related to surface water acidification; and if he will make a statement.

Mrs. Rumbold: No. There is strong circumstantial evidence that short-lived pulses of high acidity associated with snow melt or the on-set of rain following a dry period have caused occasional fish kills in rivers, but fish killed in these circumstances show no distinctive signs and there is no test to distinguish them from those which have died naturally. Fish living in chronically acidified waters—generally lakes—may show observable signs of gill-clogging or skeletal deformity, but these symptons may not be indicative of acidification damage only.

ENVIRONMENT

Housing Repairs (London)

Mr. Heddle asked the Secretary of State for the Environment what discussions he has had with the London Residuary Body about the £76 million granted by the Greater London council to the accountancy firm Satman for housing repairs in the London boroughs.

Sir George Young: The question of the GLC's payments to Satman was raised at a meeting between my right hon. Friend and the chairman of the London Residuary Body on 24 April. We understand that the status of the payments will initially be the subject of counsel's opinion sought by the GLC's appointed director of Satman.

Planning Appeal (Decision)

Mr. Heddle asked the Secretary of State for the Environment when his inspector's decision in respect of planning appeal number W/135/4/LB will be announced.

Mr. Tracey: The inspector's report of the inquiry has only recently been received and I cannot say at this stage when the decision will be announced. I can, however, assure my hon. Friend that the appeal will be dealt with as quickly as possible.

Sites of Special Scientific Interest

Mr. Corrie asked the Secretary of State for the Environment if he will make it his policy for no action to be taken in respect of destruction or damage to proposed sites of special scientific interest unless formal notification of the proposals has been made to the owners of the land prior to the alleged destruction or damage.

Mrs. Rumbold: The constraints and penalties provided for by section 28 of the Wildlife and Countryside Act 1981 do not apply until a site is formally notified as a site of special scientific interest. However, the Secretary of State is empowered by section 29 of the Act to make orders in certain circumstances to protect nationally important sites which may be at risk, whether or not they have been formally notified as sites of special scientific interest. My right hon. Friend will continue to use these powers when appropriate.

Defective Housing

Mr. Spencer asked the Secretary of State for the Environment if Leicester city council has submitted a bid for additional funding for Boot houses, under the Housing Defects Act; and if he will make a statement.

Sir George Young: No such bid has been received from Leicester city council.

Urban Housing Renewal Unit

Mr. Spencer asked the Secretary of State for the Environment if Leicester city council was eligible to submit a scheme for consideration under the urban housing renewal unit; and if he will make a statement.

Sir George Young: Yes. The council accepted a request from officials of my Department's urban housing renewal unit, who visited Leicester on 12 March to offer advice about some of the city's housing estates. I understand that in the light of that advice, and of continuing contact with the Department's regional office, Leicester city council hopes to submit a detailed scheme to the Department shortly.

Energy Efficiency

Mr. Bermingham asked the Secretary of State for the Environment (1) if, in the energy efficiency requirements of the revised building regulations, universal trade-off will be allowed between *(a)* permanent and variable measures, and *(b)* measures used at the discretion of the householder and those not;

(2) in the re-examination of energy efficiency within the domestic building regulations, if it is Her Majesty's Government's intention to replace the V values method of assessment with some other form of assessment.

Sir George Young: The requirements are being reviewed. The objective is to introduce greater flexibility taking account of the relative benefits of different methods of energy conservation. No decisions have been taken yet: there will be consultation later this year.

Planning (Consultancy Studies)

Mr. Alan Howarth asked the Secretary of State for the Environment what consultancy studies have been commissioned since 1980 by his Department in the field of planning.

Mr. Tracey: Consultants are selected by competitive tendering to carry out research projects on planning, including geological and minerals planning projects. Research projects are also carried out by the research councils, and by universities and polytechnics. Studies commissioned from private consultants since 1980 are:

1980
District Shopping Centre Study
Business Services in Manchester-Salford
The Use of Population Projections; Phase II

1981
Monitoring of Enterprise Zones
Feasibility Study for a National Garden Festival in Stoke-on-Trent
Limestone Workings in the West Midlands
Survey of Racial Minorities
Ethnic Minorities in Small Businesses in the Inner City
Underground Cavern Storage

1982
Ancillary Works for Microseismic Monitoring
Investigation of Wednesbury Old Park Subsidence
Site Requirements of Large-Medium Industrial Projects
Location of Development: Urban-Rural Choice (Two Pilot Studies)
Planning Conditions for Hard Rock Quarries

1983
Landslip Research in South Wales: East Pentwyn-Bournville
Black Country Limestone: Microseismic Monitoring and Interpretation
Preparatory Research for United States-United Kingdom Congress on Urban Parks and Open Spaces
Pumping Trials on Colliery Spoil
Local Authority Practice in Multi-Racial Areas
Evaluation of Industrial and Commercial Improvement Areas
Assessment of Location, Quantities and Qualities of Potential Fill Materials
Assessment of the Conglomerate Resources Between Stoke-on-Trent and Stone Staffordshire
Mineral Resource Planning Soar Valley, Leicestershire
Chacewater—St. Day (Cornwall) Project (Phase I)
Assessment of Alternative Colliery Spoil Disposal Options
Art and Architecture

1984
Urban Economic Development Policies in an Assisted Area: Case Study: Newcastle Metropolitan Region
Environmental Geology: Study in the Plymouth-Plymstock Area
Mining Subsidence: South Wales Desk Study
Mineral Excavations: Stability and Hydrogeology
Environmental Geology Study in the Bristol Area
Assessment of Liverpool Garden Festival
National Garden Festival 1989: Feasibility Study
Agricultural Restoration of Sand and Gravel Workings: Bush Farm and Papercourt Farm Sites
Agricultural Restoration of Sand and Gravel Workings — Wasperton Site II
Mersey South Bank Feasibility Studies (Lead Contract)
Operation of Stop Notices Under Section 90 of Town and Country Planning Act 1971
Evaluation of Environmental Projects Funded under the Urban Programme
Assessment of the Employment Effects of Economic Development Projects Funded under the Urban Programme
Land for Housing
Bibliography of Geological and Minerals Planning Research
Humberside Sand and Gravel Resources — Reconnaissance Survey
Welsh Landslips: Risk Assessment
Accommodation Needs of Modern Industry
Marine Dredging for Sand and Gravel
Sand and Gravel Resources of the Wreake Valley, Leicestershire
Architectural Competition Briefs
Value of Geological Research to Planning
State of the Art Review of Landslipping
Investigating Population Change in Small-Medium Sized Urban Areas

Pneumatic Capsule Unloading

1985
Land Use Stock Feasibility Study
Landslip Research in South Wales: East Pentwyn-Bournville Study (Revised)
Investigation of Ground Characteristics in the Area around Chacewater and St. Day, Cornwall (Phase II)
Review of Seismic Investigation Requirements in Great Britain
Effectiveness of Selected Development Commission Policies
Land Used for Development in South East England: A Joint DOE-SERPLAN Study
Review of Present Approaches to Environmental Geology Maps
Six Good Design Authorities: An Experiment
Warehouse Development Trends
Inputs to Evaluation Model of Remedies to Black Country Limestone Mines Problem
Supply and Demand for Office Accommodation in London and the South East
Mineral Planning: Magnesian Limestone Study
Monitoring the Operation of the Planning System
Evaluation of Derelict Land Grant Schemes
Infrastructure as a Tool of Economic Development
Pyewipe Materials Handling Studies
Pyewipe Marine Works Design Studies
Estimating the Demand for Aggregate Minerals

1986
The Cambridge Case Study
Feasibility Study on Assistance for Black Music
Case Studies of Good Practice in Urban Policy: Environmenal Improvements
Case Studies of Good Practice in Urban Policy: Enterprise Workshops
Case Studies of Good Practice in Urban Policy: Conversion and Re-Use of Industrial Buildings
Survey of Visitors to the National Garden Festival 1986: Stoke-on-Trent
Thematic Geological Mapping: Torbay
Control of Noise from Surface Mineral Working
Development of Project Performance Output Measures
Management Training Needs of Urban Programme Project Managers

Consultants are also engaged to provide advice on planning subjects, primarily for management purposes.

Merit Bonuses

Mr. Alan Howarth asked the Secretary of State for the Environment how many officials, by grade, in his Department have been granted merit bonuses; and what is the average payment involved.

Mr. Kenneth Baker: The total number of performance and special bonuses awarded, by grade, for 1985 is as follows:

	Number
Department of the Environment (Central)	
Grades 3 and 4	4
Grade 5	21
Grade 6	12
Grade 7	40
Property Services Agency	
Grades 3 and 4	3
Grade 5	6
Grade 6	17
Grade 7	55

The value of these bonuses was as follows:

	£
Annual Performance Bonuses	
Grade 3	3,000
Grade 4	2,700
Grade 5	2,200
Grade 6	1,900
Grade 7	1,500
Special Bonuses	500

Management Objectives

Mr. Alan Howarth asked the Secretary of State for the Environment what are the current management information system for Ministers management objectives for the different divisions of the planning inspectorate.

Mr. Tracey: The main objectives for the inspectorate in 1986-87 are to reduce substantially the number of section 36 appeals in the system and the median times for handling them; to process other planning and housing casework effectively in terms both of speed and quality; and to ensure that inspectors' decisions are soundly based.

Women's Aid Refuges

Ms. Richardson asked the Secretary of State for the Environment if he will estimate how many women's aid refuges will lose funding as a result of the abolition of the Greater London council and the metropolitan councils.

Sir George Young: Decisions on grants for individual voluntary projects affected by abolition are a matter for local authorities. The information requested is not available centrally.

Ms. Richardson asked the Secretary of State for the Environment how many women's aid refuges have lost funding as a result of the withdrawal of urban aid since 1980.

Sir George Young: The available information is limited to projects which reached the end of their approved funding period and were refused further funding following an application by the local authority. Some 22 women's aid refuges have fallen into this category since 1980. The Department's monitoring surveys indicate that most of these projects will either have been absorbed into local authority main programmes or found alternative sources of support.

Asbestos

Mr. Litherland asked the Secretary of State for the Environment if he will introduce legislation to require all public and local authorities to identify, indelibly mark and register all asbestos in all property within their responsibility and to prepare a programme for the removal and safe disposal of asbestos from their housing and buildings; and if he will make a statement.

Sir George Young: The Department of the Environment issued a technical guidance note on asbestos materials in buildings in August 1983. Copies were sent to all local authorities in England and Wales. The guidance is being revised and updated and will be re-issued later this year. It describes general procedures for the identification of asbestos materials. It recommends that undamaged asbestos which is not releasing dust be left in place; the location of asbestos materials be marked on records or plans for future reference; and precautions, which may include labelling, be taken to alert maintenance workers to the presence of asbestos. Asbestos materials which are

damaged and releasing dust should be treated or removed, but programmes to remove all asbestos are unwarranted. Existing legislation relating to asbestos in buildings is substantial and the Government see no need to introduce further legislation.

Leicestershire County Council

Mr. Latham asked the Secretary of State for the Environment what response he has made to the letter from the chief executive of Leicestershire county council to him dated 12 March regarding the level of capital allocations for other services in 1986-87; and whether he will make a statement.

Mrs. Rumbold: Officials replied to the chief executive on 15 April. I have arranged for a copy of the reply to be sent to my hon. Friend. Other services block allocations to shire counties followed recommendations made by the Association of County Councils. It is not possible to increase allocations now because, in accordance with normal practice agreed with the local authority associations, available resources were allocated in full before the start of the year.

Land Register

Mr. Squire asked the Secretary of State for the Environment if he will make it his policy to make public the Land Register in England and Wales.

Sir George Young: The Land Register recording unused and underused land owned by public bodies for England is kept in my Department's headquarters. A copy of the register for the districts covered by each of my Department's regions is also kept at the relevant regional office. A further copy of the register for each district is kept at the principal office of the local authority concerned. The registers are available for inspection by the public free of charge, during normal office hours. The Land Register for Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Housing Statistics

Mr. Deakins asked the Secretary of State for the Environment how many houses have been sold to sitting tenants by local authorities in each of the last 10 years; what was the average receipt to the authorities for each house sold; what was the average cost of *(a)* building new houses and *(b)* rehabilitating old houses for local authorities in each year; and how many new houses and rehabilitated houses, respectively, he estimates local authorities could have built with the moneys available to them from the receipts of council house sales.

Sir George Young: I shall answer this question shortly.

Sellafield

Dr. Cunningham asked the Secretary of State for the Environment when he will publish details of the proposed new authorisation for radioactive liquid discharges from British Nuclear Fuels plant at Sellafield.

Mr. Waldegrave: The proposed new radioactive discharge authorisation for Sellafield has been published today for consultation. It will set tighter annual, quarterly and two-day limits on the overall amounts of radioactivity which may be discharged. It will also, for the first time, set specific limits on individual radionuclides that are of considerable radiological significance or that account for a large proportion of the discharge in activity terms.

Within the limits set, BNFL will continue to be required to use the best practicable means to limit the radioactive content of discharges in order to ensure that the effect on man and the environment is kept as low as reasonably achievable.

This authorisation is the latest stage in a continuing process of limiting radioactive discharges from Sellafield, which are now less than one-sixth of what they were in 1979. The authorisation will be reviewed in two or three years' time and again when BNFL's current investment programme on effluent treatment plant is completed in the early 1990s.

Subject to the views expressed during the consultation period, the authorisation will come into force on 1 July 1986.

Agricultural Buildings (Change of Use)

Mrs. Currie asked the Secretary of State for the Environment in what circumstances it is appropriate to give planning permission for a change of use of redundant agricultural buildings in green belts.

Mr. Kenneth Baker: The Government's policy on the development in green belts is set out in my Department's circular 14/84, annex A, which says:

"Inside a Green Belt, approval should not be given, except in very special circumstances, for the construction of new buildings or for the change of use of existing buildings for purposes other than agriculture, sport, cemeteries, institutions standing in extensive grounds, or other uses appropriate to a rural area."

Where planning permission is sought for new uses of redundant agricultural buildings, it is for the local planning authority to consider the application by reference to this policy and any other material considerations. But it would be appropriate to take into account, where material, the need to diversify the rural economy by encouraging new types of employment and enterprise. Redundant agricultural buildings can provide very suitable accommodation for small firms or tourist activities, or can be used for individual residences, without detriment to the green belt and to the benefit of the local community, especially where the buildings are of attractive appearance and can be expected with normal repair and maintenance to last for many years.

In deciding planning applications for new uses of redundant agricultural buildings in green belts, I would expect local authorities to have regard to these considerations, as I, and my inspectors, will do in deciding appeals.

Residuary Bodies

Mr. Iain Mills asked the Secretary of State for the Environment on what matters he is prepared to answer questions with regard to the functions of the residuary bodies.

Mr. Kenneth Baker: Residuary bodies are non-departmental public bodies whose main line of accountability is to Parliament through the Secretary of State, and I will, of course, answer questions on all matters relevant to my ministerial responsibilities in relation to

them. The main powers and controls which I exercise in relation to residuary bodies were listed, and amplified in part, in the answer given to the hon. Member for Newham, North-West (Mr. Banks) on 21 April, at column 65-67. In accordance with the normal practice relating to non-departmental public bodies, questions on their day-to-day management should be referred to the residuary bodies themselves.

WALES

Bus Services

Mr. Anderson asked the Secretary of State for Wales what proportion of *(a)* current Sunday services and *(b)* current services after 6pm on weekdays have been registered as bus routes in Wales.

Mr. Wyn Roberts: This information is not held centrally. At present only commercial services have been registered as local authorities have not yet decided which additional services they wish to support through subsidy.

Verges and Hard Shoulders

Mr. Roy Hughes asked the Secretary of State for Wales what is his policy in regard to fitting full-scale hard shoulders as distinct from hard verges on all-purpose roads in Wales.

Mr. Wyn Roberts: It is not our policy to provide full-scale hard shoulders on all-purpose roads in Wales. For all-purpose dual carriageways a 1 m hard strip is normally provided, while on all-purpose single carriageway roads the edge provision is normally a hard strip or a kerb and raised verge depending on the volume of traffic the road is expected to carry.

SOLICITOR-GENERAL FOR SCOTLAND

Citizens Band Radio

Mr. Ewing asked the Solicitor-General for Scotland if he will discuss with procurators fiscal prosecution policy in relation to the use of citizens band radios for the transmission of foul and abusive language; and if he will make a statement.

The Solicitor-General for Scotland: I have no plans to have such discussions. The use of citizens band radios for the transmission of offensive or obscene language would be a breach of the conditions of the licence and accordingly an offence under section 1 of the Wireless Telegraphy Act 1949. It might also be a breach of the peace.

Criminal Justice Act 1981

41. **Mr. Maxton** asked the Solicitor-General for Scotland when he last met procurators fiscal in Scotland to discuss the effect of the detention powers in the Criminal Justice Act 1981 on evidence presented in Scottish courts.

The Solicitor-General for Scotland: These powers are contained in the Criminal Justice (Scotland) Act 1980. There have been no recent specific discussions on these provisions.

Procurator Fiscal's Office, Kilmarnock

42. **Mr. Lambie** asked the Solicitor-General for Scotland if he will visit the procurator fiscal's office in Kilmarnock.

The Solicitor-General for Scotland: I meet the procurator fiscal at Kilmarnock from time to time and I hope to visit his office later this year.

Private Landlords

43. **Mr. Millan** asked the Solicitor-General for Scotland how many prosecutions of private landlords there have been over the last year for fraudulent practices related to the Rent Acts and housing benefit.

The Solicitor-General for Scotland: Such statistics are not separately kept and could not be obtained except at disproportionate cost.

Vehicle Excise Duty

44. **Mr. David Marshall** asked the Solicitor-General for Scotland how many motorists in Scotland have been prosecuted over the last 12 months for evasion of excise duty.

The Solicitor-General for Scotland: In 1984, the latest year for which statistics are available, proceedings were taken in respect of 10,277 offences under the Vehicles (Excise) Act 1971.

Udal Law (Salmon Fisheries)

45. **Mr. Wallace** asked the Solicitor-General for Scotland what representations he has received in the last six months regarding the application of udal law to prosecutions under existing and proposed salmon fisheries legislation.

The Solicitor-General for Scotland: I have received no such representations.

Speeding Offences

46. **Mr. Allen Adams** asked the Solicitor-General for Scotland how many people were convicted in Scotland during the first three months of 1986 for exceeding the speed limit in a motor vehicle and in commercial vehicles.

The Solicitor-General for Scotland: The statistics for 1986 do not distinguish the types of vehicles involved in speeding offences and are not yet available.

HOUSE OF COMMONS

Norman Shaw North (Bomb Blast Curtains)

Mr. Nicholas Winterton asked the Lord Privy Seal why there are no bomb blast curtains in Room 418 of Norman Shaw North.

Mr. Biffen: This room should have bomb blast curtains fitted, and arrangements have been made for them to be rehung.

EDUCATION AND SCIENCE

Teacher Education Costs

Mr. Barnett asked the Secretary of State for Education and Science what information he has as to the net cost per

teacher education student in *(a)* public sector institutions of higher education and *(b)* university departments of education; to what factors he attributes the differences between the two figures; and if he will make a statement.

Mr. Walden: The average net recurrent cost of a teacher training student in university departments of education in Great Britain was £3,975 in 1983-84, the latest year for which full information is available. In the public sector most teacher training is now provided in multi-faculty institutions and it is not separately costed in the national statistics. The average cost of public sector higher education in England in 1983-84 was £2,880 per student, after weighting the unit costs for polytechnics, voluntary colleges and other maintained establishments by the incidence of teacher training students between these three types of institution. The difference between the universities and the public sector is mainly accounted for by the research costs of the former, and also by a difference in the cost of premises. There are insufficient data to put values on these differences.

School Leavers

Mr. Frank Field asked the Secretary of State for Education and Science (1) how many young people in England at *(a)* the minimum school leaving age, *(b)* one year above and *(c)* two years above minimum school leaving age left school in 1985; and of these groups what is his best estimate of the number who *(a)* were eligible to leave at the end of the Easter term and *(b)* did leave at the end of the Easter term;

(2) how many young people in England took *(a)* general certificate of education O-levels, *(b)* certificate of secondary education examinations and *(c)* both sets of examinations in 1985; and of these groups what is his best estimate of the number who did not return to school in the September term.

Mr. Dunn: There were 736,200 school leavers during the academic year 1984-85. Of these, 504,300 were in their minimum school leaving age year, 84,800 pupils had stayed on at school for up to one year in the sixth form and 126,400 for up to two years of sixth form study.

It is estimated that 290,000, or 40 per cent., of pupils who attained minimum school leaving age in 1984-85 were eligible to leave school at Easter 1985 and 37,000 were reported as having left by that date. Pupils in sixth forms may leave school at any stage.

It is estimated that 490,300 school leavers in 1984-85 had attempted at least one GCE O-level examination, 580,600 had attempted a CSE examination and 398,900 had attempted at least one examination of each type. Comparable data for pupils who left school in their minimum school leaving age year were 276,900, 431,400 and 262,800 respectively.

School Places (Parental Appeals)

Mr. Fallon asked the Secretary of State for Education and Science, pursuant to the answer of the hon. Member for Darlington on 4 February, *Official Report*, column *113*, how many parents appealed against their local authority's allocation of school places in each year since 1980.

Mr. Dunn: The appeal arrangements of the Education Act 1980 applied for the first time to school admissions for September 1982. From informal inquiries made of local education authorities at the time, I understand that in 1982, 1983 and 1985 there were about 9,000, 10,000 and 9,000 appeals respectively. No such inquiries were made in 1984.

Pharmacy (Undergraduates)

Mr. Carter-Jones asked the Secretary of State for Education and Science what consultations he has had with the Unversity Grants Committee regarding the intake of undergraduates in schools of pharmacy, and if he will make a statement.

Mr. Walden: None. The University Grants Committee advises universities on target entry to schools of pharmacy on the basis of advice from the Health Department and others on the manpower needs of the profession.

Lithotripter Machines

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what is the availability of the Lithotripter renal stone displacing machines to patients in the north-west of England.

Mr. Whitney: I have been asked to reply.

I refer the hon. Member to my reply to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 22 November 1985 at column *335*.

TRADE AND INDUSTRY

Company Returns (Welsh Language)

Mr. Wigley asked the Secretary of State for Trade and Industry if he will take steps to ensure that there is no discrimination under company legislation against companies who submit their accounts to Companies House in the Welsh language.

Mr. Howard: Under the Companies Act, accounts submitted to the Registrar of Companies in any language other than English must be accompanied by a certified translation into English.

I am prepared to examine these requirements to see if any changes are desirable.

Exports (US Controls)

Mr. Ashdown asked the Secretary of State for Trade and Industry if he will make a statement on his policy on COCOM following the United States imposition on unilateral high technology export controls in the United Kingdom on 24 April.

Mr. Peter Morrison: The Government's policy on COCOM is to continue working to ensure that the embargo arrangements cover technologies of genuine strategic significance and are effectively enforced.

Mr. Ashdown asked the Secretary of State for Trade and Industry what information he has about how many companies in the United Kingdom have made their staff subject to the United States Export Administration Act in the United Kingdom; and if he will make a statement.

Mr. Peter Morrison: The United States Export Administration Act has no status in United Kingdom law;

and the number of companies in the United Kingdom seeking to comply with United States re-export controls in the United Kingdom is not known.

Retail Sector (Competition)

Mr. Coombs asked the Secretary of State for Trade and Industry if he will refer to the Monopolies and Mergers Commission the question of the impact of recent and proposed mergers and acquisitions on competition in the United Kingdom retail sector; and if he will make a statement.

Mr. Howard: It is the role of the Monopolies and Mergers Commission to investigate specific merger proposals referred to it by my right hon. Friend for investigation. The commission has no locus to examine the question of the impact on competition of mergers and acquisitions in a sector of the economy, unless it considers the question to be relevant in the circumstances of a particular case under investigation.

Bankruptcy

Mr. Conway asked the Secretary of State for Trade and Industry what steps he is taking to improve the speed with which bankruptcy estates are finalised.

Mr. Howard: There are cases which, because of their complexities, do take some time to complete. But I have no reason to believe that in general bankruptcy administrations are unduly or unnecessarily protracted.

Mr. Conway asked the Secretary of State for Trade and Industry if he is satisfied with the method of control of the execution of duties by bankruptcy trustees.

Mr. Howard: I am satisfied that the general control of trustees in bankruptcy is adequate. But it must remain primarily in the hands of creditors by whom they are appointed and the courts which have general jurisdiction.

Mr. Conway asked the Secretary of State for Trade and Industry if he is satisfied with the level of trustee charges applied to bankruptcy cases.

Mr. Howard: I have no reason to believe that the level of fees charged by bankruptcy trustees is unreasonable. Where the Official Receiver acts as trustee, his charges are based on statutory fees orders. In the majority of cases where non-official trustees act, their renumeration is fixed by the creditors or their committee of inspection and is usually based on the fees order scales.

Chemical Industry (Exhibition)

Mr. Garrett asked the Secretary of State for Trade and Industry if he has considered an application for an exhibition relating to the United Kingdom chemical industry to be displayed in the Upper Waiting Hall.

Mr. Peter Morrison: Arrangements have been made for such an exhibition in the Upper Waiting Hall to take place from Monday 19 May to Friday 23 May 1986.

Securities and Investments Board

Mr. Nelson asked the Secretary of State for Trade and Industry what are his proposals for the status of the Securities and Investments Board; and what investigation and prosecution powers it will receive if it becomes a designated agency under the Financial Services Bill.

Mr. Howard: Government amendments to the Financial Services Bill are to be tabled today.

The amendments make it possible for the Secretary of State to transfer his prosecution powers to a designated agency. He will be able to transfer the prosecution powers in whole or in part, and to make the transfer subject to conditions or restrictions; and he will retain the option of bringing prosecutions himself.

The amendments will also make it possible for the Secretary of State to transfer to the agency his powers to investigate anyone carrying on investment business. This could cover unauthorised investment businesses as well as authorised businesses. The Secretary of State will continue to be able to conduct his own investigations.

The amendments also provide for the naming of the Securities and Investments Board in the Bill. This does not affect the status of the board as a private sector body. Provided that the Secretary of State is satisfied that the board meets the criteria specified in the Bill, it will become the only body to which the Secretary of State may transfer powers when the first transfer takes place. The Secretary of State will still have discretion as to the extent of the transfer; and he will subsequently be able to resume powers if the criteria are no longer met, and he could then transfer powers to any other body which met the criteria.

The Government believe that these proposals will strengthen the effectiveness of the new regime for regulating investment business whole preserving the flexibility of the private sector designated agency.

PRIME MINISTER

EC (Intergovernmental Agreement)

Mr. Austin Mitchell asked the Prime Minister who signed the 1984 European Economic Community intergovernmental agreement on Britain's behalf.

The Prime Minister: I have nothing to add to the answer I gave to the hon. Member on 20 March.

Mr. Austin Mitchell asked the Prime Minister whether, on the occasion of the conclusion of the 1985 intergovernmental agreement on 17-21 March 1985, the Foreign Affairs Council was meeting as an institution of the EEC treaty or as representatives of the member states, outside the provisions of the treaty.

The Prime Minister: The 1985 inter-governmental agreement took the form of an agreement between the member states. The agreement was reached on the occasion of a Council meeting but was not a decision of the Council. This is reflected in the wording of the agreement (Cmnd. 9548).

OVERSEAS DEVELOPMENT

Aid Programmes (Environmental Impact)

Mr. Kirkwood asked the Secretary of State for Foreign and Commonwealth Affairs what steps his Department takes to assess the environmental impact on recipient countries of its aid programmes.

Mr. Raison: All aid projects are examined for environmental implications before any expenditure is approved. Any identified environmental consequences are

then taken into account in the detailed design and appraisal of the project and, if the project is approved, in its execution and monitoring.

St. Vincent

Mr. Watts asked the Secretary of State for Foreign and Commonwealth Affairs if he plans to offer further aid to the Government of St. Vincent.

Mr. Raison: During my visit this week to the Caribbean I informed the Government of St. Vincent that we are prepared to make available an interest-free loan of £5 million as part of the independence settlement, for expenditure over about five years on capital projects to be agreed between our two Governments.

Dominica

Mr. Watts asked the Secretary of State for Foreign and Commonwealth Affairs if he plans to offer further aid to Dominica.

Mr. Raison: During my visit this week to Dominica I informed the Government that we are prepared to make available a new interest-free loan of £5 million, for expenditure over about five years, on capital projects to be agreed between our two Governments.

St. Lucia

Mr. Watts asked the Secretary of State for Foreign and Commonwealth Affairs if he plans to offer further aid to the Government of St. Lucia.

Mr. Raison: I have informed the Government of St. Lucia that we are prepared to make available an interest-free loan of £5 million as part of the independence settlement, for expenditure over about five years, on capital projects to be agreed between our two Governments.

United Nations General Assembly

Dame Judith Hart asked the Secretary of State for Foreign and Commonwealth Affairs if he has yet determined which Ministers will attend the special session on the critical economic situation in Africa of the General Assembly from 27 to 31 May; and for how long.

Mr. Raison: I shall let the right hon. Lady have a reply as soon as possible.

DEFENCE

Trident Submarine

Mr. Franks asked the Secretary of State for Defence when the first Trident submarine is to be ordered; and if he will make a statement.

Mr. Norman Lamont: An order has today been placed with Vickers Shipbuilding and Engineering Ltd (VSEL) for the Royal Navy's first Trident submarine. She will be named HMS Vanguard. The value of the current contract on VSEL which also includes the completion of the first of class work for the SSBNs is some £650 million.

HMS Vanguard will be the fifth British nuclear submarine to be armed with strategic nuclear weapons. She will enter service in the mid-1990s when the phasing out of Polaris will begin, thus ensuring that the United Kingdom retains an effective and credible strategic deterrent well into the next century.

This is a major order for VSEL and the first since it was privatised. It is likely to provide employment for about 4,000 people at Barrow and at least 5,000 elsewhere in industry. This order follows closely the orders earlier this year for the Royal Navy's 19th nuclear powered fleet submarine HMS Triumph and the three conventional Upholder class submarines, HMS Unicorn, HMS Ursula and HMS Unseen.

Messrs Rolls-Royce and Associates have special responsibility for the design and manufacture of nuclear reactor plant equipment and General Dynamics, electric boat division, in the USA, is responsible for the design of the strategic weapon system spaces of the submarine.

Small Arms and Ammunition

Mrs. Dunwoody asked the Secretary of State for Defence (1) what steps he is taking to curtail the placement of small arms and ammunition contracts abroad;

(2) what are the sizes, numbers amd names of foreign manufacturers who have supplied small arms ammunition to the United Kingdom in 1986-87 to date.

Mr. Norman Lamont: I shall answer shortly.

EMPLOYMENT

Youth Training Scheme

Mr. Lawler asked the Paymaster General if he will list those training groups and trade associations which have amended their apprenticeship scheme to incorporate YTS.

Mr. Trippier: Information is not available in the form requested. However, in many industries YTS is playing an increasingly important part in apprenticeship training. These include arrangements in agriculture, building, electrical contracting, engineering, heating and ventilating and road transport.

Asbestos

Mr. Litherland asked the Paymaster General if he will introduce legislation to require the Health and Safety Executive to bring prosecutions in respect of any unlicensed operations involving the removal of asbestos in which a danger to health is alleged to have been caused by unsafe working practices, unauthorised dumping or pollution of the atmosphere; if he will seek powers to increase the penalties for such breaches of health and safety regulations; and if he will make a statement.

Mr. Trippier: No. The Health and Safety at Work etc. Act 1974 already provides a range of effective enforcement options for dealing appropriately with each offence. Prosecutions are normally taken in respect of unlicensed operations if adequate evidence is available. The level of penalties is kept under review.

Mr. Litherland asked the Paymaster General (1) if he will introduce legislation providing stricter controls for all work involving all types of asbestos products; and if he will make a statement;

(2) what controls have been introduced on the manufacture, sale and resale, and use in the United Kingdom of all asbestos products; and if he will make a statement.

Mr. Trippier: The Asbestos (Prohibitions) Regulations 1985 prohibit the manufacture, use and supply, including sale and resale of products containing crocidolite and amosite asbestos in the workplace. Similarly the sale and resale of such products not intended for use at work is prohibited by the Asbestos Products (Safety) Regulation 1985. Other types of asbestos are not prohibited but are subject to strict legislative controls including the tightest control limits in Europe.

I await proposals from the Health and Safety Commission on new regulations designed to place comprehensive controls on all work with asbestos. I hope regulations can be made in time to come into operation at the beginning of 1987.

Mr. Litherland asked the Paymaster General what controls have been placed on the import and export of asbestos materials of all kinds.

Mr. Trippier: The Asbestos (Prohibitions) Regulations 1985 prohibit the importation of raw and waste crocidolite and amosite asbestos. The wider prohibition on supply contained in these regulations and in the Asbestos Products (Safety) Regulations 1985 has the effect of prohibiting the import and export of products containing crocidolite and amosite.

The Asbestos Products (Safety) Regulations 1985 require that products containing other types of asbestos must carry warning labels.

Prison Officers

Mr. Peter Bruinvels asked the Paymaster General what was the *(a)* average salary and *(b)* average overtime paid in each of the prison officer grades, in each of the last five years for which figures are available; and if he will make a statement.

Mr. Lang: The available information relates to all full time non-manual adult male employees covered by the national agreement for prison services. Estimates of the average gross weekly earnings reflecting rates of payment at April each year and overtime earnings are published in table 2 of part A of the "New Earnings Survey" reports for 1983, 1984 and 1985. Copies of these reports are available in the Library. Comparable information for 1981 and 1982 is not available.

HOME DEPARTMENT

Anti-terrorism

Sir Geoffrey Johnson Smith asked the Secretary of State for the Home Department if he is satisfied with the arrangements made by European Economic Community countries for the co-ordination of anti-terrorist activities.

Mr. Hurd: There is increasingly close co-operation between the 12 European Community countries on counter-terrorism. The Heads of Government of the Twelve have in recent times discussed terrorism at their meetings. The Foreign Affairs Ministers have, most recently at their meetings on 14 and 21 April, discussed the problem of terrorism generally and of state-sponsored terrorism in particular. They have adopted a robust and positively co-ordinated approach towards the combat of international terrorism. They have this year established a new working group on terrorism within the framework of European political co-operation.

The Trevi group established in 1976 draws together the Ministers who, within each country of the EC, are responsible for counter-terrorism. We met in The Hague on 24 April and decided, among other things, that Trevi Ministers should meet more frequently and should, where useful, extend counter-terrorist co-operation to countries outside the Twelve including the United States. We intend ot hold a ministerial meeting in London in December. We also approved arrangements for a meeting in May of chief police officers from European airports. They exchange information on and co-ordinate methods of dealing with high risk flights.

Within the framework of Trevi there is a series of working groups, and a well-established machinery for the exchange between the police and security services of the Twelve of information and intelligence about terrorism. Close links have been established between Trevi and the new political co-operation working group on terrorism. When the United Kingdom assumes the presidency of the EC in July 1986, the Government will ensure that all these arrangements are used to the full in the fight against terrorism.

Rape and Sexual Assault

Ms. Richardson asked the Secretary of State for the Home Department what action he is taking to tackle the problem of under-reporting of the crimes of rape and sexual assault.

Mr. Giles Shaw: Changes in police practice in recent years, as regards recording of reported offences of rape and interviewing of victims, have had some success in encouraging victims to come forward and in arranging sympathetic treatment for them. We are currently considering with the police the recommendations of the Women's National Commission in its report on violence against women to see what scope there may be for further action.

Domestic Violence

Ms. Richardson asked the Secretary of State for the Home Department what guidance he has recently issued to encourage police forces to review their training procedure relating to domestic violence.

Mr. Giles Shaw: We are considering with the police the issues, including training, raised by the recent report by the Women's National Commission on violence against women.

Mr. Gora Ebrahim

Mr. Dicks asked the Secretary of State for the Home Department if, in view of the recent admission of links between Pan-Africanist Congress terrorists and Libya, he will deport Mr. Gora Ebrahim, the London representative of the Pan-Africanist Congress, and close down the Congress office in London; and if he will make a statement.

Mr. David Waddington: I understand that Mr. Ebrahim is not the London representative of the Pan-Africanist Congress. There is no power to prevent foreign political organisations setting up offices here provided that their activities do not contravene our laws. There is, of course, power to deport individuals on the ground that their presence is not conducive to the public good.

SCOTLAND

New Business

5. **Mrs. McCurley** asked the Secretary of State for Scotland what is the number of new businesses which have been started in the Inverclyde district and Renfrew district since 1983; and if he will make a statement on the implications for the economic development of the area.

Mr. Allan Stewart: Comprehensive estimates for new business start-ups in the two districts are not available, but between 1983 and 1985 over 15,000 new companies were registered in Scotland as a whole. The growth of small businesses is an essential part of the economic development of any local area and it is encouraging that the SDA Inverclyde initiative team and the Paisley and Renfrew enterprise trust although, still in their early days, have handled a large number of inquiries from existing small companies and potential new start-ups.

Lowland Airports Policy

14. **Mr. Lambie** asked the Secretary of State for Scotland when he next intends to meet the chairman of the Scottish Development Agency to discuss lowland airports policy.

Mr. Ancram: My right hon. and Learned Friend has no plans to meet the chairman of the Scottish Development Agency for this purpose.

Hospital Provision (Argyll and Clyde)

25. **Mr. Buchan** asked the Secretary of State for Scotland when he next plans to meet the chairman of the Argyll and Clyde health board to discuss hospital provision; and if he will make a statement.

Mr. John Mackay: My right hon. and learned Friend has no plans at present to meet the board's chairman, but I met him on Monday 28 April to discuss various issues, including the opening later this year of the new Paisley district general hospital.

Company Liquidators

16. **Mr. Ron Brown** asked the Secretary of State for Scotland how many firms went into liquidation in Scotland during 1985.

Mr. Allan Stewart: There were 537 company liquidations and 298 sequestrations in Scotland in 1985. The figure for sequestrations covers all individuals and partnerships.

COSLA (Local Government Services)

17. **Mr. Foulkes** asked the Secretary of State for Scotland when he next expects to meet the Convention of Scottish Local Authorities to discuss local government services.

Mr. Ancram: My right hon. and learned Friend expects the question of local government services to be discussed on 20 June when he next has one of his regular meetings with the convention on local government finance.

Coatbridge (South Circular Road Site)

18. **Mr. Tom Clarke** asked the Secretary of State for Scotland if he will indicate the cost incurred by the Scottish Development Agency to date in relation to the south circular road site at Coatbridge.

Mr. Allan Stewart: There has been no change since 21 February 1986 when I answered a question at column 373, from the hon. Gentleman about the same site.

Urban Aid Programme

19. **Mr. Kennedy** asked the Secretary of State for Scotland what is the current level of Government support for the urban aid programme in Scotland; and if he will make a statement.

Mr. Ancram: Resources for 1986-87 amount in total to £8·5 million (for capital expenditure) and £26 million (for current expenditure).

These resources help local authorities to tackle multiple deprivation in urban areas. Following our review of the urban programme in 1984, revised criteria and priorities were introduced in order to improve the targeting and effectiveness of the programme. I am satisfied that these revised arrangements are improving the programme's impact on urban deprivation, and have no plans for further changes at the moment.

Community Charge Register

20. **Mr. Steel** asked the Secretary of State for Scotland what is the estimated cost of compiling a register for community charge purposes in Scotland; and if he will make a statement.

Mr. Rifkind: No precise estimate of the likely cost of compiling the proposed registers has been made. I am consulting the Convention of Scottish Local Authorities and other interested parties on operational issues involved in the setting up and maintenance of the registers, including the question of the costs likely to be incurred.

Labour Statistics

21. **Mr. Home Robertson** asked the Secretary of State for Scotland if he will make a statement on the current level of unemployment in Scotland.

Mr. Allan Stewart: On 6 March 1986 the number of unemployed claimants in Scotland was 359,318—3,382 fewer than in the previous month, and the second fall this year. While this is encouraging, the seasonally adjusted figures rose by 3,300 and the problem of high unemployment remains a major concern. The key to improvements in employment prospects lies in better economic performance and greater flexibility in the labour market and these are high priorities for the Government —as demonstrated by our recent Budget measures.

29. **Mr. Norman Hogg** asked the Secretary of State for Scotland what estimate he makes of the current ratio of the number of persons unemployed in Cumbernauld and Kilsyth to the number of vacancies.

Mr. Allan Stewart: No such ratio estimates are made by my right hon. and learned Friend because they would be misleading. Unemployment and vacancy statistics are compiled on different geographical bases and the latter statistics are incomplete because of the significant number of vacancies which employers fill without recourse to the vacancy service offered by jobcentres.

On 6 March 1986 the number of people unemployed in the Cumbernauld and Kilsyth constituency was 4,781. On 7 March 1986 the number of unfilled vacancies notified to the jobcentres at Cumbernauld and Kilsyth was 169.

Speech Therapists

22. **Mr. Donald Stewart** asked the Secretary of State for Scotland what action he has taken on improving salary levels for speech therapists in Scotland.

Mr. Rifkind: The responsibility for negotiating salary levels for speech therapists employed throughout Great Britain in the National Health Service rests with the Whitley councils for the health services, and it would not be appropriate for me to intervene before salary negotiations, which are currently in hand for speech therapists, have reached a conclusion.

Springburn (Job Creation)

23. **Mr. Martin** asked the Secretary of State for Scotland what resources have been made available in Springburn for 1986-87 by the Scottish Development Agency in order to alleviate unemployment.

Mr. Allan Stewart: In 1986-87 Scottish Development Agency funding amounting to more than £1·3 million will be available in Springburn for a variety of projects which will help create or safeguard employment. In addition, discussions on an initiative for Springburn arising from the British Rail Engineering Ltd — SDA study are continuing.

Rating Reform

24. **Mr. Maxton** asked the Secretary of State for Scotland how many representations he has received on Scottish aspects of the Green Paper on rating reform.

Mr. Ancram: Over 180 representations have now been received from individuals and organisations. These include a number of formal and detailed responses to the proposals in the Green Paper. The level of response is gratifying bearing in mind that we are only half way through the consultation period, and I hope to receive many more comments on our proposals before the period ends on 31 July 1986.

25. **Sir Hector Monro** asked the Secretary of State for Scotland what consultations he has had with the Confederation of Scottish Local Authorities about his new proposals on rating; and if he will make a statement.

Mr. Rifkind: My hon. Friend the Minister with responsibility for local government and the environment met representatives of the convention on 24 February. Further discussions at official level are now being held on the operational issues involved.

Mr. Ernie Ross asked the Secretary of State for Scotland how many people he estimates will pay more under the proposed community charge than under the current rating system in the area of Dundee district council.

Mr. Ancram: In Great Britain as a whole 51 per cent. of households would be better off under the community charge on the assumptions set out in the Green Paper. I believe that the figures for Dundee will probably be about the same.

Private Landlords

26. **Mr. Millan** asked the Secretary of State for Scotland if he will introduce legislation to strengthen the law against the harassment of tenants by private landlords and the abuse by such landlords of the housing benefit system.

Mr. Rifkind: I am satisfied that the law against harassment of tenants is adequate. The Government's plans for reforming the housing benefit scheme, as set out in the White Paper on the "Reform of Social Security" (Cmnd. 9691), include strengthening the arrangements to prevent abuse.

Dundee (Employment)

27. **Mr. Wilson** asked the Secretary of State for Scotland if he will make a statement on the employment prospects for Dundee.

Mr. Allan Stewart: The outlook for employment in Dundee, as elsewhere, is dependent upon continued economic growth and on pay restraint. Dundee itself should continue to benefit from the Dundee project under which the Scottish Development Agency and local authorities are acting together to develop new industrial and business opportunities in the city, and to promote its business image. Dundee's development area status and the Tayside enterprise zone will further enhance employment prospects.

Vale of Leven General Hospital

28. **Mr. Campbell** asked the Secretary of State for Scotland when he is likely to approve plans for the provision of inpatient psychiatric and psychogeriatric services at the Vale of Leven general hospital.

Mr. John Mackay: The provision of services at the Vale of Leven is primarily a matter for the Argyll and Clyde health board to determine. The board has not approached me with plans for any developments which would require the department's approval.

House Sales (Sitting Tenants)

30. **Mr. White** asked the Secretary of State for Scotland if he will give the number of houses sold by the Scottish Special Housing Association to sitting tenants in the Glasgow district.

Mr. Ancram: The Scottish Special Housing Association has reported 565 sales to sitting tenants in the Glasgow district council area as at 31 March 1986.

Home Helps

31. **Mr. McTaggart** asked the Secretary of State for Scotland what is the number of local authority home helps for each of the regional councils in Scotland; and if he will make a statement.

Mr. John MacKay: The information requested will be published shortly in a further edition of the Social Work Services Group's Statistical Bulletin "Home Care Services, Day Care Establishments and Day Services". A copy of the bulletin will be placed in the Library. I am arranging for provisional figures for 1985 to be published in the *Official Report*.

The home help service accounts for some 16 per cent. of total expenditure on local authority social work services. Individual regional and islands councils determine their own pattern of service provision within the resources available to them. Numbers of home helps and clients helped in 1985 were both higher than in 1979. Home help and client numbers both increased in 1984 and again in 1985, when the total for clients was 19 per cent. above the figure for 1979.

Region	*Number of home helps at 31 March 1985 (whole time equivalent)*
Borders	101·1
Central	448·3
Dumfries and Galloway	303·0
Fife	586·0
Grampian	733·7
Highland	301·4
Lothian	1,477·4
Strathclyde	4,715·2
Tayside	553·7
Orkney	65·9
Shetland	48·4
Western Isles	167·7
Scotland total	9,501·8

Oil Prices (Employment Implications)

32. **Mr. Douglas** asked the Secretary of State for Scotland if he will make a statement on the impact on employment in Scotland of the decline in oil prices, with particular regard to fabrication yards.

Mr. Allan Stewart: Lower oil prices should, on balance, be of benefit to the non oil-related sector of industry in Scotland through lower input costs and associated improvements in competitiveness. If these price levels were to continue, this should provide increased employment security and possibly new jobs.

As far as the oil-related sector is concerned, cutbacks announced by some oil companies, if implemented, could have adverse implications for employment. The impact will vary and is expected to be less significant for sectors associated with production and maintenance. Prospects for the fabrication yards depend not so much on short-term oil prices as on expectations for the 1990s, but clearly employment levels at the yards will be affected if oil prices remain persistently low.

School Closures

33. **Sir Russell Johnston** asked the Secretary of State for Scotland whether he will set out the criteria used by his Department for deciding whether to accept the recommendation by a regional education authority that a primary school be closed.

Mr. Allan Stewart: There are no set criteria and each case is considered on its merits. All relevant factors are, however, taken into account, including educational and financial aspects of closure, arrangements for religious instruction, community use of the school and, when submitted, local views.

Opencast Coal Sites

34. **Mr. Neil Hamilton** asked the Secretary of State for Scotland what discussions he has had with the chairman of the National Coal Board about the rate at which planning permission for opencast coal sites in Scotland is being granted.

Mr. Ancram: My right hon. and learned Friend has had no such discussions with the chairman of the board.

Forestry Commission

Mr. Ron Davies asked the Secretary of State for Scotland what is the total area of land now owned by the Forestry Commission; and how this compares with the figure 12 months ago.

Mr. John MacKay: The Forestry Commission does not own any land. Ownership of such land in England, Scotland and Wales is vested in the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales respectively, and it is formally placed at the disposal of the forestry commissioners to manage in accordance with their statutory duties.

On 31 March 1986 the commission managed a total of approximately 1,166,000 hectares of land. The comparable figure for 31 March 1985 was 1,181,000 hectares.

Lothian Health Board

Mr. Strang asked the Secretary of State for Scotland what discussions he has had with the Lothian health board about expenditure in the current financial year; and if he will make a statement.

Mr. John MacKay: None. The financial provision for health and community health services in Scotland for 1986-87 was discussed in general terms when I met health board chairmen collectively on 10 March.

Mobbing and Rioting (Law)

Mr. Hirst asked the Secretary of State for Scotland if he has any plans to change the existing law on mobbing and rioting in Scotland.

Mr. Rifkind: The law of mobbing and rioting in Scotland was recently reviewed by the Scottish Law Commission, which issued a consultative memorandum on the subject. The commission has now concluded that there is no need to issue a report on the subject, as the present common law is adequate, and difficulties identified (principally relating to guilt by association) can be alleviated by changes in the use, and manner of libelling, of charges of mobbing and rioting. My noble and learned Friend the Lord Advocate has taken careful note of the commission's view. The commission remains ready

to reconsider the matter at a later date if circumstances so require. I have therefore concluded that no statutory changes are at present necessary for Scotland.

NORTHERN IRELAND

Forestry

Mr. John David Taylor asked the Secretary of State for Northern Ireland what has been the change in acreage in forestry during the past five years; what is the present level of support for private afforestation schemes; and if he will make a statement on the future prospects for forestry in Northern Ireland.

Dr. Boyson: The available information is as follows:

(a) The area planted with trees on land under the control of the Department of Agriculture for Northern Ireland was 53,943 hectares on 31 March 1981, and 56,618 hectares on 31 March 1985; in the five years to 31 March 1985, grants were paid on approximately 500 hectares of new private planting, and there are an estimated 13,000 hectares of privately owned forest at present.

(b) In 1984-85, £37,837 was paid out in grants for private afforestation schemes.

The prospects for forestry depend on the availability of suitable land and resources in both the public and the private sector.

Job Release Schemes

Mr. Maples asked the Secretary of State for Northern Ireland whether parity is being maintained between the job release schemes in Northern Ireland and Great Britain.

Dr. Boyson: Participants in the Northern Ireland full and part-time job release schemes will continue to receive allowances at the rates payable, in corresponding circumstances, under the parallel schemes in Great Britain. As from 7 April 1986 the new rates are:

Full-time scheme

For disabled men aged 60, 61, 62 and 63 (and for men who have joined the scheme at ages 62 and 63) who are married with a dependent wife whose net income from all sources does not exceed £13 a week: £74·00 a week, taxable; for all others: £60·65 a week, taxable. For women aged 59 and men aged 64 who are married with a dependent spouse whose net income from all sources does not exceed £13 a week; £65·50 a week, tax free; for all others: £51·95 a week, tax free.

Part-time scheme

For disabled men aged 60 and 61 and men aged 62 and 63 who are married with a dependent wife whose net income from all sources does not exceed £13 a week: £42·35 a week taxable; for all others: £35·15 a week, taxable; for women aged 59 and men aged 64 who are married with a dependent spouse whose net income from all sources does not exceed £13 a week; £37·00 a week, tax free; for all others; £30·10 a week, tax free.

The closure of the part-time job release scheme, recently announced for Great Britain, will also apply to Northern Ireland with effect from 30 May 1986. However, the new rates of allowance will apply from 7 April 1986 to those continuing on the part-time scheme.

SOCIAL SERVICES

Benefits

Mr. Wigley asked the Secretary of State for Social Services if, pursuant to his answer of 22 April, *Official Report*, columns 138-9, on the per capita social security expenditure on benefits in England, Scotland and Wales, he will publish an analysis showing what part of the expenditure arises from *(a)* supplementary benefit, *(b)* family income supplement, *(c)* unemployment benefit, *(d)* invalidity benefit, *(e)* benefits associated with disablement, *(f)* housing benefit and *(g)* other categories of benefit.

Mr. Major: Information is not available in precisely the form requested. The available information is as follows:

Estimated per capita expenditure 1984-85

£'s

	England	*Wales*	*Scotland*
Supplementary benefit	116	133	124
Unemployment benefit	28	31	37
Sickness and invalidity benefits	38	81	82
Industrial disablement benefit	7	12	7
Housing benefit	76	71	83
Other benefits*	377	385	367

* Includes retirement pension, widows benefits, war pensions, child benefit and one parent benefit. Excludes other benefits representing about 5 per cent. of total benefit expenditure in Great Britain, for which breakdown is not available.

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the total spending which has been devoted by his Department to heating assistance benefits in each year since 1978-79 and the number of people who have submitted claims or qualified for such benefits in each year during the same period.

Mr. Newton [*pursuant to his reply*, 4 March 1986, c. *125*]: The main help with heating costs is through the supplementary benefit scale rates which are intended to cover day-to-day living costs, including the cost of fuel. Information about the extra help with heating costs given through heating additions and single payments of supplementary benefit is as follows:

Supplementary Benefit Heating Additions

	Number qualifying (000s)	*Estimated expenditure £ (millions)*
1978-79	1,546	90
1979-80	1,637	108
1980-81	2,036	161
1981-82	2,349	264
1982-83	2,552	339
1983-84	2,585	396

Source: Annual statistical inquiry for years 1978-79 to 1983-84. Firm information for 1984-85 and 1985-86 is not yet available, but the provisional estimate for 1984-85 is about £400 million.

Since Payments for Fuel Bills

	Numbers qualifying (000s)	*Estimated expenditure £ (000s)*
1978	12	406
1979	19	686
1980	10	637
1981	6	363
1982	*230	3,306
1983	11	629

* Includes exceptionally severe weather payments.

Source: Annual statistical inquiry for December of the relevant year.

Notes:

1. Because these figures relate to single payments made during the

12 months preceding the date of each inquiry to people still in receipt of supplementary benefit at the time of that inquiry, they are underestimates of the total number and value of single payments made during the year. Figures are not yet available for 1984 and 1985.

2. Separate statistics collected from local offices show that approximately 278,000 payments were made in respect of extra fuel used during a period of exceptionally severe weather in 1982, at a cost of £3·6 million. In 1985, approximately 170,000 such payments were made at a cost of £1·7 million.

Lithotripter Machine

Mr. Andrew F. Bennett asked the Secretary of State for Social Services if he will make a statement on the installation of the lithotripter renal stone displacing machine in British hospitals.

Mr. Whitney: I refer the hon. Member to my reply to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 22 November 1985 at column *335*.

Hospital Eye Service

Mr. Carter-Jones asked the Secretary of State for Social Services (1) what is his policy regarding financial consequences to patients arising from the proposed changes in the hospital eye service supply of spectacles; and if he will make a statement;

(2) if all those now able to get free spectacles through the hospital eye service will continue to do so after 1 July; and if he will make a statement.

Mr. Hayhoe: At present hospital eye service (HES) patients who choose to have National Health Service glasses pay the statutory charges. These charges are intended broadly to reflect the full economic cost to the NHS of supplying spectacles. There are arrangements for the exemption from, or remission of, charges for children, people in receipt of certain social security benefits and those on low income. From 1 July, it is proposed that spectacles for HES patients will either be dispensed within the HES at hospital premises subject to NHS charges or obtained on the private market. Vouchers will be available to those at present benefiting from the exemption or remission arrangement intended to provide them with basic pairs of spectacles to meet their clinical needs.

Interested bodies have been consulted about the proposals, and consideration is now being given to the comments received.

Mr. Carter-Jones asked the Secretary of State for Social Services (1) how many spectacles prescriptions for *(a)* children, *(b)* students up to the age of 19 years, and *(c)* adults over pension age were issued through the hospital eye service in the latest year for which figures are available; and if he will make a statement;

(2) how many prescriptions for spectacles were issued through the hospital eye service in the latest year for which figures are available; and if he will make a statement.

Mr. Hayhoe: I regret that I cannot give the hon. Member all the information he seeks. Information on the age groups of patients for whom spectacles are prescribed through the hospital eye service is not collected centrally. In 1984, the latest year for which figures are available, the estimated number of complete pairs of spectacles prescribed through the National Health Service hospital eye service was 264,258.

Tumour Markers

Mr. Carter-Jones asked the Secretary of State for Social Services (1) what assessment he makes of the efficacy of tumour markers in the diagnosis of malignant disease and in monitoring cancer treatment; if his Department gives advice to health authorities on the use of tumour markers and laboratory tests for cancer; and if he will make a statement;

(2) how many regional health authorities and district health authorities use the facilities of laboratory diagnostic tests incorporating tumour markers; if he will give the number of tests performed in each region for the last three years where data is available; and if he will make a statement.

Mr. Hayhoe: Of the many tumours markers investigated, I am advised that only a small number has been shown to be of value in the diagnosis of malignant disease or in monitoring treatment. The Department gives no advice to health authorities on the use of tumour markers and laboratory tests for cancer. These are matters of clinical judgment.

Information on the use of tumour markers is not collected centrally.

Cancer Screening

Mr. Carter-Jones asked the Secretary of State for Social Services (1) if he will publish assessments of public pilot schemes which have been set up to test the usefulness of diagnostic cancer screening tests other than cervical cytology and mammography involving general practitioners and clinics; and if he will make a statement:

(2) what is the policy of Her Majesty's Government towards regular screening of the population for the early detection of cancer; what plans he has to develop services in this respect; and if he will make a statement.

Mr. Hayhoe: Assessments of publicly funded pilot schemes set up to test the effectiveness of cancer screening tests are published in medical journals. There is at present no evidence to support the introduction of screening programmes for the early detection of cancers other than cancer of the cervix, for which there is already an extensive screening programme, and possibly cancer of the breast, which is at present under consideration by an expert working group.

I am advised that screening for lung and prostate cancer has been shown not be effective. Colo-rectal cancer screening is the subject of a 10-year research programme at Nottingham that subject started last July. The Health Education Council has given advice to the public on the signs to look for in the case of cancer of the testes and malignant melanoma.

Hospital Pharmacists

Mr. Carter-Jones asked the Secretary of State for Social Services what assessment he makes of the implications for the quality of National Health Service provision of losses of hospital pharmacists in the area of the Salford health authority; what advice he is offering to the Salford health authority to help it maintain the requisite number of pharmacists; and if he will make a statement.

Mr. Hayhoe: Local recruitment is a matter for district health authorities. The hon. Member may therefore care to address his inquiry to the chairman of Salford health authority.

Graduate Pharmacists

Mr. Carter-Jones asked the Secretary of State for Social Services (1) what assessment he has made of the adequacy of the current supply of graduate pharmacists; and if he will make a statement;

(2) what is the impact of hospital pharmacists' remuneration on the supply of pharmacists to hospitals; if there have been any net losses to hospitals of pharmacists citing pay levels as the reason; and if he will make a statement.

Mr. Hayhoe: There is no evidence of a failure of supply in National Health Service community pharmacy. An assessment of future demand will be made in the light of discussions on the report of the Nuffield Foundation's inquiry into pharmacy and on the discussion document on primary health care published on 21 April.

I am aware that there have been difficulties in recruiting basic grade hospital pharmacists. I understand that the management side of the pharmaceutical Whitley council has made a substantial pay offer to the staff side, designed, in part, to ameliorate this problem.

Mr. Carter-Jones asked the Secretary of State for Social Services whether he plans to make any changes in his policy regarding hospital pharmacists in the light of the Nuffield Foundation pharmacy inquiry report, a copy of which has been sent to him; and if he will make a statement.

Mr. Hayhoe: The report has been received and the implications of the detailed recommendations it contains are being considered. I understand that the pharmaceutical Whitley council is currently negotiating on certain of the pay and career structure matters mentioned in the report.

Social Services (Leicestershire)

Mr. Latham asked the Secretary of State for Social Services what response he has made to the letter from the chief executive of Leicestershire county council to him dated 12 March regarding the level of capital allocation for social services for 1986-87; and upon what criteria he approved a reduction of 34·5 per cent. compared with the 1985-86 allocation.

Mr. Whitney: I replied to the chief executive's letter on 28 April, and will send a copy of my reply to my hon. Friend. The criteria used in determining the distribution of social services block capital allocations for 1986-87 were:

(i) all allocations were at least 50 per cent. of the 1985-86 level;

(ii) bids in respect of local authority contributions to schemes jointly financed with health authorities, schemes involving DHSS grant-aided secure accommodation, and regional schemes (where one contracting authority made a bid to cover a scheme which will also be used by other authorities) were provided in full;

(iii) the remaining amount available for allocation was then allocated on a formula basis, including a per capita amount weighted for the numbers of very elderly people, and a proportion related to the bid submitted.

Health Authorities (Vacancies)

Mr. Pike asked the Secretary of State for Social Services what are the number of unfilled notified vacancies for each health authority in England for the latest date for which figures are available; and if he will give comparative figures for 1979 and 1983.

Mr. Hayhoe: I regret that the information requested is not available centrally.

NHS Beds

Mr. Pike asked the Secretary of State for Social Services what is the ratio of National Health Service beds to population by region for the latest month for which figures are available; and what were the comparative figures for 1979 and 1983.

Mr. Whitney: I shall let the hon. Member have a reply as soon as possible.

Hospital Closures

Mr. Pike asked the Secretary of State for Social Services what has been the number of hospital closures in each region on an annual basis since 1979.

Mr. Hayhoe: For the latest information available, I refer the hon. Member to my reply to the hon. Member for Oldham, West (Mr. Meacher) on 3 March at column *62*.

North-West RHA (Staff)

Mr. Pike asked the Secretary of State for Social Services how many staff are currently employed by the North-West regional health authority; and what percentages are *(a)* doctors, *(b)* nurses and midwives and *(c)* administrative staff.

Mr. Hayhoe: The provisional total of National Health Service staff directly employed within the North-Western regional health authority at 30 September 1985 was 74,500 whole-time equivalents. Of this total 5·1 per cent. were medical and dental staff (including locums but excluding hospital practitioners and part-time medical/dental officers), 50·5 per cent. were nursing and midwifery staff (including agency staff), and 12·6 per cent. were administrative and clerical staff.

Waiting Lists

Mr. Pike asked the Secretary of State for Social Services if he will list by regions the current waiting list for treatment of all kinds for the latest month for which figures are available and the comparative figures for 1979 and 1983.

Mr. Whitney: I shall let the hon. Member have a reply as soon as possible.

NHS (Housing Stock)

Mr. Kirkwood asked the Secretary of State for Social Services what is the average length of tenancy of families accommodated in National Health Service housing stock covered by his Department's Circular HC(85)19.

Mr. Hayhoe: I regret that this information is not held centrally.

Mr. Kirkwood asked the Secretary of State for Social Services how many families, by health authority, are currently accommodated in housing stock covered by his Department's circular HC(85)19.

Mr. Hayhoe: The Department does not hold information about the number of families in health authority accommodation. When all authorities' action plans are in final form a summary will be provided which will contain information about the number of staff accommodated.

Desiccated Liver Powder

Mr. Gould asked the Secretary of State for Social Services if he will take steps to ensure that desiccated liver powder, imported as a pharmaceutical product, is accompanied by the appropriate product licence.

Mr. Hayhoe: The import of desiccated liver powder for use as an ingredient in manufacture of human medicines does not require a licence under the Medicines Act 1968. A product licence must be held for the import of a medicinal product already in its dosage form but it would be impracticable to require that that licence should accompany every batch of the product imported.

Single Payments

Mr. Frank Field asked the Secretary of State for Social Services if he will publish the number and average amount of single payments made in the latest period for which figures are available to families with children, distinguishing between couples and single parents, in total and by type of single payment.

Mr. Major [*pursuant to his reply*, 16 January 1986, c. *703*]: The information is as follows:

Type of payment	*Awards to couples with children* Thousand*	*Average award £*	*Awards to single parents* Thousand*	*Average award £*	*Awards to families with children* Thousand*	*Average award £*
Clothing/Footwear	34	50	28	49	63	49
Bedding	106	62	116	63	221	63
Furniture	207	84	246	89	454	87
House repair/decoration	29	37	27	34	56	35
Maternity	75	58	53	59	128	59
Furniture repair	19	38	24	34	43	36
Removal expenses	8	56	13	60	20	58
Fuel meters	4	20	5	20	9	20
Starting work costs	4	22	†	—	4	22
ALL PAYMENTS	502	66	525	71	1,027	68

The information in the table relates to single payments made in the 12 months preceding the date of the annual statistical inquiry in December 1983 to those in receipt of benefit at the time of the inquiry. It does not, as a result, record all the single payments during the year. As the figures are derived from an analysis of a sample of case papers, they are accordingly subject to the normal sampling error.

Notes:

* Number of payments rounded to nearest thousand.

† Less than 1,000.

AGRICULTURE, FISHERIES AND FOOD

Desiccated Liver Powder

Mr. Gould asked the Minister of Agriculture, Fisheries and Food (1) if he will take steps to require that desiccated liver powder, imported as a food product, is accompanied by the appropriate health mark;

(2) if, in the light of the recent seizure of desiccated liver powder by the London borough of Barking and Dagenham, Her Majesty's Government will seek to amend the regulatory framework for foodstuffs and pharmaceuticals so as to ensure that the future import of such a product is accompanied by appropriate documentation; and if he will make a statement.

Mrs. Fenner: Under current legislation meat powder imported for sale for human consumption as a food product must be health marked. We are considering whether pharmaceutical products containing meat should cease to be exempt from the health marking requirement.

Agriculture Production (Expenditure)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each common agricultural policy product the amount spent in 1985-86 on each hectare or livestock unit in the United Kingdom under (i) the European Economic Community budget and (ii) the United Kingdom budget in direct subventions, export rebates and so on.

Mr. Gummer: The information requested is contained in the table for those categories of expenditure which can be allocated to specific commodities.

Average expenditure in United Kingdom—provisional 1985

	FEOGA funded £ per hectare	*United Kingdom funded (*) £ per hectare*
Cereals	48	130
Fodder	11	n/a
Peas and beans	154	n/a
Oilseeds	231	n/a
Sugar	382	n/a
Fruit and Veg.	16	n/a
Hops	178	n/a
	£ per livestock unit (†)	
Milk and milk products	87	29
Beef and veal	36	41
Sheepmeat	109	n/a

n/a = expenditure not separately identified.
* United Kingdom Exchequer expenditure less receipts from sales of intervention stocks.
(†) Dairy cow or heifer equivalents.

Animals (Religious Slaughter)

Mr. Hunter asked the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy towards the religious slaughter of animals, following the report of the Farm Animal Welfare Council.

Mrs. Fenner [*pursuant to her reply*, 29 April 1986, c. *377*]: We are considering the council's recommendations in the light of the many comments that we have received on them.

Trichinenla Spiralis

Mr. John asked the Minister of Agriculture, Fisheries and Food what was the incidence of trichinella spiralis in the last year for which figures are available.

Mrs. Fenner [*pursuant to her reply*, 29 April 1986, c. *377*]: There were no recorded cases of Trichinella Spiralis in 1985-86.

Mr. John asked the Minister of Agriculture, Fisheries and Food in what circumstances pig carcases are tested for the presence of trichinella spiralis; and by whom such tests are undertaken.

Mrs. Fenner [*pursuant to her reply*, 29 April 1986, c. *377*]: It is a requirement of the legislation of the Federal Republic of Germany that all imports of pigmeat must have been tested and found free of trichinella spiralis. The Government decided to relieve exporters of the cost of testing carcases to satisfy this requirement as from 1 June 1983 as part of the arrangement for meeting the costs of veterinary supervision and certification in export plants. The tests are carried out under the supervision of a local veterinary inspector appointed by my Department.

Mr. John asked the Minister of Agriculture, Fisheries and Food what is the total annual cost of testing pig carcases for the presence of trichinella spiralis; and what is the average cost per carcase.

Mrs. Fenner [*pursuant to her reply*, 29 April 1986, c. *377*]: Expenditure on such tests during the financial year 1985-86 is estimated at £235,000. The average cost per carcase was 57p.

"Diet, Nutrition and Health"

Mr. Coombs asked the Minister of Agriculture, Fisheries and Food if he plans any changes in policy in the light of the report "Diet, Nutrition and Health" produced by the board of science and education of the British Medical Association; a copy of which has been sent to him; and if he will make a statement.

Mrs. Fenner [*pursuant to her reply*, 28 April 1986, c. *315*]: We have already published proposals for the fat content labelling of foods in response to the recommendation in the COMA "Report on Diet and Cardiovascular Disease" and we have at the same time published draft guidelines on the nutrition and labelling of food. We have already stated that we will take the recommendations of the COMA report into account when discussing the common agricultural policy within the European Community.

Sherry

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food under which part of article 43 of the treaty establishing the EEC a decision will be made in 1995 on the arrangements for use of the terms British sherry, Irish sherry and Cyprus sherry.

Mr. Gummer [*pursuant to his reply*, 28 April 1986, c. *314*]: Under article 43(2).

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food why it was necessary to include provisions relating to the sale of British sherry for 10 years in the Treaty of Accession of Spain and Portugal to the EEC: for what reasons Her Majesty's Government agreed to the provisions of article 129 in relation to British sherry; and what discussions he had prior to the negotiations with the British sherry industry.

Mr. Gummer [*pursuant to his reply*, 28 April 1986, c. *314*]: The provision of "British Sherry" included in article 129 of the Treaty of Accession were necessary to provide for the continued use of this description. My Department had frequent contact with the British sherry industry during the accession negotiations.

Apple Replanting Grant

Sir John Wells asked the Minister of Agriculture, Fisheries and Food if he will publish a table in the *Official Report* showing the percentage uptake of the apple replanting grant each year since its inception; and what sums were under consideration or otherwise at the latest convenient date.

Mr. Gummer [*pursuant to his reply*, 28 April 1986, c. *314*]: The number of claims expressed as a percentage of the growers registered with the Apple and Pear Development Council is as follows:

1 April—31 December 1983	*1984*	*1985*
1·2	*7·4*	*11·0*

Information on current levels of investment will not be available until grant claims are received.

Lancashire and Western Sea Fisheries

Mr. Onslow asked the Minister of Agriculture, Fisheries and Food what action he is taking to ensure the protection of sea fisheries in the area covered by the Lancashire and Western Sea Fisheries Committee, following that body's decision to lay off its sea fishery officers; and if he will make a statement.

Mr. Gummer [*pursuant to his reply*, 25 April 1986, c. *248*]: My Department is responsible for national policies in the area covered by the Lancashire and Western Sea Fisheries Joint Committee. Their implementation is not affected by the action that the committee is taking in response to the recent decisions of all but two of the district councils in Merseyside and Greater Manchester not to join the committee following the abolition of the Merseyside and Greater Manchester county councils. Although the committee is having to re-assess its priorities and activities, I understand that basic work on the enforcement of local byelaws for the regulation of sea fisheries will be maintained.

Monetary Compensatory Amounts

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is the level of monetary compensatory amounts payable in each EEC country at the present time; and what information he has about extra payments being made by West Germany and other EEC countries to raise the return to their farmers.

Mr. Gummer [*pursuant to his reply*, 25 April 1986, c. *248*]: The monetary compensatory amount percentages applicable in each member state on 25 April are:

Country and Product	*Percentage*
United Kingdom	
All	−9·0
Belgium and Luxembourg	
All	0
Denmark	
All	0
France	
Milk and milk products	−4·7
Wine	−1·2
Others	−6·3
Germany	
Milk and milk products	+2·9
Cereals, pigmeat, eggs and poultry	+2·4
Wine	0
Others	+1·8
Greece	
Wine	−37·0
Others	−40·5
Ireland	
All	−1·5
Italy	
Wine	−3·0
Others	−6·5
Netherlands	
Milk and milk products	+2·9
Cereals, pigmeat, eggs and poultry	+2·4
Others	+1·8
Portugal	
All	0
Spain	
All	0

Germany currently applies a degressive aid through the VAT system and this was agreed in 1984 to offset the support price reductions in Germany resulting from the revaluation of the green German mark in January 1985. This and other state aids paid by member states are monitored by the European Commission to ensure that they are compatible with the treaty.

Export Refunds

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each agricultural product the amount of export refunds per tonne granted to British exporters at the most recent available date and the total spent by way of such refunds in 1985.

Mr. Gummer [*pursuant to his reply*, 23 April 1986, c. *164*]: Details of export refunds for agricultural products are published in the *Official Journal* of the European Communities, copies of which are deposited in the Library of the House. Export refunds available to British exporters on 23 April 1986 were published in the following *Official Journals*:

Commodity	*Official Journal reference and page*
Milk and Milk Products	L82 of 27 March 1986, pages 95-113
Pigmeat	L103 of 19 April 1986 pages 42-47
Fresh Fruit and Vegetables	L142 of 31 May 1985 pages 22-23
Poultrymeat	L23 of 30 January 1986 pages 13-15
Processed Fruit and Vegetables containing added sugar	L76 of 21 March 1986 page 32
Beef	L95 of 10 April 1986 pages 19-30
Olive Oil	L82 of 27 March 1986 pages 29-30
Oilseeds	L82 of 27 March 1986 pages 31-33
Sugar	L101 of 17 April 1986 page 30
Cereals	L100 of 16 April 1986 pages 14-16
Rice	82 of 27 March 1986 pages 90-92
Malt	L96 of 11 April 1986 page 33
Compound Feedingstuffs	L82 of 27 March 1986 pages 20-22
Products processed from cereals and rice	L82 of 27 March 1986 pages 14-19
Spirits	L232 of 30 August 1985 page 15
Non Annex II products	
—Eggs	L27 of 1 February 1986 pages 46-47
—Sugar/Molasses	L88 of 3 April 1986 pages 32-33
—Cereals/Rice	L82 of 27 March 1986 pages 47-49
—Milk Products	L82 of 27 March 1986 pages 44-46

Exports refunds are also available in the tobacco and wine sectors but none was paid to British exporters in 1985.

Expenditure on export refunds on agricultural products in the United Kingdom in 1985 was £356 million.

Food Sales

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what sales of butter to the Union of Soviet Socialist Republics have been completed under regulation 765/86.

Mr. Gummer [*pursuant to his reply*, 23 April 1986, c. *164*]: Under regulation 765/86 successful bidders have until 1 December 1986 to remove the butter they have purchased from intervention stores and declare it for export to the appropriate customs authorities. It is not possible at this stage to say what sales have actually been completed in respect of the 100,000 tonnes for which bids were accepted on 10 April.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food if the EEC is authorised under the meeting of the protocol committee of 1 May 1985 to sell butter to Libya at prices below the minimum specified by the general agreement on tariffs and trade; and if any such sales have been contracted for.

Mr. Gummer [*pursuant to his reply*, 23 April 1986, c. *164*]: The derogation from GATT minimum prices agreed on 31 May 1985 applies to any sale of butter more than 18 months old meeting certain conditions concerning the minimum quantities and delivery periods. There have been no sales to Libya meeting those criteria and none are anticipated.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food to which countries the EEC was authorised to export food at special prices under regulation 765/86; and if any sales to Libya have been contracted under this regulation.

Mr. Gummer [*pursuant to his reply*, 23 April 1986, c. *164*]: The countries to which butter may be sold under regulation 765/86 are listed in the annex to the regulation.

They are the USSR, Mongolia, India and Pakistan. The question of sales to Libya does not therefore arise under this regulation.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what sales of food have been concluded to date by the EEC under regulation 765/86; and if he will give details of the countries to which such sales have been concluded and, in each case, the amount of food and the price of sale expressed in terms of pence per pound.

Mr. Gummer [*pursuant to his reply*, 23 April 1986, c. *164*]: Regulation 765/86 deals only with the sale of intervention butter more than 18 months old. The terms of the regulation provide for the price to be determined by competitive tender. To date bids have been accepted for a total of 100,000 tonnes for sale to the USSR. This consists of 20,000 tonnes with a minimum butterfat content of 80 per cent. and 80,000 tonnes with a minimum butterfat content of 82 per cent., at prices of 208·8 ecu/100 kg and 214·8 ecu/100 kg respectively. This gives an average sale price out of intervention of 59p per lb. After allowing for export refunds and the application of MCAs the net price is reduced to approximately 10p per lb, but when account is taken of transport and other costs, including a margin for the trade, the price to the Soviet authorities will be about 13p per lb.

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is his estimate of the proportion of agricultural output accounted for by holdings of 1,000 standard man-days and over.

Mrs. Fenner [*pursuant to her reply*, 21 April 1986, c. *43*]: It is estimated that, in 1985, just over one half of agricultural output in the United Kingdom was accounted for by holdings of 1,000 standard man-days and over.

FOREIGN AND COMMONWEALTH AFFAIRS

Libya-African National Congress Links

Mr. Dicks asked the Secretary of State for Foreign and Commonwealth Affairs whether he has investigated the connections that exist between the Libyan regime of Colonel Gaddafi and the African National Congress; and what actions he proposes to take.

Mr. Eggar: We are aware that President Botha recently said such links exist and have noted Gaddafi's expressions of support for the African National Congress. We are, of course opposed to Libyan efforts to export violence anywhere in the world.

NATIONAL FINANCE

Value Added Tax

Mr. Heddle asked the Chancellor of the Exchequer if he will consider extending the zero rate value added tax introduced in his Budget to the provision of supplies for frail elderly.

Mr. Brooke: It would not be appropriate to extend reliefs intended to cover aids for the handicapped to other categories such as the elderly.

Royal Ordnance Companies

Mrs. Dunwoody asked the Chancellor of the Exchequer what consideration has been given to tax concessions to be awarded in respect of the royal ordnance companies after the proposed flotation in July 1986.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Written Answers to Questions

Thursday 1 May 1986

EDUCATION AND SCIENCE

Physical Education

Ms. Richardson asked the Secretary of State for Education and Science (1) what steps he is taking to introduce training for physical education teachersin schools for instructing girls in self-defence;

(2) what steps he is taking to introduce self-defence education, as part of physical education, for girls in schools.

Mr. Chris Patten: It is for each local education authority to consider the in-service training needs of its teachers in the context of curricular policies and objectives. While the White Paper "Better Schools" published in March 1985 (Cmnd. 9469) makes clear the Government's view that physical education is an important component of the curriculum for all children in secondary schools, decisions about the detailed content of what is taught, such as whether it includes instruction in physical skills which can be used in self-defence, are properly matters for the schools themselves and the local education authorities by which they are maintained.

Burnham Further Education Regulations

Mr. Freud asked the Secretary of State for Education and Science whether he is satisfied that the current staffing arrangements under the Burnham further education regulations are adequate to provide education for students with special educational needs; and whether he will make a statement.

Mr. Chris Patten: My right hon. Friend has no reason to believe that the arrangements are inadequate. The allocation of teachers to particular categories of student is a matter for local discretion. The percentage of posts on each grade in a college is determined under the Burnham arrangements on the basis of the academic level of teaching. LEAs have discretion within fixed limits to increase the proportion of lecturers grade II where requisite for the recruitment and retention of teachers in shortage subjects.

The grading of courses system is under review as part of further education reform talks. The Government's view is that the structure should be flexible and responsive to the needs of customers and students.

Mr. Freud asked the Secretary of State for Education and Science what representations have been received by his Department in respect of the Burnham further education regulations as they affect provision for students with special educational needs.

Mr. Chris Patten: The Department received on 20 January a paper from the National Bureau for Handicapped Students about this matter. A reply issued on 31 January noting that the paper had also been submitted to the joint secretaries of the Burnham Further Education Committee and that it was a matter for negotiation in that committee.

Wigan

Mr. Stott asked the Secretary of State for Education and Science when he expects to publish Her Majesty's inspector's report on Wigan's education system.

Sir Keith Joseph: The report will be published at the end of May.

Technical Schools

Mr. Soames asked the Secretary of State for Education and Science (1) if he will lay aside moneys for a special programme to support technical schools;

(2) what is his policy towards technical schools.

Mr. Dunn: I refer my hon. Friend to my reply to the hon. Member for Langbaurgh (Mr. Holt) on 4 March, at column 114.

Comprehensive Schools

Mr. Soames asked the Secretary of State for Education and Science if he will make it his policy not to approve any further extension of comprehensive schools.

Mr Dunn: The initiative for proposing changes in the pattern of secondary school provision rests with local education authorities. My right hon. Friend considers all proposals on their individual merits, taking account of all the relevant circumstances, including the educational interest of all the pupils involved.

WALES

Acid Pollution

Mr. Chris Smith asked the Secretary of State for Wales what systematic monitoring for acid pollution is carried out in rivers in Wales.

Mr. Wyn Roberts: The Welsh water authority regularly checks the level of acidity in river waters as part of the national harmonised monitoring scheme and in its assessment of river water quality. The Department is jointly funding with the Department of the Environment the study of acidification being jointly carried out by the Welsh water authority, the Natural Environment Research Council, the Forestry Commission and the university colleges of Wales, in the catchment areas feeding the Llyn Brianne reservoir.

Housing (Improvement Grants)

Mr. Wigley asked the Secretary of State for Wales if he will publish a table indicating for each of the past three years the expenditure of each local housing authority in Wales on improvement grants and the number of applicants to which these grants were paid and the number of applications which were outstanding for each district for house improvement grants at 1 April; how many of these were made before 31 March 1984; and what is the estimated cost of the outstanding applications.

Mr. Wyn Roberts: The available information is given in the following table. Information is not held centrally on the dates on which outstanding applications were made.

	Expenditure 1983-84 £000	Number of renovation grants paid 1983-84	Expenditure 1984-85 £000	Number of renovation grants paid 1984-85	Expenditure 1985-86* £000	Number of renovation grants paid 1985-86*	Number of applications outstanding 31 December 1985†	Estimated cost of outstanding applications £000
Clwyd:								
Alyn and Deeside	781	376	844	250	230	86	471	1,507
Colwyn	1,072	266	692	162	211	34	196	627
Delyn	1,098	404	459	129	307	122	264	845
Glyndwr	1,507	470	1,511	353	423	97	535	1,712
Rhuddlan	67	53	158	56	29	25	120	384
Wrexham Maelor	500	178	407	109	250	83	471	1,507
Dyfed:								
Carmarthen	6,275	1,540	2,766	819	1,010	251	554	1,773
Ceredigion	2,941	661	1,833	415	797	274	1,188	3,802
Dinefwr	1,360	239	840	329	324	48	528	1,690
Llanelli	2,119	1,086	1,795	886	634	290	162	518
Preseli	2,411	569	2,512	468	860	182	913	2,922
South Pembrokeshire	2,607	666	3,082	695	1,216	272	447	1,430
Gwent:								
Blaenau Gwent	6,141	1,395	3,496	1,160	934	334	7,469	23,901
Islwyn	2,748	822	2,500	1,049	1,549	673	1,462	4,678
Monmouth	3,132	836	1,058	381	353	143	205	656
Newport	4,019	1,070	2,093	703	1,273	325	2,281	7,299
Torfaen	1,562	473	2,082	604	778	203	1,921	6,147
Gwynedd:								
Aberconwy	763	250	530	209	359	151	42	134
Arfon	1,913	627	1,913	505	1,323	324	577	1,846
Dwyfor	2,560	757	1,190	276	228	78	682	2,182
Meirionnydd	2,599	824	3,086	877	1,248	343	183	586
Ynys Mon	3,950	949	1,116	278	880	248	794	2,541
Mid Glamorgan:								
Cynon Valley	2,554	615	1,326	397	881	211	2,451	7,843
Merthyr Tydfil	2,419	1,151	1,400	576	901	294	2,086	6,675
Ogwr	2,730	792	3,083	1,408	1,328	604	1,251	4,003
Rhondda	9,016	3,095	9,558	2,999	4,634	1,575	9,347	29,910
Rhymney Valley	2,918	861	3,303	840	986	314	3,954	12,653
Taff-Ely	5,902	2,036	3,691	1,086	1,332	435	1,034	3,309
Powys:								
Brecknock	2,049	660	984	276	283	90	993	3,178
Montgomery	2,585	781	1,094	297	338	107	898	2,874
Radnor	920	355	552	151	316	112	530	1,696
South Glamorgan:								
Cardiff	10,623	3,392	6,904	2,281	4,903	1,621	7,819	25,021
Vale of Glamorgan	3,409	1,050	2,489	823	775	229	1,613	5,162
West Glamorgan								
Lliw Valley	1,314	463	1,081	364	670	212	452	1,446
Neath	2,602	1,237	1,360	554	521	195	1,569	5,021
Port Talbot/Afan	500	192	361	148	346	163	1,241	3,971
Swansea	5,796	1,629	5,748	2,279	3,538	1,293	1,073	3,434
Wales total	107,462	32,820	78,897	25,192	36,968	12,041	57,776	184,883

* First nine months only.
† Latest available figure.

Spectacles

Mr. Wigley asked the Secretary of State for Wales if he will list the National Health Service hospitals in Wales which dispense spectacles to hospital eye patients on-site.

Mr. Mark Robinson: The following hospitals dispensed spectacles on-site in 1984, the latest year for which statistics are available: Bridgend General, Maesgwyn, Glanrhyd, Parc, Hensol, Llwynypia, Porth, Ystrad Mynach, South Pembrokeshire.

Mr. Carter-Jones asked the Secretary of State for Wales if he will ensure that health authorities in Wales introduce in-hospital dispensing of glasses in all cases where it does not take place now; and if he will make a statement.

Mr. Wyn Roberts: The proposals for the future dispensing of glasses in the hospital eye service have been the subject of a consultation exercise. The response is still being considered and it is too early to confirm the detailed arrangements which will be made for dispensing.

Mr. Carter-Jones asked the Secretary of State for Wales if he will make it his policy to set voucher values

in Wales at such a level that no additional payment has to be made by in-patients in hospital currently entitled to free glasses; and if he will make a statement.

Mr. Wyn Roberts: Long-stay patients in hospitals will continue to be entitled to basic glasses to meet their clinical need free of charge when the voucher system is introduced.

Mentally Handicapped People

Mr. Wigley asked the Secretary of State for Wales how many persons *(a)* aged 19 years or under and *(b)* over 19 years of age were (i) discharged from each of the long-stay mental handicap hospitals in Wales during 1985 and (ii) admitted into such long-stay hospitals.

Mr. Mark Robinson: The information requested is not yet available.

Nurses

Dr. Roger Thomas asked the Secretary of State for Wales what are the numbers of practice nurses employed by family practitioners' practices in each of the family practices committee areas in Wales; what is the estimated total annual cost; and what was the percentage annual increase in the number of nurses employed over the past five years.

Mr. Mark Robinson: The numbers of practice nurses employed by family practitioner practices in each of the family practitioner committee areas in Wales are given in the following table:

	Practice Nurses (WTE) employed at 1 July 1985
Clwyd	3·0
Dyfed	20·6
Gwent	25·1
Gwynedd	13·4
Mid Glamorgan	18·7
Powys	2·2
South Glamorgan	9·5
West Glamorgan	16·8

The total whole-time equivalent of nurses has increased from 54·0 at 1 July 1980 to 109·3 at 1 July 1985, representing an average annual increase of 15·2 per cent.

No information is available centrally on the total annual cost.

Welsh Development Agency

Mr. Barry Jones asked the Secretary of State for Wales what was the cash budget of the Welsh Development Agency in each of the years from 1979 to 1986-87; what was the increase in real terms in the budget of the Welsh Development Agency from 1979 to *(a)* 1981-82, *(b)* 1982-83, *(c)* 1984-85 and *(d)* 1986-87; and what was the increase in staff in the Welsh Development Agency from 1979 to 1986-87.

Mr. Wyn Roberts: The Welsh Development Agency's gross budget in cash terms in each year since 1979-80 is given below:

	£ million
1979-80	61·1
1980-81	83·4
1981-82	96·3
1982-83	77·9
1983-84	67·8
1984-85	70·0
1985-86*	63·1

* (provisional).

The agency's estimated budget in cash terms in 1986-87 is £76·8 million. Using the Treasury's latest GDP deflator which takes the 1984-85 financial year as a base, the change in the WDA's gross budget in real terms from 1979-80 to the years specified was as follows:

	£ million
a. 1981-82	+11·7
b. 1982-83	−15·6
c. 1984-85	−30·4
d. 1986-87*	−30·6

* (estimated).

The reduction in the agency's budget in real terms in recent years follows the ending of special allocations of funds for the steel closure programmes.

At 31 march 1979 the agency employed 499 staff. At 31 March 1986 the number was 421·5

SCOTLAND

Acid Pollution

Mr. Chris Smith asked the Secretary of State for Scotland what systematic monitoring for acid pollution is carried out in rivers in Scotland.

Mr. Ancram: The control of river quality in Scotland rests with the river purification authorities (river purification boards and islands councils). They routinely monitor the quality, including acidity, of the rivers within their areas. In recent years a number of site-specific monitoring exercises have been established by individual authorities to assess the effects of acid deposition. In addition, the Government have recently commissioned the river purification boards to carry out jointly a systematic three-year study into the effects of acid deposition on a total of 150 catchments in Scotland.

Housing Support Grant

Mr. Maclennan asked the Secretary of State for Scotland if he will *(a)* state his reasons and *(b)* cite the statutory authority for the calculation of housing support grant on a figure of notional rate fund contribution per head; what factors are taken into account in determining the notional per head contribution; and if he will publish the names of those local authorities whose statutory rate fund contribution in the 1986-87 housing support grant settlement was lower than per head notional amount.

Mr. Ancram: The Housing (Financial Provisions) Scotland Act 1978 provides the statutory authority for determining the aggregate amount of housing support grant. As required by section 1(2)*(c)* of that Act, my right hon. and learned Friend consults the Convention of Scottish Local Authorities before estimating the aggregate amount of relevant income which might be expected to accrue to local authorities' housing revenue accounts in the grant year. My right hon. and learned Friend, with the agreement of the Convention of Scottish Local

Authorities, has continued the practice adopted since the inception of housing support grant in 1979 of using a notional per head income amount in establishing the aggregate amount of relevant income. Factors taken into account in recent years in determining this notional amount have been the figure used in the previous year's Housing Support Grant (Scotland) Order and the rate of inflation. My right hon. and learned Friend has now undertaken to review this approach during discussions with the convention leading to the 1987-88 settlement.

In 1986-87, the overall level of housing support grant payable to Scottish local authorities will be some £4 million higher than would have been the case had statutory rate fund contribution limits replaced notional per head income amounts, determined as above, in the grant calculations. Seven of the 24 authorities receiving housing support grant in 1986-87 benefit, some substantially, from the calculation method employed. The remaining 17 authorities, in the following list have statutory rate fund contribution limits below the per head notional income amounts included in the relevant income calculations.

Authority

Berwickshire
Roxburgh
Annandale & Eskdale
Stewartry
Wigtown
Banff & Buchan
Gordon
Kincardine & Deeside
Moray
Badenoch & Strathspey
Caithness
Nairn
Ross & Cromarty
Skye & Lochalsh
Sutherland
Argyll & Bute
Orkney

Spectacles

Mr. Carter-Jones asked the Secretary of State for Scotland if he will ensure that health boards in Scotland introduce in-hospital dispensing of glasses in all cases where it does not take place now; and if he will make a statement.

Mr. John MacKay: The Scottish Home and Health Department is presently consulting about new arrangements for patients in the hospital eye service to obtain their glasses or contact lenses. These arrangements do not affect the facilities for in-hospital dispensing of glasses which operate within a few health boards. I would not expect any increase in such facilities as a result of the changes proposed.

Mr. Carter-Jones asked the Secretary of State for Scotland if he will make it his policy to set voucher values in Scotland at such a level that no additional payment has to be made by in-patients in hospital currently entitled to free glasses; and if he will make a statement.

Mr. John MacKay: Government policy is to continue existing arrangements, whereby patients resident in hospital are supplied with free glasses.

Local Authority Expenditure

Mr. Fletcher asked the Secretary of State for Scotland against which authorities he proposes to take action on the grounds of excessive and unreasonable expenditure.

Mr. Rifkind: I have decided to initiate action in terms of section 5 of the Local Government (Scotland) Act 1966 in respect of the city of Edinburgh district council on the ground that its planned expenditure for 1986-87 is excessive and unreasonable. A letter has today been sent to the council proposing a rate reduction of 2·7p and inviting it to make representations about the proposed reduction.

TRADE AND INDUSTRY

Shipbuilding

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry if he will publish in the *Official Report* a table showing the tonnage of ships produced in each EEC country in each of the past five years together with the corresponding figures for 1972.

Mr. Peter Morrison: The following is the information requested, expressed in terms of compensated gross tonnage where available.

Tonnage of merchant ships completed

Country	*Units**	*1972*	*1981*	*1982*	*1983*	*†1984*	*1985*
United Kingdom	Th.cgt	920	254	418	349	288	262
Belgium	Th.cgt	289	96	85	153	81	102
Denmark	Th.cgt	591	363	356	397	365	475
France	Th.cgt	839	302	310	376	339	157
West Germany	Th.cgt	1,965	922	764	926	704	782
Italy	Th.cgt	613	284	177	143	193	109
Netherlands	Th.cgt	635	255	364	381	295	283
Spain	Th.cgt	736	485	549	465	444	248
Greece	Th.gt	74	1	81	38	36	37
Irish Republic	Th.gt	28	7	0	40	0	0
Portugal	Th.gt	16	1	18	312	8	41

* Th.cgt=thousand compensated gross tonnes.
Th.gt =thousand gross tonnes.

† In 1984, a new basis of measuring the tonnage of vessels was introduced so that figures thereafter are not directly comparable with those for earlier years.

Source: OECD and *Lloyd's Register of Shipping*.

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing output in United Kingdom and German shipbuilding yards in each year since 1976.

Mr. Butcher: In terms of merchant shipbuilding, output for which comparable figures are readily available, the information is as follows:

Tonnage of merchant ships completed (thousand compensated gross tonnes)

	United Kingdom	*West Germany*
1976	824	1,630
1977*	693	1,299
1978	709	1,059
1979	584	617
1980	513	618
1981	254	922
1982	418	764
1983	349	926
1984*	288	704
1985	262	782

* Because of revisions in 1977 and again in 1984 affecting the calculation of compensated gross tonnage, figures in these and subsequent periods are not directly comparable with those for earlier years.

Source: OECD, Department of Trade and Industry.

Life Assurance

Mr. Alan Howarth asked the Secretary of State for Trade and Industry what is his estimate of the number of holders in the United Kingdom of with-profit endowment life assurance policies.

Mr. Howard: It is estimated that at the end of 1984 insurance companies had between 25 million and 30 million with-profit endowment policies in force in the United Kingdom. It is not practicable to estimate the number of individuals holding those policies.

Electric Fences (Main Governors)

Mr. Conway asked the Secretary of State for Trade and Industry what steps he plans to take about the conflict between EEC directive 82-499 on main governors on electric fences and BS2632-1980 and BS800-1983; and if he will make a statement.

Mr. Butcher: There is no direct conflict. I understand that manufacturers in the United Kingdom have raised a problem about the suitability of the radio interference requirement for high energy mains governors on electric fences contained in BS800-1983. They have been advised to raise the problem in the appropriate BSI technical committee.

Strategic Defence Initiative

Mr. Denzil Davies asked the Secretary of State for Trade and Industry what assessment he has made of the effect on British trade with the Eastern bloc of United Kingdom involvement in the strategic defence initiative research programme, and in particular of American concern to limit the transfer of technology.

Mr. Butcher: I shall reply to the right hon. Member as soon as possible.

Mr. Denzil Davies asked the Secretary of State for Trade and Industry whether any legislative changes are proposed to bring the British system of export administration into line with the Anglo-American memorandum of understanding on technology transfer, produced as a result of British involvement in strategic defence initiative research; and if he will make a statement.

Mr. Butcher: No legislative changes to United Kingdom export administration are proposed as a result of the Anglo-United States memorandum of understanding.

Trade Statistics

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry if he will publish in the *Official Report* a table showing for the first three months of 1986 at an annual rate compared with the same three months in 1985 and the year 1970 *(a)* imports and exports of manufactures between the United Kingdom and the European Economic Community and other countries, and *(b)* imports and exports less crude oil between the United Kingdom and the European Economic Community and from other countries; and if he will make a statement about the decline in exports of manufactures in the first quarter of the current year, compared with 1985 and the reasons therefor.

Mr. Alan Clark: I shall reply to the hon. Member as soon as possible.

Prices

Mr. Maclennan asked the Secretary of State for Trade and Industry what consultations he has had, and with which organisations, on a new general prohibition on misleading price indications and on a supporting statutory code of practice; and if he will make a statement.

Mr. Howard: My Department has consulted a wide range of trade, consumer and enforcement interests, with helpful and encouraging results. Over 500 copies of the report of the interdepartmental working party on the review of legislation on this subject were circulated in 1984. In the light of comments received in response from approximately 150 sources, the Government's decision to go ahead with new legislation, providing a general prohibition on misleading price indications with a supporting statutory code of practice, was announced in March 1985. A first draft of the proposed code of practice was sent out in July 1985 to some 200 organisations, of whom about 75 responded. In the light of their comments a second draft of the code of practice was sent out in January this year to 240 organisations, of which 60 have responded with their comments. At each stage my officials have held discussions with a number of respondents who wished to expand on their submissions. The draft code is currently being further revised taking those comments into account and I then expect it to be in a form ready to accompany proposals to Parliament for the relevant legislation which will be introduced as soon as parliamentary time is available.

West Germany

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* his estimate of the effect which the increase of 35 per cent. in the real rate of exchange between sterling and the deutschmark had on United Kingdom imports from and

exports to West Germany between the first quarter of 1979 and the third quarter of 1985; what were the nominal rates of exchange in each period; what is the present rate of exchange; and what is his estimate of the difference in the rate of inflation between the United Kingdom and West Germany since the third quarter of 1985.

Mr. Alan Clark: I shall reply to the hon. Member as soon as possible.

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry if he will publish in the *Official Report* his estimate of the increase in United Kingdom relative export prices compared with those of West Germany since the first quarter of 1979 together with the change in the balance of trade in manufactures between the two countries.

Mr. Peter Morrison: The United Kingdom's export prices for manufactures are estimated to have increased by about 28 per cent. compared with those of the Federal Republic of Germany between the first quarter of 1979 and the fourth quarter of 1985. The crude deficit on our trade in manufactures with Germany increased from £0·6 billion to £1·4 billion over this period.

PRIME MINISTER

Cruise Missiles

Q43. **Mr. Dalyell** asked the Prime Minister what movements took place on 10 and 11 April of cruise missiles from their base at Greenham common.

The Prime Minister: A routine cruise missile training exercise began on 11 April. As we have made clear previously, neither warheads nor fuel for the missiles are carried on these exercises. We do not give details of the training exercises conducted by nuclear missile units.

Military Bands

Q82. **Mr. Jessel** asked the Prime Minister if Her Majesty's Government intend to make military bands available for any events in London in July.

The Prime Minister: Yes.

Fontainebleau Agreement

Mr. Austin Mitchell asked the Prime Minister if she will make a statement on how the outcome of the Fontainebleau agreement among Heads of EEC Governments has fulfilled the Government's expectations.

The Prime Minister: The Fontainebleau abatement arrangement has been working as agreed. We have received the 1,000 mecu (£605 million) we were promised in respect of 1984. The 1986 Community budget already contains provision for our abatement in respect of 1985 of 1,400 mecu (£900 million), from which we are benefiting through reduced VAT contributions at the rate of £75 million a month. The Commission and the Council have undertaken to uprate this abatement through a supplementary budget this year in the light of the latest information about our contributions to and receipts from the Community budget in 1985.

EC (Value Added Tax)

Mr. Austin Mitchell asked the Prime Minister whether she expects other member states to seek agreement to an increase in the value added tax contribution in the foreseeable future.

The Prime Minister: I expect the other member states to honour the Fontainebleau agreement. I made the United Kingdom's position clear in my response to the hon. Member for Grimsby's previous question on 21 April, at column *1*.

Shipbuilding (Exchange Rate)

Mr. Austin Mitchell asked the Prime Minister what recent representations she has received from the management of shipyards concerning the exchange rate.

The Prime Minister: No such representations have been received.

Strategic Defence Initiative

Mr. Denzil Davies asked the Prime Minister who will be responsible for administering the security requirements placed by the United States Government as a condition of participation upon British companies or institutes involved in the strategic defence initiative research programme; and what will be the general nature of these requirements and the penalties for their transgression.

The Prime Minister: As the Government have stated on a number of occasions recently, the detailed terms and conditions related to British participation in the SDI research programme are confidential. Responsibility for administering these arrangements from the United Kingdom point of view will rest with the Ministry of Defence, consulting other Government Departments as necessary.

Bilderberg Conference

Sir John Biggs-Davison asked the Prime Minister for what purpose she attended the Bilderberg conference.

The Prime Minister: The Bilderberg conferences are privately organised international gatherings. I was invited to attend this year's conference on this basis and was pleased to accept.

Engagements

Mr. Peter Bruinvels asked the Prime Minister if she will list her official engagements for Thursday 1 May.

Mr. Wallace asked the Prime Minister if she will list her official engagements for Thursday 1 May.

Mr. Greenway asked the Prime Minister if she will list her official engagements for Thursday 1 May.

Mr. Flannery asked the Prime Minister if she will list her official engagements for Thursday 1 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I shall be leaving for Korea and the economic summit in Tokyo.

Terrorist Incidents

Mr. Kaufman asked the Prime Minister if she will list all terrorist incidents which have taken place in Great Britain since 4 May 1979 with, for each, the numbers of those killed and injured, together with details and cost of damage caused.

The Prime Minister [*pursuant to her reply*, 22 April 1986, c. *122*]: Statistics of terrorist incidents which have taken place in Great Britain since 4 May 1979 are as follows. These do not include incidents apparently caused by extremist nationalist or anarchist groups based in Great Britain, or by extremist animal rights activists. I regret details of the nature and cost of the damage are not available.

	1979	1980	1981	May-December 1982	1983	1984	1985
Shooting incidents	—	3	—	1	—	3	2
Bombing incidents							
exploded	7	8	9	3	4	6	2
neutralised	11	2	1	2	1	4	4
Arson attacks	—	—	—	—	—	—	1
Kidnappings	—	—	1	—	—	1	—
Finds of weapons and/or explosives	1	3	—	2	2	6	4
Hijacking of aircraft	—	—	—	1	—	—	—
Deaths and injuries resulting from the attacks in the table above were:							
Deaths	—	10	5	11	6	8	1
Injuries	2	7	44	61	102	74	2

HOME DEPARTMENT

Libyan Nationals

Mr. Austin Mitchell asked the Secretary of State for the Home Department what steps he is taking to count Libyans in the United Kingdom.

Mr. Waddington: It is estimated from immigration records that there are about 7,000 Libyan nationals in the United Kingdom subject to immigration control.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many Libyan nationals have been deported to date; how many further Libyan nationals are likely to be removed; how many Libyan nationals remain in the United Kingdom; and if he will detail the specific purposes for those nationals being granted temporary residence.

Mr. Waddington: Since 1 January 1984, 41 Libyan nationals have been deported on the ground that their deportation was conducive to the public good in the interests of national security, relations with another country or for other reasons of a political nature. We cannot predict whether any further Libyans will be deported on similar grounds because every case must be considered individually in the light of information before us at the time, but my right hon. Friend will not hesitate to use to the full his powers under the Immigration Act 1971. It is estimated that there are about 7,000 Libyan nationals currently in the United Kingdom subject to immigration control and their basis of stay will vary widely. It is not possible to provide the specific detail requested except at disproportionate cost.

Immigration

Mr. Peter Bruinvels asked the Secretary of State for the Home Department in how many cases representations originally made by telephone by right hon. and hon. Members in immigration cases were not subsequently pursued in writing, in the last year for which figures are available; and if he will make a statement.

Mr. Waddington: The available information relates to representations in cases of passengers initially refused entry at ports. In the period from 17 April 1985 to 16 April 1986 there were about 380 cases in which letters to right hon. or hon. Members were prepared following stops which had been imposed but not followed up within at least four weeks by written representations.

West Yorkshire Metropolitan Police

Mr. Madden asked the Secretary of State for the Home Department (1) if he will call for a report from the chief constable of West Yorkshire as to how many young people from the ethnic minorities he was proposing to recruit as cadets in the current year; why he did not support the proposal for a cadet force; and if he is satisfied with the proportion of officers from the ethnic minorities in the West Yorkshire metropolitan police;

(2) if he will reconsider his decision to set the cadet establishment of the West Yorkshire metropolitan police at nil; and if he will make a statement.

Mr. Giles Shaw: I understand that the West Yorkshire police authority is maintaining a police cadet corps of 33 and proposes to appoint a further 54 cadets in the current financial year. Two of the present number are from ethnic minorities, and the police authority has been encouraging further applications from ethnic minorities.

My right hon. Friend has received a request recently from the police authority for him to make a variation in the establishment scheme for that authority for 1986-87 by including 87 cadet posts. He is giving this careful consideration, in the light of further advice from Her Majesty's Inspector of Constabulary. In reaching his earlier decision to omit cadets from the establishment scheme, he took into account the force's ability to obtain well-qualified candidates by direct recruitment and the relatively high cost of maintaining a cadet corps.

Football Matches (Public Safety)

Mr. David Atkinson asked the Secretary of State for the Home Department if he has any further plans to

reinforce public safety on trains in addition to football specials carrying fans to and from soccer matches; and if he will make a statement.

Mr. Giles Shaw: No; but if my hon. Friend has a particular point in mind my right hon. Friend the Secretary of State for Transport and my right hon. Friend the Secretary of State for the Home Department will be glad to consider it.

Mr. J. C. Galbraith

Mr. Kaufman asked the Secretary of State for the Home Department when he intends to reply to the letters to him dated 27 January and 24 March from the right hon. Member for Manchester, Gorton with regard to Mr. J. C. Galbraith of 5a Norman Road, Rusholme, Manchester.

Mr. Hurd: I am writing to the right hon. Member today.

Crime Statistics

Mr. Kaufman asked the Secretary of State for the Home Department, in respect of each police force area in England and Wales, what is the percentage change between 1978 and 1985 in *(a)* total crimes, *(b)* crimes of violence against the person, *(c)* burglaries, *(d)* offences of theft or handling stolen goods, *(e)* offences of fraud or forgery and *(f)* offences of criminal damage, taking account, where necessary, of changes in recording practice.

Mr. Mellor: Numbers of notifiable offences recorded by each police force for each of the offence groups requested are published annually in the Command Papers on "Criminal Statistics, England and Wales" and most recently in a Home Office Statistical Bulletin for 1985 (table 6 of issue number 4/86). Because of changes in the counting rules which were introduced in 1980 to secure greater uniformity of recording, it is not possible to make precise comparisons between 1978 and 1985. The three offence groups thought to be most affected by these changes were theft and handling stolen goods (where the overall numbers may have been increased), fraud and forgery (where the numbers were probably reduced) and criminal damage (where the numbers may have been reduced); the other offence groups are thought to have been affected to a lesser extent. However, the effects probably differed from one police force area to another.

Police Complaints Authority

Mr. Tony Banks asked the Secretary of State for the Home Department if he will take action to ensure that evidence collected by the Police Complaints Authority is published in full.

Mr. Giles Shaw: We have no plans to change the position described in my reply on 27 February to the hon. Member for Burnley (Mr. Pike), at columns 654-55.

Mr. Ben Rabha

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will reconsider his decision to allow the continued presence of Mr. Ben Rabha in the United Kingdom, in the light of recent terrorist activities by other Libyan nationals.

Mr. Waddington: There are no grounds on present information on which we would be justified in seeking to deport Mr. Ben Rabha.

ENERGY

Nuclear Industry Radioactive Waste Executive

Mr. Austin Mitchell asked the Secretary of State for Energy how the publicity budget of the Nuclear Industry Radioactive Waste Executive for 1986-87 is divided between the constituent parts of the Nuclear Industry Radioactive Waste Executive; what is the extent of his Department's contribution; and what are the procedures for auditing this expenditure.

Mr. Goodlad: I have written to the chairman of United Kingdom NIREX Ltd., asking him to provide this information. My Department makes no direct contribution to the company's publicity budget.

Mr. Austin Mitchell asked the Secretary of State for Energy, pursuant to the reply to the hon. Member for Great Grimsby of 21 April, if he will give a breakdown of the publicity budget of the Nuclear Industry Radioactive Waste Executive between the four areas shortlisted for dumps, the different media employed, meetings and staff.

Mr. Goodlad: This is a matter for the board of United Kingdom NIREX Ltd. I have asked the chairman to write to the hon. Member.

Mr. Austin Mitchell asked the Secretary of State for Energy what is the number, pay and previous experience of the directors of the Nuclear Industry Radioactive Waste Executive.

Mr. Goodlad: I have asked the chairman of United Kingdom NIREX Ltd. to write to the hon. Member with this information.

Mr. Austin Mitchell asked the Sectetary of State for Energy whether his Department supervises the accuracy of publicity and information material issued by the Nuclear Industry Radioactive Waste Executive; and if he will make a statement.

Mr. Goodlad No. This is a matter for the board of United Kingdom NIREX Ltd.

Nuclear Materials

Mr. D. E. Thomas asked the Secretary of State for Energy whether any *(a)* plutonium, *(b)* enriched uranium or *(c)* other special nuclear materials in the United Kingdom have ever been withdrawn from EEC ownership under the Euratom treaty, article 86, and re-designated non-civil.

Mr. Goodlad: [*pursuant to his reply*, 27 March 1986, c. *557*]: Nuclear material has on occasion been withdrawn from Euratom safeguards for national security reasons in accordance with the provisions of the UK-Euratom-IAEA safeguards agreement.

EMPLOYMENT

Sunday Working

Mr. Austin Mitchell asked the Paymaster General whether he will estimate the number of people who are currently working on Sundays.

Mr. Lang: Preliminary results from the 1985 Labour force survey indicate that, in the spring of 1985, around 5·5 million people worked on one or more of the preceding four Sundays.

On a different basis, the Institute for Fiscal Studies has estimated that 4·1 million people worked regularly on Sundays and another 4·7 million worked occasionally on Sundays in 1984.

Enterprise Allowance Scheme

Mr. Sheerman asked the Paymaster General how much expenditure there has been on the training element for recipients of enterprise allowances since the scheme's inception.

Mr. Lang: Applicants for the enterprise allowance scheme are encouraged to take advantage of the training available through the Manpower Service's Commission training for enterprise programme and the counselling services of the small firms service. However funds are not separately allocated for EAS applicants to undertake training.

Mr. Sheerman asked the Paymaster General how much money is allocated for the training provision for recipients of enterprise allowance in 1986-87.

Mr. Lang: People on the enterprise allowance scheme can take advantage of both public and private sector training including the provision made available through the Manpower Services Commission's training for enterprise programme. In addition the commission has introduced a revised system of induction and follow up of enterprise allowance participants. This new system will include a one day self employment awareness session to replace the present two hour information session attended by all applicants to the scheme. One of the main purposes of the revised system is to highlight the importance of enterprise training and its benefits to the participants' businesses as well as providing an introduction to basic business concepts. Follow up monitoring by MSC staff will be enhanced to reinforce the emphasis on training and business counselling for participants. A total of £1·8 million has been provided in 1986-87 specifically to fund these enhanced arrangements.

Community Programme

Mr. Sheerman asked the Paymaster General how much money has been spent on the training component of the community programme since its inception, over and above that taken for operating costs and wages.

Mr. Lang: From July 1984 to the end of March 1986 some £4·4 million has been spent on additional training for community programme participants to that already provided from the programmes operating and other costs.

Mr. Sheerman asked the Paymaster General what sums are being allocated for the training component of the community programme for 1986-87 over and above that allowed for operating costs and wages.

Mr. Lang: In 1986-87 £5·5 million will be spent on additional training to that already provided from the programmes operating and other costs.

FOREIGN AND COMMONWEALTH AFFAIRS

UN General Assembly

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions on which all members of the European Economic Community did not vote together at the United Nations General Assembly, since January 1985.

Mr. Eggar: The Twelve members of the Community were divided on 114 of the resolutions, amendments and paragraphs put to the vote in the United Nations General Assembly in 1985. This compares with 278 occasions on which the Twelve joined consensus or voted together. A list will be placed in the Library of the House of Commons as soon as possible.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will list those occasions at the United Nations General Assembly during the past year in which the United Kingdom and the United States of America voted together in a way different from the rest of the European Economic Community countries.

Mr. Eggar: The United Kingdom voted in the same way as the United States of America and in a different way from other members of the Community on the following six resolutions during the 40th Session of the United Nations General Assembly:

On each of these resolutions the vote of Community countries was split between voting for, voting against and abstaining.

40/53	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Specialised Agencies and the International institutions associated with the United Nations.
40/57	Implementation of the Declaration on the Granting of Independence of Colonial Countries and Peoples.
40/58	Dissemination of information on decolonisation.
40/64F	Programme of work of the Special Committee Against Apartheid.
40/64I	Concerted international action for the elimination of apartheid.
40/94G	General and complete disarmament: Prohibition of the production of fissionable material for weapon purposes.

Libya

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs if he will detail in the *Official Report* the exact advice recently given to British citizens currently residing and working in Libya.

Mr. Eggar: A letter was sent to members of the British community by the head of the British interests section of the Italian embassy in Tripoli on 27 April. Its text was as follows:

"Although no incident of harassment of British citizens has been reported to me, I have to advise you that if you or your spouse and children have no urgent need to remain in this country, you or they should leave it as soon as possible. It is wise to do so while normal scheduled flights are available as there is no certainty that it will be possible to improvise an evacuation by other means if the Airports close.

British companies operating here should ensure that they have no excess staff. It is, of course, your responsibility to decide whether or not to act on this advice and you should take into account that Colonel Qadhafi has said that foreign workers, including British and US citizens, are welcome to stay. However you decide, would you please let me know your decision?

If you intend to stay and have not registered with the British Interests Section, you should do so immediately by telephone. The number is 31191. The information you give is treated as strictly confidential and may not be passed on even to other Government Departments. You may use the same number to obtain further information."

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs if he will now recommend to all British citizens currently residing and working in Libya that they should leave the country; and if he will make a statement.

Mr. Eggar: We have made it clear since the break in relations in April 1984 that British citizens choosing to live and work in Libya do so on their own responsibility and that our ability to provide consular assistance and protection is limited.

NORTHERN IRELAND

Assembly Elections

16. **Mr. Favell** asked the Secretary of State for Northern Ireland if he will make a statement on the timing of fresh elections to the Northern Ireland Assembly.

25. **Mr. Michael McNair-Wilson** asked the Secretary of State for Northern Ireland if he will make a statement about the future of the Northern Ireland Assembly.

Mr. Tom King: I refer my hon. Friends to the reply which I gave to a question by the hon. Member for Middlesbrough (Mr. Bell) a few moments ago.

Human Rights

17. **Mr. Archer** asked the Secretary of State for Northern Ireland what steps have been taken to protect human rights and prevent discrimination in Northern Ireland within the framework of the Anglo-Irish agreement.

Mr. Scott: Under article 5*(a)* the Intergovernmental Conference can take an interest in measures to protect human rights and to prevent discrimination. However, it remains for the British Government to take decisions on these matters insofar as they relate to Northern Ireland. In doing so we take account of many different views, including any expressed by the Irish Government. The joint statements issued after each meeting of the Conference which note those issues which have been discussed there have been placed in the Library.

Integrated Education

19. **Mr. Livsey** asked the Secretary of State for Northern Ireland what specific action he proposes to take regarding experiments in integrated education.

Dr. Mawhinney: None. However, it remains the Government's policy to encourage integrated education in Northern Ireland where there is a clearly identified local wish for it.

Wages Bill

20. **Mr. Nellist** asked the Secretary of State for Northern Ireland what impact he envisages the provisions of the Wages Bill will have on employment in Northern Ireland.

Dr. Boyson: The wages Bill extends to Northern Ireland only insofar as it contains an enabling provision which would permit provisions corresponding to Part III of the Bill relating to redundancy rebates in Northern Ireland by Order-in-Council subject to the negative resolution procedure. It is not envisaged that this provision will have any impact on employment in Northern Ireland.

Anglo-Irish Intergovernmental Conference

21. **Mr. Dubs** asked the Secretary of State for Northern Ireland when it is proposed to convene the next meeting of the Anglo-Irish Intergovernmental Conference.

Mr. Tom King: It is not our practice to announce meetings of the Intergovernmental Conference in advance.

Anglo-Irish Agreement

22. **Mr. Gow** asked the Secretary of State for Northern Ireland what progress he has made in securing acceptance in the Province of the Anglo-Irish agreement.

Mr. Tom King: My ministerial colleagues and I have taken and will continue to take every opportunity to explain the true nature and advantages of the agreement for all sections of the community in Northern Ireland.

26. **Mr. Flannery** asked the Secretary of State for Northern Ireland if he will consider calling a conference on the implementation of the Anglo-Irish agreement, involving the British Governmentt, the Irish Government and the relevant political parties of Northern Ireland.

Mr. Tom King: I have no such plans. I believe that the way forward now is for the elected representatives of the constitutional political parties to discuss their concerns with the United Kingdom Government. I hope the Unionist leaders, in particular, will agree to resume our dialogue.

5. **Mr. Stephen Ross** asked the Secretary of State for Northern Ireland what steps have been taken to try to ensure that the terms of the Anglo-Irish agreement are more fully understood in the Province.

Mr. Tom King: My ministerial colleagues and I have taken and will continue to take every opportunity to explain the true nature and advantages of the Agreement for all sections of the community in Northern Ireland.

23. **Sir John Farr** asked the Secretary of State for Northern Ireland if he expects to arrange discussions with Unionist politicians and others about the implementation of the Anglo-Irish agreement; and if he will make a statement.

Mr. Tom King: My right hon. Friend the Prime Minister and I want discussions to be renewed with Unionist politicians about a range of matters affecting Northern Ireland. We hope that it will be possible shortly to start exploratory talks.

Food Processing Industry

24. **Mr. Powley** asked the Secretary of State for Northern Ireland what progress is being made by the Industrial Development Board in developing the potential of the food processing industry.

Dr. Boyson: During the past two years the Industrial Development Board has offered financial aid totalling £39 million to processing companies against investment of

£124 million. That support has helped to create 1,650 new jobs and maintain employment of some 3,700 people in the industry.

Plastic Bullets

27. **Mr. Parry** asked the Secretary of State for Northern Ireland if there are any plans to discontinue the use of plastic bullets in Northern Ireland; and if he will make a statement.

Mr. Scott: No. We look with an open mind at any new ideas for controlling the vicious public disorder that occurs from time to time in Northern Ireland. But unless an equally effective method is found it would be wrong to suspend the use of plastic baton rounds.

Retraining Programme

28. **Mr. Chope** asked the Secretary of State for Northern Ireland what arrangements the Government are making to facilitate the retraining of workers in Northern Ireland to meet the needs of technological change.

Dr. Boyson: I have recently announced the introduction, from June 1986, of a new manpower training scheme. This pilot scheme will provide enhanced support for major training projects in businesses which trade in external markets. We have set aside £2 million to fund it this year. Its aim is to improve training for new and developing skills, particularly those imposed by technological change.

Royal Ulster Constabulary

29. **Mr. Peter Bruinvels** asked the Secretary of State for Northern Ireland what measures he is taking to seek to retain serving officers in the Royal Ulster Constabulary and Royal Ulster Constabulary Reserve; and if he will make a statement.

Mr. Scott: No measures are necessary to retain police officers in the Royal Ulster Constabulary. The Royal Ulster Constabulary and the Royal Ulster Constabulary full-time reserve reached full established strength in December 1985 and in the period 1 January-31 March 1986 the numbers leaving the force have shown a substantial reduction on the same period last year. Applications to join the Royal Ulster Constabulary have maintained a high level. During 1985 some 4,600 applications were received for the Royal Ulster Constabulary together with some 3,500 applications for the full-time reserve. In the period 1 December–18 April, some 1,700 applications were received for the Royal Ulster Constabulary and some 1,000 for the Royal Ulster Constabulary full-time reserve.

Marriages

Mr. John David Taylor asked the Secretary of State for Northern Ireland how many marriages there have been in each of the past five years in Northern Ireland; and how many marriages there were in the first quarter of 1986.

Mr. Needham: The following is the information:

Year	*Number of marriages*
1981	9,636
1982	9,913
1983	9,990
1984	10,358
1985	10,425

First quarter of 1986 not yet available.

Benefits

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will make it his policy to gather information on the number of suspected *(a)* Republican and *(b)* other members of paramilitary organisations in receipt of unemployment and other social benefits.

Mr. Needham: I shall reply to my hon. Friend as soon as possible.

Spectacles

Mr. Carter-Jones asked the Secretary of State for Northern Ireland if he will ensure that health boards in Northern Ireland introduce in-hospital dispensing of glasses in all cases where it does not take place now; and if he will make a statement.

Mr. Needham: No changes in the current dispensing arrangements are planned.

Mr. Carter-Jones asked the Secretary of State for Northern Ireland if he will make it his policy to set voucher values in Northern Ireland at such a level that no additional payment has to be made by in-patients in hospital currently entitled to free glasses; and if he will make a statement.

Mr. Needham: There are no plans to change the present arrangements whereby patients resident in hospital are supplied with free glasses.

Community Technical Aid

Mr. Alton asked the Secretary of State for Northern Ireland when the Department of the Environment for Northern Ireland will respond to the request made by Community Technical Aid for funding for 1986-87; and whether the Department will give an indication as to the size of the grant it is prepared to give in 1986-87 and in future years.

Mr. Needham: Community technical aid will be advised as soon as possible on its application for a further period of funding from the Department.

Departmental Costs

Mr. Maples asked the Secretary of State for Northern Ireland if he will make a statement about the 1986-87 running cost limit for the Northern Ireland Office and the Northern Ireland Departments.

Mr. Tom King: The 1986 Public Expenditure White Paper (Cmnd. 9702) set out at Table 3.18.49 the targeted provision for departmental running costs of the Northern Ireland Office (NIO) and Northern Ireland Departments for the period from 1986-87 to 1988-89. Following final review of the projected expenditure requirements for 1986-87, which revealed higher prison costs than had been projected previously, and also taking account of the enterprise and employment measures announced at the

time of the Budget last month, I have decided to set a running costs limit of £446 million for the Northern Ireland Office and the Northern Ireland Departments, £6 million higher than the target shown in Cmnd. 9702. Further details of provision for individual departments are set out in the appropriate Estimates volumes.

Supplementary Benefit

Mr. Frank Field asked the Secretary of State for Northern Ireland if he will make a statement on the effect on the rate of long-term supplementary benefits received by claimants in Great Britain who move to Northern Ireland.

Mr. Needham: Claimants aged 60 or over who move to Northern Ireland from Great Britain would continue to qualify for the long term supplementary benefit rate. Other eligible claimants would receive the long term rate after they had been on supplementary benefit or a long-term incapacity benefit for 52 weeks.

Business Start-ups

Mr. Burt asked the Secretary of State for Northern Ireland what Her Majesty's Government are doing to stimulate new business start-ups in Northern Ireland.

Dr. Boyson: Last month I announced additional allocations specifically to assist new small businesses by providing 400 additional places under the Enterprise Allowance Scheme and 200 further grants under the Local Enterprise Development Unit's enterprise grant programme, which provides a grant of up to £5,000 for new business start-ups.

SOCIAL SERVICES

Pension Age

Mr. Lewis Stevens asked the Secretary of State for Social Services what is the latest estimate of the cost of reducing men's pension age to 60 years.

Mr. Newton: At 1985 benefit rates our latest estimate is that it would cost over £3 billion.

AIDS

Mr. Kirkwood asked the Secretary of State for Social Services whether his Department supplies regular information regarding the incidence and pattern of acquired immune deficiency syndrome in the United Kingdom to the regional offices of the World Health Organisation and the headquarters in Geneva.

Mr. Hayhoe: The communicable disease surveillance centre, which is part of the Government-funded Public Health Laboratory Service, provides quarterly information on AIDS in the United Kingdom to the organisation's European collaborating centre on AIDS in Paris. This is passed on to the organisation's headquarters in Geneva.

Repetitive Strain Injury

Mr. Kirkwood asked the Secretary of State for Social Services how many people claimed industrial injury benefit for repetitive strain injury in 1985; and what where their geographical locations.

Mr. Newton: Two forms of repetive strain injury are prescribed as industrial diseases. These are cramp of the hand or forearm due to repetitive movements (prescribed disease A4) and tenosynovitis (prescribed disease A8). In the year ending September 1985 awards of benefit under the industrial injuries scheme in respect of these two conditions were made as follows:

	Prescribed Disease A4	*Prescribed Disease A8*
North Eastern Region	—	116
London North Region	—	25
London South Region	—	18
Midlands Region	—	103
North-Western Region	2	77
Wales and South Western Region	1	38
Scotland	—	13
Total	3	390

Information on the number of unsuccessful claims made is not available.

Mr. Kirkwood asked the Secretary of State for Social Services whether he has any plans to publicise among general practitioners and the general public the risks of repetitive strain injury.

Mr. Newton: No. The causes of repetitive strain injury are not always easy to identify, but it can be associated with work activities. The Health and Safety Executive has a number of initiatives concerned with this problem.

Residential Homes

Mr. Kirkwood asked the Secretary of State for Social Services whether he will now publish the rules governing the eligibility for supplementary benefit of residents of private and voluntary homes; and how these rules affect topping up funds where home charges are in excess of the national limit of his Department.

Mr. Newton: The rules governing entitlement to supplementary benefit are set out in the supplementary benefit regulations. The specific provisions for determining the requirements of people in private and voluntary homes are contained in the Supplementary Benefit (Requirements) Regulations 1983 (as amended by the Supplementary Benefit (Requirements and Resources) Miscellaneous Provisions (No. 2) Regulations 1985). Guidance for adjudication officers on the interpretation of these regulations is contained in circular S 13/85.

Information on local authorities' powers in respect of residents whose charges are in excess of the supplementary benefit limits is contained in LASSL (86)1. Copies of the regulations, the guidance to local offices and the local authority circular are in the Library.

Mr. Frank Field asked the Secretary of State for Social Services if he will instigate an inquiry as a matter of urgency into the treatment of supplementary benefit claimants in a number of private homes in Merseyside and north Wales.

Mr. Whitney: The Registered Homes Act 1984 places responsibility for registering and inspecting residential care homes on local authority social services departments. I would suggest therefore that the hon. Member pursues his inquiries with the local authorities concerned.

Artificial Eyes

Mr. Kirkwood asked the Secretary of State for Social Services whether his Department has any plans to privatise the National Health Service providing the supply and maintenance of artificial eyes; and whether he will make a statement.

Mr. Newton: No. However, the hon. Member will be aware that artificial eyes are currently provided through the artifical limb and appliance centres, whose services generally are the subject of the recent McColl report. The McColl review team did not consider the artificial eye service in any detail, but noted that experiments were in progress to examine the overall effectiveness of the service if artifical eyes were made and fitted locally. It recommended that strategic decisions on the future direction of the service, including consideration of possible alternative ways of providing it should await the experiment findings. The experiments are in fact complete, and a report on them is expected to be ready later this year.

NHS (Housing Stock)

Mr. Kirkwood asked the Secretary of State for Social Services what expenditure has been estimated by health authorities as necessary to bring National Health Service housing stock up to the standard required to accommodate priority need National Health Service staff.

Mr. Hayhoe: I regret that this information is not held centrally.

Mr. Kirkwood asked the Secretary of State for Social Services how many families currently accommodated in housing stock covered by his Department's circular HC(85)19 may be classified as other staff in each health authority; and how many of these will lose their entitlement to accommodation under the provisions of the circular.

Mr. Hayhoe: I regret that information about the number of families in health authority accommodation is not held centrally.

Tranquilliser Addiction

Mr. McCrindle asked the Secretary of State for Social Services how many known cases of tranquilliser addiction occurred during 1982, 1983 and 1984, respectively.

Mr. Whitney: I am sorry I cannot give my hon. Friend this information. It is not collected centrally.

Spectacles

Mr. Carter-Jones asked the Secretary of State for Social Services if voucher levels for long-stay patients in hospitals will be adequate to ensure that patients getting complex lenses will not have to pay more than they do now; and if he will make a statement.

Mr. Hayhoe: Long-stay patients in hospitals will continue to be entitled to basic glasses to meet their clinical needs free of charge when the voucher scheme is introduced.

Mr. Carter-Jones asked the Secretary of State for Social Services if he will ensure that health authorities will introduce in-hospital dispensing of glasses where it does not take place at the current time; and if he will make a statement.

Mr. Hayhoe: The proposals for the future dispensing of glasses in the hospital eye service have been the subject of a consultation exercise. The response is still being considered and it is too early to confirm the detailed arrangements which will be made for dispensing.

Surplus Hospital Land

Mr. McCrindle asked the Secretary of State for Social Services what is his policy with regard to the disposal of surplus hospital land for commercial development.

Mr. Hayhoe: To require health authorities to keep land holdings continually under review and carry out a systematic rationalisation of the estate with the aim of disposing of all surplus land and buildings.

Authorities are required to seek the optimum planning and marketing situation in respect of surplus properties.

Disabled Persons

Mr. Gareth Wardell asked the Secretary of State for Social Services what resources will be made available and what phasing he envisages in respect of the implementation of the Disabled Persons (Services, Consultation and Representation) Bill.

Mr. Newton: I refer the hon. Member to my reply to the hon. Member for Easington (Mr. Dormand) on 29 April, at columns 781-82. It is not at present possible to form firm views about the possible phasing of implementation.

Mortality Statistics

Dr. Marek asked the Secretary of State for Social Services what is the latest information he has regarding standardised mortality ratios of men aged 15 to 64 years according to social class based on occupations recorded in the 1981 census and deaths in years prior to and following the census.

Mr. Whitney: Information on standardised mortality ratios of men aged 20 to 64 in Great Britain according to social class based on occupations recorded in the 1981 census for the period 1979-80 and 1982-83 combined, will be published shortly in the Registrar General's "Decennial Supplement on Occupational Mortality". These figures will not be directly comparable with those given in my reply on 24 January, at column *348*, for reasons that will be explained fully in the report.

Further information for the period 1981 to 1983 should be available in a few months' time from the OPCS longitudinal study.

Primary Health Care

Mr. Pavitt asked the Secretary of State for Social Services if, in the series of conferences he has announced to take place in cities around England to discuss primary health care, the invitations to professional bodies to participate will include nursing organisations on the same basis as medical, dental and other bodies; and if the number of nurses involved will be comparable to those of other organisations.

Mr. Hayhoe: Yes.

Mr. Meacher asked the Secretary of State for Social Services in which areas of the United Kingdom he is planning to assess the quality of primary care services; how many general practices will be involved; when he expects this experiment to be completed; who will undertake it; and whether he will publish the results.

Mr. Hayhoe: Decisions have not yet been taken.

Voluntary Unemployment

Mr. Meacher asked the Secretary of State for Social Services how many persons have been subject to disqualification of unemployment or supplementary benefit in each of the last 10 years as a result of voluntary unemployment; what was the breakdown of the main grounds each year; what was the saving net of tax each year; and what he estimates will be the saving from extension to 13 weeks in future.

Mr. Newton: The numbers of people subject to disqualification of unemployment benefit as a result of "voluntary unemployment" under section 20(1) of the Social Security Act 1975 are given in the table.

Year	*Leaving voluntarily*	*Misconduct*	*Others*	*Total*
1976	396,429	150,133	4,170	550,732
1977	439,632	140,361	6,279	586,272
1978	448,961	131,379	5,517	585,857
1979	416,318	121,932	8,402	546,652
1980	350,303	134,870	9,674	494,847
1981	245,779	103,172	5,267	354,218
1982	255,822	96,318	3,024	355,164
1983	261,284	94,696	3,226	359,206
1985	298,206	98,738	9,420	406,364

Notes:
1. Figures for 1984 are not available.
2. "Others" are refusal of suitable employment, neglect to avail of an opportunity of employment, failure to carry out reasonable official recommendations to assist to find work, refusal or failure to avail of approved training.

Claimants are not disqualified for receiving supplementary benefit because of voluntary unemployment, but instead their benefit is subject to a voluntary unemployment deduction. Available statistics do not show the detailed reason for the reduction. The following table shows the number of cases with such deductions.

Year	*Number*
1977	377,000
1978	338,000
1979	364,000
1980	260,000
1981	195,000
1982	182,000
1983	299,000

Notes:
1. Figures for 1976, 1984 and 1985 are not available.
2. The figures have been estimated from information in the annual statistical inquiry, on the assumption that deductions apply for, on average, four weeks.
3. The figures include deductions made pending a final decision and it is estimated that 40 per cent. would be refunded when a decision went in the claimant's favour.
4. The figures in the two tables overlap where supplementary benefit is paid to people who are disqualified for receiving unemployment benefit.

The financial effect net of tax each year is not available, but it is estimated that the net reduction in benefit expenditure in 1985 is around £25 million. The further net reduction in benefit expenditure which might follow from the proposed change in the rules has not yet been finally assessed, but we estimate it provisionally to be of the order of £25 million to £30 million.

Board and Lodging

Mr. Frank Field asked the Secretary of State for Social Services if he will detail the results of the survey carried out in each local office on claimants covered by the board and lodging rules, detailing the number of case papers studied, the numbers awarded back pay and the numbers exempted from the board and lodging rules.

Mr. Newton: I assume the hon. Member is concerned about the payment of arrears of supplementary benefit board and lodging allowances following the Court Appeal ruling in December 1985. Information is not available in the precise form requested. The available information to date shows some 25,000 individual claimants have received back payments of supplementary benefit totalling some £3 million. On the application of the time restrictions on payment as a boarder since November, a recent survey of some 1,400 new and repeat claimants under 26 in the south-east, south-west and the midlands showed that some 25 per cent. qualified for exemption.

Child Care

Mr. Phillip Oppenheim asked the Secretary of State for Social Services what responses he has received to recent consultative documents on child care and day care law; and if he will make a statement.

Mr. Fowler: We received nearly 200 responses to the working party report on the review of child care law in England and Wales, published as a consultative document in October 1985. A large majority of the report's recommendations were widely supported.

We also received comments on a consultative document on day care law published at the same time as the review. These again have shown wide support for the proposals.

The Government will now draw up their proposals for child care law in England and Wales, and for day care, and publish these in the autumn as the basis for legislation which it will introduce as soon as parliamentary time can be found.

Many organisations commenting on the review of child care law have expressed their strong support for a family court which they believe would provide a more satisfactory forum for the operation of any new legislation than the present juvenile courts. My right hon. and noble Friend the Lord Chancellor will publish soon a consultative document on options for a family court. The Government hope this will help to promote consensus on the form such a court could take. But I cannot anticipate the outcome of the consultation or any Government decision on this matter.

Some of those commenting on the review of child care law have said that no changes to child care law should take place in advance of a family court. The Government do not accept this need be so and continue to see advantage in not delaying desirable improvements in child care law pending possible introduction of a family court.

I have also now received the agreed report of joint working party of Government and local authority association officers which has given an estimate of the costs of the child care law report's recommendations. Quantifiable costs would amount to £4¼ million per

annum: just under £2 million falling directly on local authorities and the rest on the magistrates courts service, legal aid and High Court administration. Some other possible costs were identified but could not be quantified. Copies of the report have been placed in the Library.

AGRICULTURE, FISHERIES AND FOOD

Agriculture Production (Expenditure)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food how much was spent by the Government of the Federal German Republic by way of special rebate of value added tax to German farmers in 1985; and what effect this had on output of common agricultural policy products.

Mr. Gummer: As a result of an agreement at the 1984 price fixing the German green rate was revalued from 1 January 1985 which reduced support prices in Germany by amounts ranging from 4·1 to 5·2 per cent. In order to alleviate the impact of this it was agreed that a transitional adjustment could be made through the German VAT system. The Commission is due to report on the operation on this system and has been pressed to bring forward its report.

Apples and Pears

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will bring up to date the information on United Kingdom output and exports of apples and pears given in the answer of 6 April 1984, *Official Report*, column *674*.

Mrs. Fenner: The following is the information required:

Apples and pears—output marketed in the United Kingdom

'000 tonnes

Crop years	*Dessert Apples*	*Culinary Apples*	*Pears*
1982-83	194	135	38
1983-84	170	116	49
1984-85	170	138	44

United Kingdom imports of apples and pears

'000 tonnes

	Apples		*Pears*	
	From EC countries	*From other countries*	*From EC countries*	*From other countries*
1983	292	113	57	21
1984	254	147	50	16
1985	282	146	51	18

Source: Basic horticultural statistics for the United Kingdom.

United Kingdom exports of apples and pears

'000 tonnes

	Apples		*Pears*	
	To EC countries	*To other countries*	*To EC countries*	*To other countries*
1983	21	*	2	0
1984	20	*	1	0
1985	24	*	1	*

* Less than 500 tonnes

Source: Overseas Trade Statistics of the United Kingdom.

Net Farm Incomes

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will bring up to date the information on net farm incomes in table 4f1 of the evidence on agriculture submitted to the Treasury and Civil Service Committee by Her Majesty's Treasury on 9 November 1984 in response to its questionnaire on the economic and financial consequences of EEC membership.

Mrs. Fenner: The information requested is given in the table:

Net Farm Income on Full-time Farms by Farm Type: 1967-68 to 1970-71 and 1979-80 to 1984-85

£ per farm

	All Dairy Farms		*All Livestock Farms*		*All Cropping Farms*		*Pig and Poultry Farms*		*Horticultural Farms*	
	Money terms	*Index in Real Terms 1982-3:100*	*Money terms*	*Index in Real Terms 1982-3:100*	*Money terms*	*Index in Real Terms 1982-3:100*	*Money terms*	*Index in Real Terms 1982-3:100*	*Money terms*	*Index in Real Terms 1982-3:100*
	£		£		£		£		£	
1967-68	1,903	75	1,677	179	3,210	100	2,255	82	2,148	137
1968-69	1,761	66	1,524	154	2,238	66	2,180	75	1,712	104
1968-69	1,762	66	1,523	154	2,278	67	2,174	75	1,806	109
1969-70	1,799	64	1,555	150	3,103	87	2,151	71	2,083	120
1969-70	1,811	64	1,546	149	3,078	86	2,191	72	1,988	114
1970-71	2,235	74	1,963	176	3,363	88	1,996	61	2,011	108
1979-80	7,343	78	2,384	69	10,831	91	11,786	117	5,699	99
1980-81	8,401	77	3,494	87	9,747	70	12,654	107	4,356	64
1980-81	8,288	76	3,823	95	9,920	72	13,731	116	7,108	105
1981-82	10,690	87	4,758	106	12,418	80	17,116	130	9,976	132
1981-82	10,773	88	5,870	130	12,019	78	19,156	145	10,602	140
1982-83	13,177	100	4,844	100	16,631	100	14,195	100	8,114	100
1982-83	13,520	103	5,333	110	17,181	103	*11,523	81	*2,291	28
1983-84	7,846	57	4,847	96	20,682	119	*8,708	59	*16,775	198
1983-84	8,348	61	5,234	103	21,466	123	13,440	91	15,196	179
1984-85	8,654	60	4,596	86	21,060	115	33,471	215	7,323	82

Source: Farm Management Survey.
Notes: Pairs of years relate to an identical sample of farms. A major break in series occurred in 1978-79. It is not therefore possible to make a meaningful comparison of the two periods. A further break occurred in 1982-83.
The major differences in the periods are:

	Geographical coverage	*Breeding Livestock Stock Appreciation*	*Farm Size and type determination*	*Depreciation Basis*	*Definition of Full-time Farm*	*Mixed Farms*
1967-68 to 1970-71	England and Wales	Included in NFI	Standard Man Days	Historic Cost	275-4,100 SMD's	Distinct type
1979-80 to 1982-83	England	Excluded from NFI	Standard Gross Margin	Current Cost	4-250 ESU's†	Included in All livestock
1982-83 to 1984-85	England	Excluded from NFI	Standard Gross Margin	Current Cost	4 BSU's‡ and above except farm types asterisked 4-250 BSU's	Included in All livestock

† One ESU = 1,000 EUA of standard gross margins at average 1972-74 values.
‡ One BSU = 2,000 ECU of standard gross margins at average 1978-80 values.

White Papers

Mr. Cash asked the Minister of Agriculture, Fisheries and Food if he will replace the White Papers "Food from Our Own Resources, 1975" and "Farming for the Nation, 1979", by a new White Paper relevant to current requirements.

Mr. Jopling: It is my aim to ensure, through speeches, debates and similar occasions, that those concerned with agriculture are kept fully informed of developments in our thinking on the future of the industry. I can understand those who suggest that a new White Paper would be helpful, but I am conscious that, given the pace of developments it could become out of date within days of publication. It is the decisions we make which secure the future of the industry and the recent agreement in the Agriculture Council shows a clear purpose in achieving a further step towards a better balance in the CAP.

Animals (Slaughter)

Sir Geoffrey Finsberg asked the Minister of Agriculture, Fisheries and Food on what dates the United Kingdom Government signed European convention No. 102 on the protection of animals for slaughter; when Her Majesty's Government intend to ratify it; and if he will make a statement.

Mrs. Fenner: The Government signed the Convention on 10 May 1979. Certain amendments to our legislation will be required before ratification is possible; and we are considering the necessary changes in conjunction with implementation of our response to the Farm Animal Welfare Council's reports on the slaughter of livestock.

Agricultural Expenditure

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food (1) what estimate has been made by the Commission of the cost of the European Economic Community's agricultural activities in 1986 in consequence of the 1986 price review; what was the figure for 1985; and what is the level of expenditure permitted under the strict budgetary controls agreed in December 1984, disregarding the factor of any allowances which can be made under this agreement for exceptional or aberrant circumstances;

(2) what new areas of spending by national Governments on agriculture are permitted or obliged under the 1986 farm price review proposals; what restrictions have been placed under the agreement on the extent of such national funding; and if he will make a statement;

(3) what estimate he has made of the additional cost to United Kingdom national expenditure of the parts of the 1986 farm price review package which permit national Governments to make extra provision for small cereal producers and for beneficiaries of the milk outgoers scheme and which oblige national Governments to pay a share of the costs of surplus storage and to reduce the interest payments on moneys provided by the Intervention Board for such storage, respectively;

(4) what estimate was made by the Commission of the savings to common agricultural policy costs in 1986 of transferring to member states one quarter of the costs of surplus food storage and of reducing the interest payments made to member states for their interim financing of such storage costs, respectively.

Mr. Gummer: I shall reply to my hon. Friend as soon as possible.

NATIONAL FINANCE

Freeports

Mr. Best asked the Chancellor of the Exchequer what tax and duty concessions are available at United Kingdom freeports; what information he has about equivalent concessions available at freeports in the rest of the EEC; what criteria he used in determining the level of concession at United Kingdom freeports; and if he will make a statement.

Mr. Brooke: Goods may be imported into United Kingdom freeports, for storage or processing for export, without payment of customs duty, CAP levies or import VAT. I understand that similar concessions are available at freeports in the rest of the EEC under the rules laid down

in the Free Zone Directive (69/75/EEC). The level of customs duty and CAP levy concessions in United Kingdom freeports is that permitted under EC legislation. Other concessions are determined under normal national rules which are designed to safeguard the revenue and prevent unfair competition.

United Kingdom Companies (Customs Information)

Mr. Ashdown asked the Chancellor of the Exchequer what information he has about how many United Kingdom companies and individuals have had their details reported to the United States authorities under the combined customs agreement in the years 1980, 1981, 1982, 1983, 1984, 1985 and to date in 1986; and if he will make a statement.

Mr. Brooke: It is not the practice of Her Majesty's Customs and Excise to disclose specific case details but under various international Agreements and Conventions Her Majesty's Customs and Excise passed the following items of information to the United States authorities:

	Items of information
June-December 1984	132
January-December 1985	201
January-April 1986	60

The figures for earlier years are not readily available and could only be provided at disproportionate cost.

Civil Servants (Ethnic Origin)

Mr. Stephen Ross asked the Chancellor of the Exchequer whether he will publish the total costs to date of the survey of the ethnic origin of civil servants.

Mr. Luce: I have been asked to reply.

The information on the costs of these surveys is not kept centrally but when the programme of surveys, announced on 28 January 1985 was being considered by the Government it was estimated that the total cost would be in the region of £375,000.

Balance of Trade

Mr. Austin Mitchell asked the Chancellor of the Exchequer what effects he estimates the change in the price of oil and measures to correct the United States deficit on trade are likely to have on the balance of payments between the industrial countries; if he will publish in the *Official Report* a table showing for the United Kingdom, Germany, Japan and the United States of America his estimate of the likely change in the balance of trade on current account in each case in the event of the United States correcting the imbalance in its trade over the next two years, assuming that the price of oil remains at the present level; and what would be the likely effect in each case on trade in manufactures.

Mr. MacGregor: It is impracticable to provide the detailed estimates requested. The change in the balance of trade resulting from a fall in oil prices and from measures taken to correct the United States trade deficit will depend on a wide variety of factors including how they affect other prices, economic activity and exchange rates, as well as the policies adopted in other countries.

Construction Industry

Mr. Dalyell asked the Chancellor of the Exchequer what recent representations he has received from the British Building Employers' Federation regarding the implications for the level and trend of investment in the construction industry of the phasing out of capital allowances on machinery, plant and industrial buildings; and if he will make a statement.

Mr. Moore: None, but I am aware of the views of the Scottish Building Employers' Federation. The chief aims of the Government's business tax strategy are the stimulation of efficiency, enterprise and employment. These are being achieved through the creation of a more even-handed tax system based on significantly lower rates of corporation tax and allowances for depreciation which are more closely linked to useful asset life. As a result, investment decisions in future are less likely to be distorted by purely tax considerations.

Direct Cosmetics Ltd.

Mr. Latham asked the Chancellor of the Exchequer what has been the cost to public funds to date in *(a)* legal costs and *(b)* repaid value added tax of the case of Direct Cosmetics Ltd. v. Commissioners of Customs and Excise; and whether he will instruct Her Majesty's Customs and Excise to withdraw its latest action before the European Court.

Mr. Brooke: *(a)* The information is not available. *(b)* Direct Cosmetics has been repaid £26,676·48 VAT. *(c)* No. I refer my hon. Friend to my reply of 24 February to his letter of 27 January.

Mr. Latham asked the Chancellor of the Exchequer what response he intends to make to the letter dated 10 April to Her Majesty's Customs and Excise from Mr. W. F. Doddy, managing director of Direct Cosmetics Ltd. of Oakham, regarding the outstanding balance of value added tax legally repayable to the company, following the judgment of the European Court of Justice in the case of Direct Cosmetics Ltd. v. Commissioners of Customs and Excise.

Mr. Brooke: A reply to Mr. Doddy's letter was sent to him by Customs and Excise on 28 April.

Exchange Rate

Mr. Austin Mitchell asked the Chancellor of the Exchequer what is his estimate of the time lag between changes in the exchange rate and changes in the balance of trade in manufactures; what rate of exchange is reflected in trade in manufactures in the first quarter of the current year; what is the cause of the fall in exports; and if he will make a statement.

Mr. MacGregor: I shall let the hon. Member have a reply as soon as possible.

Finance Bill

Dr. Twinn asked the Chancellor of the Exchequer if notes on those clauses of the Finance Bill to be taken in Committee of the whole House will be made available to hon. Members.

Mr. MacGregor: Yes. The appropriate notes on clauses were placed in the Vote Office earlier today.

Economic and Finance Council

Mrs. Virginia Bottomley asked the Chancellor of the Exchequer if he will make a statement on the latest meeting of the European Community's Economic and Finance Council.

Mr. Lawson: The ECOFIN Council met in Luxembourg on Monday 28 April. I represented the United Kingdom.

The Council discussed the general budgetary situation of the Community and the pressures on agricultural spending, in the light of the Agriculture Council's decisions of last week on the price fixing and other developments. The Commission drew attention to the dangers of overrunning the 1·4 per cent. VAT ceiling in 1986 and 1987. It was generally recognised by the Council, however, that these spending pressures would have to be contained within the 1·4 per cent. ceiling and that savings would therefore be needed, especially in 1987. I made clear the United Kingdom's view that all Community expenditure should be subject to budget discipline and that finance should govern expenditure in the Community as in national budgets.

The Council met a delegation from the European Parliament led by the President of the Parliament, M. Pflimlin. Several members of the delegation made clear that they recognised the need for budgetary discipline, though they did not endorse certain important aspects of the Council's approach to it. It was agreed that, in accordance with the Council's conclusions of December 1984, the Presidents of the Council, the Parliamet and the Commission should meet to discuss possible procedures for a budget discipline common to all three institutions and that the Parliament would submit its ideas in writing in advance. The delegation from the Parliament declined the Council's invitation to discuss the reference framework for the 1987 Community budget.

The Council concluded its meeting by agreeing unanimously on a reference framework for the 1987 Community budget in accordance with the budgetary discipline conclusions of December 1984. The framework provides for expenditure on agricultural market support and non-obligatory expenditure to be kept within the budget discipline guideline limit and the maximum rate of increase laid down in the Treaty, respectively, while noting that it will be necessary to take account during the budgetary procedure of the European Court's forthcoming judgment on the disputed 1986 budget, the supplementary budget for 1986, the "cost of the past" problem in the structural funds, and enlargement.

Copies of the Council's conclusions on the 1987 reference framework will be placed in the Library as soon as they are received from Brussels.

Tax Allowances

Mr. Frank Field asked the Chancellor of the Exchequer what extra revenue would result from allowing all tax allowances, both personal and non-structural, at the standard rate of tax only.

Mr. Moore [*pursuant to his reply*, 24 April 1986, c. *226*]: The cost at 1986-87 levels of income of allowing personal tax allowances at rates in excess of the basic rate of income tax is estimated to be about £600 million. Information on the similar cost of other income tax reliefs is available only in respect of mortgage interest, retirement annuity premiums and employees' superannuation contributions; in total it is also about £600 million. It is not possible to estimate precisely the combined yield from restricting these reliefs and personal allowances to the basic rate, but it is thought to be about £1,400 million.

Value Added Tax

Mr. Gould asked the Chancellor of the Exchequer what action he proposes to take in the light of the European Commission's application to the European Court for a ruling to compel the United Kingdom to extend value added tax to new houses, fuel and other items which are currently zero-rated.

Mr. Brooke [*pursuant to his reply*, 28 April 1986, c. *326*]: I refer the hon. Member to the reply I gave on Tuesday 4 March 1986 at column *94* to my hon. Friend the Member for Dulwich (Mr. Bowden). The Government's position is unchanged.

Royal Ordnance Companies

Mrs. Dunwoody asked the Chancellor of the Exchequer what consideration has been given to tax concessions to be awarded in respect of the royal ordnance companies after the proposed flotation in July 1986.

Mr. Moore [*pursuant to his reply*, 30 April 1986, c. *444*]: No tax concessions have been sought or authorised.

The tax treatment of Royal Ordnance plc and its operating subsidiaries is and will remain in accordance with the Taxes Acts.

TRANSPORT

Vehicle Registration Prefix

Mr. Conway asked the Secretary of State for Transport if he will list the bodies which have urged him to set the vehicle licensing date at October each year.

Mr. Michael Spicer: We have received representations from the Society of Motor Manufacturers and Traders in support of the move to October.

Mr. Conway asked the Secretary of State for Transport if he will estimate the savings to be made by the Driver and Vehicle Licensing Centre as a result of changing the annual vehicle licensing date to October.

Mr. Michael Spicer: Moving the month of change of the vehicle age identification letter to October will produce savings of about £100,000 a year at the Driver and Vehicle Licensing Centre. In addition, there will be improvements in the level of service provided by the centre for the motoring trade and general public. These were not, however, significant factors in reaching the decision to move to October.

Mr. Conway asked the Secretary of State for Transport if he will estimate the change in the number of jobs in the motor dealer operation as a result of altering the annual vehicle licensing date to October.

Mr. Michael Spicer: There is no basis for making such an estimate since the view of a major part of the motor industry has been that October would overall be the most

beneficial alternative to the present August change. If the industry as a whole now wants another arrangement, we are prepared to consider it.

Bus Services

Mr. Pike asked the Secretary of State for Transport what percentage of *(a)* current Sunday bus services and *(b)* current bus services after 6 pm on weekdays have been registered in England.

Mr. David Mitchell: This information is not readily available. At this stage only commercially viable services have been registered by operators. To these will be added the services to be provided under contract to local authorities and to passenger transport executives, for which substantial amounts of money are available.

The area studies to be undertaken by the Transport and Road Research Laboratory will cover Sunday and evening services.

Civil Aviation Conference

Mr. McCrindle asked the Secretary of State for Transport what measures he has taken to ensure that the needs of consumers are taken into account at meetings of the European civil aviation conference; and what plans he has to advance the consumer interest during the forthcoming meeting of the European civil aviation conference.

Mr. Michael Spicer: The statement of policy adopted by the European Conference of Civil Aviation last year formally acknowledged the importance of taking the needs of consumers fully into account in its work. The Government are now pressing other ECAC members to agree that appropriate international consumer organisations should be invited to attend ECAC meetings of concern to them.

Driving Licences

Mr. Peter Bruinvels asked the Secretary of State for Transport why the international driving licence is required to contain a photograph of the holder; and if he will make a statement.

Mr. Michael Spicer: It is a requirement of the international conventions under which international driving permits (IDPs) are issued that they should incorporate a photograph of the holder. The validity of an IDP is limited to 12 months, so difficulties associated with out of date photographs do not generally arise.

Mr. Peter Bruinvels asked the Secretary of State for Transport if, pursuant to the answer of 24 April to the hon. Member for Leicester, East, he will list the practical considerations which militate against the inclusion in driving licences of further personal details, such as place of birth; and if he will make a statement.

Mr. Michael Spicer: I shall answer this question shortly.

Mr. Peter Bruinvels asked the Secretary of State for Transport what information he has as to the number of people whose driving licence has been withdrawn and who subsequently apply for a new licence from the driver and vehicle licensing centre under an assumed name, in each of the last five years.

Mr. Michael Spicer: None.

Mr. Peter Bruinvels asked the Secretary of State for Transport what information he has for each of the last five years as to the number of driving licences which were *(a)* lost, *(b)* stolen and *(c)* withdrawn for any reason and as to the number of new licences issued within each of the categories for which new licence may be issued.

Mr. Michael Spicer: I have no information about the number of licences *(a)* lost, *(b)* stolen or *(c)* withdrawn for other than medical reasons. In 1984 and 1985, respectively, 5,445 and 6,065 licences were withdrawn for medical reasons.

I refer the hon. Member to the answer I gave on 24 April in respect of replacement and duplicate licence. In addition, the following numbers of "exchange" licences were issued:

	Number
1985	992,589
1984	939,603
1983	*529,100
1982	156,127
1981	114,376

* Change in criterion for "exchange" licence during this year—drivers who pass test and claim a full licence regarded as "exchange" applicants from 1983.

Mr. Peter Bruinvels asked the Secretary of State for Transport what information he has as to which European Economic Community countries require a driving licence to include a photograph of the holder; and if he will make a statement.

Mr. Michael Spicer: All except Great Britain, British Forces Germany and the Republic of Ireland. Omission of a photograph is permitted under annex I of Council directive 80/1263.

A5 (Traffic Flow)

Mr. Gerald Howarth asked the Secretary of State for Transport what recent surveys have been carried out on the volume of traffic flowing along the A5 between Muckley corner and Churchbridge in Staffordshire; and if he will publish the results.

Mr. Peter Bottomley: The most recent surveys were carried out in March and October 1985. The 24-hour average weekday flow at a point midway between Muckley corner and the A5/A52 junction was 12,663 vehicles (March 1985). At a point half a mile east of Churchbridge it was 21,251 vehicles (October 1985).

M6 North Orbital Route

Mr. Gerald Howarth asked the Secretary of State for Transport how many members of the public responded to the public consultation concerning the proposed M6 north orbital route; and what was the relative support each proposed option received.

Mr. Peter Bottomley: About 40,000 consultation documents were distributed covering the whole route. Some 6,300 questionnaires were returned. In addition, several hundred letters were received together with petitions containing nearly 11,000 signatures.

No clear ranking order emerged for the Essington to Bassetts Pole section; the marginal balance of opinion favoured an outer route following the general line of

A5/A38 — rather than a fresh intrusion into open countryside. Additionally in this corridor a small majority endorsed the Chasewater variation. For the Bassetts Pole to Coleshill section 80 per cent. of the responses favoured the yellow route.

Compulsory Purchase

Mr. Richard Shepherd asked the Secretary of State for Transport if he will list the number of times, in each of the last five years, that his Department has acquired the main residence of an individual by a compulsory purchase order, the number of cases, in each of the last five years, referred to the Lands Tribunal, and the average length of time taken to complete an acquisition.

Mr. Peter Bottomley [*pursuant to his reply*, 25 March 1986, c. *418*]: The following figures relate to dwellings acquired directly under compulsory purchase orders and to dwellings liable to be purchased compulsorily which owners have required the Department to acquire in advance under the planning blight procedures.

	Compulsory Purchase Orders	*Planning Blight*	*References to the Lands Tribunal*
1981-82	85	244	—
1982-83	97	182	—
1983-84	32	172	2
1984-85	47	203	1
1985-86	70	111	2

THE ARTS

Jubilee Gardens

Mr. Tony Banks asked the Minister for the Arts if he will publish the scale of charges for the use of Jubilee Gardens; and if he was consulted over the charges to be made.

Mr. Luce: The basic charges for the Jubilee Gardens are as scheduled. I was not consulted, and would not expect to be consulted, on a matter which it is entirely for the South Bank Board to settle.

	per hour
(1) Events	
Up to 1,000 persons	£50
1,000 up to 5,000	£75
5,000 plus	£150
(2) Filming	
Features	£150
Television and other filming including news, educational, training etc.	£50
(3) Photography	£30

Additional charges are made for other services.

Mr. Tony Banks asked the Minister for the Arts when the London Residuary Body finalised the terms of the agency agreement with the South Bank board for Jubilee Gardens.

Mr. Luce: The South Bank Board expects to finalise the agreement with the London Residuary Body very shortly. In the meantime the area is being managed by the board on the basis of an exchange of letters with the London Residuary Body.

ENVIRONMENT

Rates

Mr. Terry Lewis asked the Secretary of State for the Environment if he will publish the total rates rise in poundage and percentage terms for domestic ratepayers in every local authority in England in 1986-87 as compared with 1985-86, ranked from the largest increase to the smallest; and if he will further list the political control of each authority concerned.

Mrs. Rumbold: I have today placed the available information in the Library.

Asbestos

Mr. Litherland asked the Secretary of State for the Environment if financial provision will be granted to local authorities for programmes for the removal of asbestos; if grants will be made available to owner occupiers for the safe removal of asbestos; and if he will make a statement.

Sir George Young: My right hon. Friend will take into account the financial implications for local authorities of asbestos removal when he determines the level of provision and aggregate Exchequer grant in the 1987-88 rate support grant settlement. For owner-occupiers, grants may be available for the removal of asbestos if the work forms part of a larger scheme of improvement or repair work which is eligible for grant.

Anglian Water Authority

Mr. Austin Mitchell asked the Secretary of State for the Environment what information he has as to the number of chemical and food processing companies which utilise the water supplies administered by the Anglian water authority.

Mr. John Patten: This information is not available centrally.

Council House Sales (Moneylenders)

Mr. John Mark Taylor asked the Secretary of State for the Environment what information he has about the incidence of moneylenders raising false anxieties in the minds of elderly council tenants concerning their future security of tenure, as an inducement to those tenants to exercise their right to buy, on the basis of a loan agreement under which the lender succeeds to the title to the property on the tenant's death; if he has any plans to introduce legislation to make this practice a specific criminal offence; and if he will make a statement.

Sir George Young: I am not aware of such practices, but would naturally deplore them. Any information which my hon. Friend can provide will be carefully considered.

Ex-GLC Staff

Mr. Tony Banks asked the Secretary of State for the Environment if he has directed the London Residuary Body to ensure that all ex-Greater London council staff receive their outstanding payments before the end of April; and if he will make a statement.

Mr. Tracey: No. The Residuary Body has to fulfil its statutory duty to validate claims before payments are made. It is, however, aware of the desirability of making payments as early as possible, and is intending to do so.

Mr. Tony Banks asked the Secretary of State for the Environment what is his current estimate of the total number of ex-Greater London council staff who became redundant on 1 April.

Mr. Tracey: It is still too early to provide such an estimate, but I understand that the London Residuary Body has received some 3,200 claims for redundancy payments or compensation arising from abolition.

London Residuary Body

Mr. Tony Banks asked the Secretary of State for the Environment if he will detail the immediate past employment or current employment of members of the London Residuary Body.

Mr. Tracey: The information is as follows:

Member	*Present or former profession (on appointment)*
Sir Godfrey Taylor	Formerly Chairman, Southern Water Authority
Mr. Alan Blakemore CBE	Formerly Town Clerk and Chief Executive, London Borough of Croydon
Mr. Jack Esling	Formerly General Manager, Personnel, Thames Water Authority
Mr. Wallace Mackenzie OBE	Group Managing Director, Slough Estates, plc
Mr. Michael Roberts	Partner, Deloitte, Haskins and Sells, Chartered Accountants
Mr. Jack Wolkind CBE	Formerly Chief Executive, London Borough of Tower Hamlets
Councillor Peter Bowness	Solicitor; Leader of the Council, London borough of Croydon

Mr. Tony Banks asked the Secretary of State for the Environment when Ministers last met the chairman of the London Residuary Body; and what matters were discussed.

Mr. Tracey: My right hon. Friend, and my noble Friend the Minister of State, met the chairman on 24 April to discuss matters relevant to the Residuary Body's functions under the Local Government Act 1985.

Mr. Tony Banks asked the Secretary of State for the Environment if he will publish individual salaries or fees, expenses and contractual conditions enjoyed by the current members of the London Residuary Body.

Mr. Tracey: The information as to current remuneration is as follows:

Members	*Remuneration to be paid (per annum)* £
Sir Godfrey Taylor (Chairman)	50,000
Alan Blakemore CBE	12,000
Jack Esling	24,000
Wallace Mackenzie OBE	12,000
Jack Wolkind CBE	12,000
Michael Roberts	18,000
Councillor Peter Bowness (Co-ordinating Committee Member)	6,000

Remuneration for the chairman is on a full-time basis; for Mr. Esling on the basis of four days a week; Mr. Roberts three; Messrs Blakemore, Mackenzie and Wolkind two; and Councillor Bowness one. Remuneration is subject to abatement, if applicable, in respect of public sector pensions received. The provisions governing appointments are given in schedule 13 to the Local Government Act 1985. It would not be appropriate for me to disclose individual terms of appointment.

Mr. Tony Banks asked the Secretary of State for the Environment if he will give details of the number, grades and cost of staff currently employed in his Department on matters connected with the abolition of the Greater London council and the work of the London Residuary Body.

Mr. Tracey: Much of the Department's work on matters connected with the abolition of the Greater London Council and the work of the London Residuary Body is handled by staff within the appropriate policy areas and is not separately identifiable.

A central capacity is being retained to co-ordinate work on implementation of the Local Government Act 1985, but it is not possible to divide staff effort between each metropolitan area. Details of staff currently working wholly on abolition in this central unit are as follows:

Grade	*Number*
Grade 5	3
Grade 7	4
Higher Executive Officer/HEO(D)	5
Executive Officer	5
Clerical Officer	3
Clerical Assistant	1
Personal Secretary	3

The estimated cost, including accommodation, of employing these staff for a full year would be £0·6 million (1985 prices), but the numbers are kept under review.

Mr. Tony Banks asked the Secretary of State for the Environment if he will publish details of the property inherited by the London Residuary Body from the Greater London council.

Mr. Tracey: At abolition, the majority of property was transferred to successor authorities or to the Residuary Body by orders made under the Local Government Act 1985, according to general descriptions which defined the purpose for which property was held by the abolished councils. Certain individual properties were transferred to the London Residuary Body by means of specific references in the orders. Some property may have fallen outside the scope of the orders, in which case it will have vested in the residuary bodies by virtue of section 62 of the Act. For the most part, my right hon. Friend does not therefore have details of the individual properties inherited by the London Residuary Body.

GLC Properties (Sale)

Mr. Tony Banks asked the Secretary of State for the Environment whom he is consulting on the setting up of a trust fund arising from the sale of Greater London Council properties.

Mr. Tracey: The period during which consultation took place about setting up the Trust for London ended on 31 January 1986. Views were sought from the London Boroughs Association, Association of London Authorities, Inner London Education Authority, London Co-ordinating Committee, London Residuary Body, Foundations Forum, Charitable Trusts Administrators Group, Charities Aid Foundation, Business in the Community, London Voluntary Services Council, National Council of Voluntary Organisations, and the Commission for Racial Equality. Comments received favoured the proposal to create the trust.

London Marathon

Mr. Tony Banks asked the Secretary of State for the Environment if he will give details of past support given by Her Majesty's Government to the London marathon board.

Mr. Tracey: The Government has given broad support and encouragement to the London marathon. For example, the organisers have been given each year the use of a substantial part of Greenwich park to begin the race (together with parking spaces for competitors' equipment coaches, marquees, refreshment vehicles, public address systems and refuse skips) and the use of routes in St. James's park, namely, The Mall and Birdcage Walk; my Department has assisted the London marathon board in the relocation of its headquarters to Richmond Gate Lodge.

GLC (Abolition)

Mr. Tony Banks asked the Secretary of State for the Environment if he will publish the 1984 basis upon which the estimated £50 million of savings following abolition of the Greater London council was made.

Mr. Tracey: The basis of the 1984 estimate was set out in my right hon. Friend's answer of 30 November 1984 to me, at column 611.

Monkton House, Sussex

Mr. St. John-Stevas asked the Secretary of State for the Environment what steps English Heritage is taking to secure the future of Monkton house, Sussex.

Mr. Tracey: The Historic Buildings and Monuments Commission was prepared to purchase Monkton House and open it to the public, provided the necessary funds could be found. A public appeal was launched and an application for grant made to the National Heritage Memorial Fund. The trustees of the NHMF decided against allocating money for this purpose, and on 25 April the HBMC announced that it was unable to proceed with the purchase.

Derelict Land

Mr. Hickmet asked the Secretary of State for the Environment if he will make a statement about the application by Glanford and Scunthorpe borough councils for a derelict land grant to reclaim the old Normanby Park steelworks site.

Sir George Young [*pursuant to his reply*, 28 April 1986, c. *323*]: Funds of £1·5 million are available for 1986-87 for the reclamation of the site, which has been accorded rolling programme status. This gives a guarantee of funding for two further years. Discussions are proceeding with the Glanford and Scunthorpe joint committee for the reclamation of Normanby Park steelworks on a works programme.

Written Answers to Questions

Friday 2 May 1986

WALES

Mentally Handicapped People

Mr. Wigley asked the Secretary of State for Wales if he will make it his policy, when considering appeals against planning decisions relative to the provisions of small community-based homes for mentally handicapped people, to take into account the objectives of the all-Wales strategy for mentally handicapped people.

Mr. Wyn Roberts: Each appeal is decided on its planning merits and with all material considerations being taken into account.

Full weight is given to the all Wales strategy for mentally handicapped people in considering planning appeals for which it is a material consideration. I take this opportunity to underline the advice given in development control policy note 15 that homes for the mentally handicapped should be part of the community and should allow the occupants to enjoy normal community life, so far as their handicaps permit.

Mr. Wigley asked the Secretary of State for Wales if he will make it his policy, when considering appeals against planning decisions relative to the provision of small community-based homes for mentally handicapped people not to withhold planning consent for such residential units involving the provisions of support services if planning consent could be given, or already exists, for residential purposes for non-handicapped people.

Mr. Wyn Roberts: Each planning appeal is considered on its merits. The Secretary of State and his inspectors have regard to all material considerations when considering appeals.

Mr. Wigley asked the Secretary of State for Wales if he will take steps to remove the requirement for a change of use certificate to be issued for a residential house or flat if the occupiers of such premises are to be mentally handicapped persons requiring support services; and if he will make a statement.

Mr. Wyn Roberts: My right hon. Friends the Secretaries of State for Wales and for the Environment are reviewing the Town and Country Planning (Use Classes) Order 1972 and have before them a report produced by a sub-group of the Department of the Environment's property advisory group. One of the sub-group's recommendations is the creation of a new residential use class which would provide for the special type of use of a house by a group of not more than 10 people living together and enjoying the services of non-resident and resident supervisory or domestic staff. The report has been the subject of widespread consultation and the responses are now being considered.

Examination Statistics

Mr. Frank Field asked the Secretary of State for Wales how many young people in Wales took *(a)* general certificate of education O-levels, *(b)* certificate of secondary education examinations and *(c)* both sets of examinations in 1985; and of these groups what is his best estimate of the number who did not return to school in the September term.

Mr. Wyn Roberts: It is provisionally estimated that in the academic year 1984-85, 31,400 school leavers had attempted at least one GCE O-level examination, 31,300 had attempted a CSE examination and 24,300 had attempted one examination of each type.

Comparable data estimates for pupils who left school in their minimum school leaving age year were 17,800, 22,700 and 16,100, respectively.

School Leavers

Mr. Frank Field asked the secretary of State for Wales how many young people in Wales at *(a)* the minimum school leaving age, *(b)* one year above and *(c)* two years above minimum school leaving age left school in 1985; and of these groups what is his best estimate of the number who *(a)* were eligible to leave at the end of the Easter term and *(b)* did leave at the end of the Easter term.

Mr. Wyn Roberts: It is provisionally estimated that 44,300 pupils left maintained and independent schools in Wales in 1984-85. Of these, 29,400 left in the year of attaining the minimum school leaving age, 6,100 left one year beyond the minimum school leaving age and 7,400 left two years beyond the minimum school leaving age.

It is estimated that about 18,000 of those attaining the minimum school leaving age in 1984-85 were eligible to leave at the end of the spring term, and that about 3,000 did so. Pupils over the minimum school leaving age may leave at any time.

AGRICULTURE, FISHERIES AND FOOD

Fishing Industry

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what was the number of fishing vessels laid up, the number of new vessels introduced, the number fishing and the number of fishermen employed in the English fishing industry for each of the years 1976 to 1985.

Mr. Gummer: Not all the information requested is available. The following are the details on the English and Welsh fishing fleet for which information is available:

	*Vessels laid up**	*New vessels†*	*Total number of vessels*	*Number of fishermen‡*	
				Regularly employed	*Partially employed*
1976	—	74	3,832	8,730	4,149
1977	—	35	4,080	8,172	4,498
1978	—	37	4,146	8,064	4,755
1979	—	21	4,405	8,377	4,558
1980	—	9	4,047	8,455	5,135
1981	—	31	4,637	8,450	5,922
1982	—	28	4,228	8,258	5,465
1983	—	28	4,676	8,022	5,355
1984	39	29	5,067	8,142	4,571
1985	65	28	n/a	n/a	n/a

* Vessels laid up with decommissioning grants under the Fishing Vessels (Financial Assistance) Scheme 1983.

† Vessels constructed with grants from the Herring Industry Board, White Fish Authority or Sea Fish Industry Authority.

‡ As at 31 December of each year — figures taken from "Sea Fisheries Statistical Tables."

Fish

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what was the annual sum devoted to the promotion of fish as a food for each year from 1980 to 1985.

Mr. Gummer: The information requested is as follows:

	£ million
1980-81	0·273
1981-82	0·310
1982-83	0·669
1983-84	1·059
1984-85	2·784
1985-86	5·267

These figures represent funds allocated for fish promotion by the Sea Fish Industry Authority and its predecessors and include part of the Government's contribution towards the seafish industry development programme which commenced in 1984.

Common Agricultural Policy

Mr. Deakins asked the Minister of Agriculture, Fisheries and Food what estimate he has made of the impact of recent currency revaluations in the European monetary system on the costs of the common agricultural policy and on the 1986 price proposals of the EEC Commission.

Mr. Gummer: The realignment of the European monetary system on 6 April did not give rise to any changes to the agricultural conversion rates ("green rates") used in the CAP. Support prices to farmers have, as a result, been unaffected. The Commission services have suggested that the effect of the realignment will be to increase expenditure by 333 mecu in 1986 as a result of the changes in parities and effects on trade including the introduction of monetary compensatory amounts for France and the Irish Republic. The realignment provides increased scope for devaluations in green rates. Such devaluations would add to the cost of the CAP.

Cereal Production

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is his estimate of the proportion of output of cereals produced in 1985 on holdings with 50 hectares or more of cereals.

Mrs. Fenner: Information on the proportion of cereal output produced in 1985 by holdings with 50 hectares or more of cereals is not readily available and could be extracted only at disproportionate cost. The proportion of the area of cereals accounted for by holdings with 50 hectares or more of cereals is shown in table 4 of the White Paper on the "annual review of agriculture 1986" (Cmnd. 9708).

Wild Salmon and Trout

Mr. Chris Smith asked the Minister of Agriculture, Fisheries and Food what research work he is funding or intending to fund on the incidence of skeletal abnormalities in wild salmon and trout.

Mr. Gummer: There are at present no plans to include such work in the programme of research funded by Fisheries Departments.

Surpluses (Price Fixing)

Mr. Marlow asked the Minister of Agriculture, Fisheries and Food, assuming similar weather patterns in 1986 to 1985, what estimate he has made of the effect, in volume and value terms, by commodity, of the latest common agricultural policy price fixing on surpluses.

Mr. Gummer: I shall reply to my hon. Friend as soon as possible.

Norway (Salmon Conservation)

Mr. Onslow asked the Minister of Agriculture, Fisheries and Food what information is available to him concerning the salmon conservation policies of the Norwegian Government, with particular reference to drift netting and the use of monofilament nets; and if he will make a statement.

Mr. Gummer [*pursuant to his reply*, 21 April 1986, c. *41*]: I understand that the Norwegian Government recently announced their intention to prohibit the use of monofilament materials in salmon fishing gear from 1988 and to prohibit drift netting for salmon in Norwegian waters from 1989. Other forms of netting will continue to be permitted.

Agricultural Expenditure

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what estimate was made by the Commission of the savings to common agricultural policy costs in 1986 of transferring to member states one quarter of the costs of surplus food storage and of reducing the interest payments made to member states for their interim financing of such storage costs, respectively.

Mr. Gummer [*pursuant to his reply*, 1 May 1986, c. *476*]: The Commission has estimated that the reductions agreed by the Council in payments for intervention storage and financing will reduce Community expenditure by 208 mecu and 92 mecu respectively in 1986.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what estimate has been made by the Commission of the cost of the European Economic Community's agricultural activities in 1986 in consequence of the 1986 price review; what was the figure for 1985; and what is the level of expenditure permitted under the strict budgetary controls agreed in December 1984, disregarding the factor of any allowances which can be made under this agreement for exceptional or aberrant circumstances.

Mr. Gummer [*pursuant to his reply*, 1 May 1986, c. *476*]: The Commission has estimated that in 1986 expenditure relating to agricultural support, for which there is provision of 21,012 mecu in the budget, will be

reduced by 320 mecu as a result of the prices agreement. Also the Council at the same time agreed economy measures which should save 300 mecu on the funding of intervention stocks. The Commission has stated, however, that these savings will be outweighed by the effects of currency changes and that a supplementary budget will therefore be required, although it is unclear what extra level of provision will be sought. Guarantee section expenditure in 1985, excluding fisheries, was 19,728 mecu. The maximum level of expenditure in 1986 indicated by the financial guideline, including provision for Spain and Portugal, is 21,186 mecu.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what estimate has been made of the additional cost to United Kingdom national expenditure of the parts of the 1986 farm price review package which permit national Governments to make extra provision for small cereal producers and for beneficiaries of the milk outgoers scheme and which oblige national Governments to pay a share of the costs of surplus storage and to reduce the interest payments on moneys provided by the Intervention Board for such storage, respectively.

Mr. Gummer [*pursuant to his reply*, 1 May 1986, c. *476*]: The aid for small cereal producers agreed as part of the 1986 farm price package will be fully funded from the Community budget. It is too early to say whether any national topping up of the Community payments under the Community milk quota buy-up scheme will be necessary.

The decision to reduce Community reimbursement of financing and technical costs of intervention storage is expected to be broadly neutral in terms of United Kingdom Exchequer expenditure, as the reduction in United Kingdom receipts will be offset by lower contributions to the Community budget.

DEFENCE

Territorial Army

Mr. Sean Hughes asked the Secretary of State for Defence what is the latest figure for recruitment during the previous six months to the Territorial Army of people under 25 years *(a)* nationally and *(b)* on Merseyside; and what were the comparable figures for the last three years.

Mr. Lee: During the six months ending 31 March 1986 there were 10,301 recruits to the Territorial Army, nationally, under the age of 25 years. The corresponding figure for Merseyside was 438.

The comparable figures for the last three financial/training years are as follows:

Year	*Nationally*	*Merseyside*
1983-84	15,344	879
1984-85	18,455	845
1985-86	17,476	685

Plastic Bullets

Mr. Dubs asked the Secretary of State for Defence how many animals of what types have been used to test the effects of plastic bullet impacts; and what was the fate of these animals.

Mr. Lee: I refer the hon. Member to my answer of 21 February 1984 at column *501*. Tests were carried out at the Chemical Defence Establishment, Porton Down, prior to the introduction into service of rubber and plastic baton rounds to ensure that the rules governing their use were such as to minimise the risk of injury. Since then further work has been undertaken to improve the medical knowledge and treatment of non-penetrating injuries, including those caused by plastic baton rounds and similar projectiles. In the five-year period from 1980 to 1984, 172 animals were used in this work, the species involved being mainly sheep and pigs. All animals used are deeply anaesthetised and most are painlessly killed while still under anaesthetic.

Mr. Dubs asked the Secretary of State for Defence from what suppliers his Department procures plastic bullets for the use of the Army and British police forces.

Mr. Lee: The Ministry of Defence procures plastic baton rounds from various commercial sources within the United Kingdom.

Mr. Dubs asked the Secretary of State for Defence how many plastic bullets were fired by the Army in Northern Ireland in 1980, 1981, 1982, 1983, 1984 and 1985.

Mr. Stanley: No separate statistics for the Army are available for the period before March 1981. Since March 1981 the numbers of plastic baton rounds fired by the Army were as follows:

	Rounds
1981*	9,836
1982	154
1983	116
1984	265
1985	266

* March to December.

Mr. Dubs asked the Secretary of State for Defence whether there has been any change in the kinetic energy figures for standard baton rounds since the answer of 21 January 1977, *Official Report*, columns 329-30 ; and if he will make a statement.

Mr. Lee: No.

ARWEN 37

Mr. Dubs asked the Secretary of State for Defence what are the weight, material, dimensions and muzzle velocity fired from ARWEN 37; and what are their kinetic energy levels at five yards, 15 yds, 25 yds and 50 yds.

Mr. John Lee: The Ministry of Defence has no requirement for the ARWEN 37 anti-riot system, and the information requested is therefore not available.

Tanks

Mr. Fatchett asked the Secretary of State for Defence when he expects to announce the placing of orders for tanks for the Army; and if he will make a statement.

Mr. Norman Lamont: I have nothing to add to my reply on 11 February 1986, at column *767*. I wrote to the hon. Member on the subject on 25 April 1986.

Binary Nerve Gas Weapons

Mr. Michie asked the Secretary of State for Defence what consultation the Government will be undertaking

prior to final consideration of the North Atlantic Treaty Organisation force goal of modernising the United States' binary nerve gas weapons.

Mr. Stanley: Consultation on this force goal is taking place collectively within NATO in accordance with normal Alliance procedures. As I said in the House on 28 April, at column 665, this force goal has been considered by military representatives at NATO; it has not yet been considered by the NATO ambassadors or by NATO Ministers.

Royal Ordnance Small Arms Ltd.

Mrs. Dunwoody asked the Secretary of State for Defence why he is not prepared to place his Department's total 1986-87 small arms ammunition requirement with Royal Ordnance Small Arms Ltd.

Mr. Norman Lamont: The Department is at present in negotiation with Royal Ordnance plc over our unplaced small arms ammunition orders for 1986-87.

Ammunition (Purchases)

Mrs. Dunwoody asked the Secretary of State for Defence what was the final percentage of small arms ammunition purchased abroad in 1985-86.

Mr. Norman Lamont: It would not be appropriate to disclose the final percentage because, taken together with other published information, it would indicate our total small arms ammunition requirements. I refer the hon. Member to my answer of 4 March 1986 at column *127*.

Major Cory

Mr. Hunter asked the Secretary of State for Defence whether Her Majesty's Government have anything to add to the statement made in the House by Mr. James Ramsden, the then Secretary of State for War, on 17 December 1963 concerning the circumstances of the court martial of Major Cory and the subsequent events up to the hearing of his appeal by the court martial appeal court.

Mr. Norman Lamont: The facts of this case have been studied as fully as possible after a period of 25 years. There is no reason to suppose that Major Cory is anything other than totally innocent of the charges made against him. This was demonstrated at the time by the quashing of his conviction by the courts martial appeal court on the grounds that there had been a miscarriage of justice.

Libyan Attack (United Kingdom Bases)

Mr. Dalyell asked the Secretary of State for Defence when he first reached the conclusion that the military assessment and intelligence evidence provided to Her Majesty's Government by the United States Administration justified the use of United Kingdom bases for the launching of an attack on Libya; and if he will make a statement.

Mr. Stanley: The background to the decision, and my right hon. Friend's participation in it, to allow the use of bases in the United Kingdom for the operation against Libya on the night of 14-15 April was set out in statements and answers to the House by my right hon. Friend the Prime Minister on 15 April at columns 729-39 and 16 April at columns 875-81.

Small Arms Ammunition

Mrs. Dunwoody asked the Secretary of State for Defence if he will list his Department's 5·56 mm., 7·62 mm. and 9·00 mm. small arms ammunition requirement for 1986-87.

Mr. Norman Lamont: I have nothing to add to my answer of 4 March at column *127*.

Mrs. Dunwoody asked the Secretary of State for Defence what percentage of 7·62 mm. small arms ammunition his Department intends to purchase from Royal Ordnance Small Arms Limited.

Mr. Norman Lamont: This will depend upon a range of considerations, not the least of which is the value for money on offer.

Mrs. Dunwoody asked the Secretary of State for Defence if he wishes to retain in the United Kingdom a strategic capacity in 5·56 mm, 7·62 mm and 9·00 mm small arms ammunition.

Mr. Norman Lamont: There are at present no plans to relinquish indigenous manufacturing capability for small arms ammunition natures.

Mrs. Dunwoody asked the Secretary of State for Defence if he will name the British companies which are currently supplying the British armed forces with small arms.

Mr. Norman Lamont: The following British companies are currently supplying the British armed forces with small arms:

RO plc
Accuracy International
Hull Cartridge Company

Mrs. Dunwoody asked the Secretary of State for Defence if he will list the British companies which are currently producing a 5·56 mm and 7·62 mm small arms ammunition for the British armed forces.

Mr. Norman Lamont: Royal Ordnance plc is the only British company at present manufacturing these natures.

Mrs. Dunwoody asked the Secretary of State for Defence what percentage of his Department's small arms ammunition requirement he intends to place overseas in 1986-87, 1987-88, 1988-89 and 1989-90.

Mr. Norman Lamont: As I stated in the House on 30 January at columns 1180-81 it is our policy to increase the proportion of the ammunition programme put to competition. This does not, however, imply an intention to place orders overseas rather than in the United Kingdom. The volume of orders awarded to overseas companies will be decided in the light of the relative merits of the tenders received.

Mrs. Dunwoody asked the Secretary of State for Defence what supportive measures his Department proposes to allow British small arms ammunition manufacturers to compete in countries from which his Department purchases small arms ammunition but do not allow British small arms ammunition manufacturers to compete.

Mr. Norman Lamont: We are prepared to discuss particular problems drawn to our attention by British small arms manufacturers. It is, however, for other countries to determine for themselves the source from which they purchase their small arms.

"Statement on the Defence Estimates 1986"

Lord James Douglas-Hamilton asked the Secretary of State for Defence when he intends to publish the "Statement on the Defence Estimates 1986".

Mr. Younger: I intend to publish this year's "Statement on the Defence Estimates" on Monday 12 May.

Royal Ordnance Factories

Mrs. Dunwoody asked the Secretary of State for Defence how he will satisfy himself that foreigners do not exceed their quota of 15 per cent. of Royal Ordnance shares by way of holding companies.

Mr. Norman Lamont [*pursuant to his reply*, 28 April 1986, c. *332*]: Any quota established would be embodied in the company's articles of association. At flotation, measures would be in force to enable strict vetting of share applications to be applied. Thereafter I am satisfied that the provisions of the Companies Act and the company's articles of association would apply to protect the quota.

Mrs. Dunwoody asked the Secretary of State for Defence if he will give the name of the consultants preparing the sale of the royal ordnance factories; and what safeguards he has asked for relating to the sale of royal ordnance factories to non-British shareholders.

Mr. Norman Lamont [*pursuant to his reply*, 28 April 1986, c. *332*]: The consultants engaged on the privatisation of Royal Ordnance plc are as follows:

Lazard Brothers and Company Ltd. — Merchant bank advisers to royal ordnance.

Cazenove and Company/Kleinwort Grieveson and Company —joint brokers to royal ordnance.

Coward Chance—Solicitors to royal ordnance.

Coopers and Lybrand—reporting accountants to the MOD and RO.

Grandfield Rork Collins Financial — financial public relations consultants to the Ministry of Defence and royal ordnance.

N. M. Rothschild and Sons Ltd.—Merchant bank advisers to Her Majesty's Government.

Hoare Govett Ltd.—Brokers to the Ministry of Defence.

Herbert Smith and Co. — Solicitors to the Ministry of Defence.

Greenaway Harrison Ltd.—Printers.

The Government have given an undertaking that Royal Ordnance will not be allowed to fall under foreign control. It is envisaged that this will be achieved by amending the articles of association appropriately before flotation to limit the proportion of shares held by foreigners and by creating a special share held by the Government to ensure that the position is not changed. No final decisions have, however, yet been taken on the precise mechanics.

Mrs. Dunwoody asked the Secretary of State for Defence if he will list the royal ordnance factories which *(a)* have and *(b)* have not been offered guaranteed contracts in 1986-87.

Mr. Norman Lamont [*pursuant to his reply*, 28 April 1986, c. *332*]: The following royal ordnance factories have been offered contracts since 1 April 1986: Chorley, Blackburn, Patricroft, Enfield, Radway Green, Westcott, Bridgwater and Bishopton.

Small Arms and Ammunition

Mrs. Dunwoody asked the Secretary of State for Defence what are the sizes, numbers and names of foreign manufacturers who have supplied small arms ammunition to the United Kingdom in 1986-87 to date.

Mr. Norman Lamont [*pursuant to his reply*, 30 April 1986, c. *422*]: Deliveries to the MOD from foreign manufacturers since 1 April 1986 have been as follows:

Manufacturers	*Size*	*Number supplied (millions)*
Greek Powder & Cartridge Company	·50 inch	0·7
FFV Sweden	9 mm	2

Mrs. Dunwoody asked the Secretary of State for Defence what steps he is taking to curtail the placement of small arms and ammunition contracts abroad.

Mr. Norman Lamont [*pursuant to his reply*, 30 April 1986, c. *422*]: Procurement of small arms and ammunition is conducted within our general policy of purchasing from overseas only when the advantages of cost, performance and time scale outweigh the longer term benefits of procuring the British alternative: no additional curtailments are planned. In accordance with this policy, it has been decided that competition for the prime contractor for the second production order for SA-80, the dominant element of our future small arms programme, will be confined to United Kingdom companies.

EDUCATION AND SCIENCE

Higher Education (Expenditure)

Mr. Gareth Wardell asked the Secretary of State for Education and Science what was the change in real terms in expenditure on *(a)* universities, *(b)* polytechnics and *(c)* other institutions of higher education in each year since 1979; and what are the projected changes in real terms for 1986-87 and each successive year for which figures are available.

Mr. Walden: Table A sets out, for the years 1979-80 to 1984-85, information on the public expenditure concerned. The expenditure figures are at 1984-85 prices, calculated using the GDP deflator.

For universities, the grant figures include recurrent and capital grants made by the University Grants Committee and the Computer Board to universities in Great Britain, together with the grants made by the Department of Education and Science to the Open University. The recurrent and capital figures for polytechnics are for local education authority expenditure on polytechnics in England. The recurrent and capital figures for other major establishments are for local authority expenditure in England; these figures include spending on non-advanced further education provided in the institutions concerned. The grant figure for grant-aided colleges is for DES grant to colleges in England. In each case information on public expenditure on student tuition fees is also included. The fees totals shown relate only to home students.

Table B shows provisional outturn figures at 1984-85 prices for universities and grant-aided colleges for 1985-86; the corresponding figures for polytechnics and other major establishments are not yet available. The table

also shows available information for 1986-87 and future years; local authority expenditure is excluded because it cannot readily be split between polytechnics and other institutions and because decisions for 1987-88 and 1988-89 remain to be taken.

Precise figures on fees are not yet available for 1986-87 and following years.

Table A — *Expenditure in Further and Higher Education* — *£ million at 1984-85 prices*

	1979-80	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*
(a) Universities						
Grants	1,337	1,426	1,338	1,487	1,473	1,451
Fees	248	271	304	175	169	170
Total	1,585	1,697	1,642	1,662	1,642	1,621
(b) Polytechnics						
Recurrent and Capital	443	445	425	486	470	475
Fees	97	110	129	74	78	78
Total	540	555	554	560	548	553
(c) Other Major Establishments						
Recurrent and Capital	1,087	1,146	1,154	1,215	1,248	1,277
Fees	137	147	148	103	108	103
Total	1,224	1,293	1,302	1,318	1,356	1,380
(d) Grant Aided Colleges						
Grants	93	100	94	98	98	94
Fees	25	21	25	13	12	14
Total	118	121	119	111	110	108

Table B — *£ million at 1984-85 prices*

	1985-86	*1986-87*	*1987-88*	*1988-89*
(a) Universities				
Grants	1,417	1,410	1,391	1,380
Fees	167	—	—	—
Total	1,584	—	—	—
(b) Grant Aided Colleges				
Grants	93	88	90	91
Fees	15	—	—	—
Total	108	—	—	—

Notes:

(1) Figures for universities include the additional funds provided by the Government for redundancy and premature retirement costs. The figures also reflect the progressive withdrawal since 1980 of the overseas student subsidy, and a number of funding changes which mean that the figures are not necessarily comparable from year to year.

(2) The figures do not include funding from the research councils for fees or research.

(3) Recurrent figures included for polytechnics and other major establishments do not include catering and residence expenditure.

Teachers' Pension Fund

Mr. Alton asked the Secretary of State for Education and Science if he will detail the present surpluses on the teachers' pension fund; and if he will make a statement.

Mr. Chris Patten: There is no teachers' superannuation fund and consequently there are no cash surpluses. Teachers' and employers' contributions are paid into the Consolidated Fund and benefits are paid out of money voted by Parliament. An account is maintained of receipts and payments. The balance in the account and any excess of receipts over payments each year are deemed to be invested in Government securities and interest added accordingly to the account. The Government Actuary values the account every five years. If he considers it insufficient to meet accrued liabilities, he may set a supplementary contribution rate, payable by the employers over and above normal contributions by employers and employees. The present supplementary rate is 1·75 per cent.

I have arranged for a copy of the most recently available audited account (1984-85) to be placed in the Library.

School Closures

Mr. Gerald Howarth asked the Secretary of State for Education and Science if he will list by education authority the schools in each authority which have been closed and are currently awaiting disposal, indicating where appropriate the use to which the buildings or the land are to be put.

Mr. Dunn: This information is not available centrally.

Anti-drug Abuse Video

Mr. Bendall asked the Secretary of State for Education and Science if he will seek to make the Grange Hill anti-drug abuse video "Just Say No" available for screening in all schools.

Mr. Dunn: This is an admirable and timely initiative on the part of the BBC and I am sure that it will be very

successful: indeed the success already of the associated pop record is a sure indication that this is so. The choice of material to be used in schools is a matter for the schools themselves and their local education authorities, but I am sure that they would want to consider this material along with the other good offerings which are available in the field.

Free School Meals

Mr. Pendry asked the Secretary of State for Education and Science if he will list the 30 local authorities in England which are restricting the provision of free school meals to those pupils whose parents are in receipt of supplementary benefit or family income supplement.

Mr. Dunn: The LEAs which, at October 1985, restricted the provision of free school meals to children of families claiming supplementary benefit or family income supplement are as follows:

Bromley
Enfield
Hounslow
Kingston upon Thames
Merton
Redbridge
Sutton
Solihull
Trafford
Wakefield
Isles of Scilly
Bedfordshire
Berkshire
Buckinghamshire
Cheshire*
Cornwall
Dorset
Essex
Gloucestershire
Kent
Lincolnshire
Norfolk
Northumberland
Shropshire
Staffordshire
Suffolk
Surrey
Warwickshire
West Sussex†
Wiltshire

* Discretion exercised for primary pupils only.
† Discretion exercised for special school pupils on 1979 Income Scales only.

Members' Correspondence

Mr. Craigen asked the Secretary of State for Education and Science when he expects to reply to the hon. Member for Glasgow, Maryhill about correspondence from Margaret Reilly and David G. Sutherland, which his Department acknowledged on 19 March.

Mr. Walden: I wrote to the hon. Member today.

PRIME MINISTER

Libya

Mr. Austin Mitchell asked the Prime Minister whether she will publish in the *Official Report* the list of targets in Libya bombed by planes stationed in Britain, the objective in each case and the degree of success achieved.

The Prime Minister: The Pentagon has issued a full list of the targets selected for attack in the operation against Libya. The five targets were:

1. The Aziziyah barracks in Tripoli
2. The Al Jamahiriyah barracks in Benghazi
3. The Sidi Balal port facility
4. Tripoli military airfield
5. Benina military airfield

F111s from bases in the United Kingdom attacked those targets in the Tripoli area. The objective was to strike clearly defined targets demonstrably involved in the conduct and support of terrorist activities. We understand that this was broadly achieved.

Mrs. Clwyd asked the Prime Minister if she will specify the numbers and types of all American aircraft used from United Kingdom bases in connection with the United States raid on Libya.

The Prime Minister: As has been said on previous occasions, the type of aircraft, other than tankers, deployed from United Kingdom bases for this purpose was the F111. The detailed operational arrangements were for the United States within the strict criteria set down for the selection of targets.

Mr. Austin Mitchell asked the Prime Minister what is the latest estimate of the number of terrorists killed during the United States attack on Libya from United Kingdom bases.

The Prime Minister: The United States made clear its intention was to attack clearly defined targets related to terrorism. The United States Government have stated that all five targets were successfully attacked. Aircraft from bases in Britain were involved in attacks in the Tripoli area only. We do not have a detailed breakdown of the casualties incurred.

Terrorism

Mr. Austin Mitchell asked the Prime Minister whether she will write to each United States Senator who voted against the extradition of alleged Irish Republican Army terrorists, urging them to drop their opposition to the measures before Congress as part of the worldwide campaign against terrorism.

The Prime Minister: My views on this matter are well known in the United States.

ENERGY

Nuclear Waste

Mr. Austin Mitchell asked the Secretary of State for Energy what arrangements are currently made for disposing of waste from the reprocessing of nuclear fuel from overseas; if any plans exist to extend these facilities either on the same or at a different site; and if he will make a statement.

Mr. Goodlad: Since 1976 BNFL's contracts for the reprocessing of overseas spent fuel have contained options for the return of wastes. The Government intend that reprocessing contracts with overseas customers should continue to contain such options, that the options should be exercised and that the wastes should be returned. It is already planned to return all high level wastes as soon as practicable after vitrification, but in respect of some of the

less radioactive wastes there may be other options worthy of study—for example, whether it would be sensible to substitute an equivalent quantity, in radiological terms, of higher level wastes.

Low level waste which has already arisen under BNFL's pre-1976 contracts has been disposed of at Drigg: high level waste and intermediate level waste is in storage pending further processing before final disposal in the United Kingdom. Wastes arising in future under these contracts will similarly be disposed of in accordance with our national waste strategy. All wastes arising under the pre-1976 overseas contracts will represent no more than 10 per cent. of total wastes arising in the United Kingdom by 2000. No facilities in addition to those needed for the disposal of United Kingdom waste should be required.

NCB (Enterprise) Ltd.

Mr. Skinner asked the Secretary of State for Energy whether he will publish in the *Official Report* the names of all persons working full-time for National Coal Board (Enterprise) Ltd.; and what are their qualifications.

Mr. David Hunt: This is a matter for the management of the company.

British Coal

Mr. Skinner asked the Secretary of State for Energy if he has any plans to seek to change the name of the National Coal Board to British Coal; and if he will make a statement.

Mr. David Hunt: In due course, when a convenient opportunity occurs, my right hon. Friend intends to introduce legislation to bring the statutory name of the National Coal Board into line with its new trading name of British Coal.

HOUSE OF COMMONS

Scottish Grand Committee

Mrs. McCurley asked the hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, how many House of Commons Staff are transported from London solely for the purpose of Scottish Grand Committee meetings in Edinburgh; and what is the cost of this.

Mr. Beith: Seven staff, comprising one Clerk, one Doorkeeper and five staff of the Department of the Official Report, normally attend Scottish Grand Committee meetings in Edinburgh. In the case of the meeting on 20 January 1986, the cost of travel, subsistence and staff travelling time/overtime amounted to £2,250.

Mrs. McCurley asked the Lord Privy Seal what is the additional cost of transporting Ministers and Members of Parliament to Edinburgh solely for the purpose of meetings of the Scottish Grand Committee.

Mr. Biffen: It is difficult to establish with certainty, the additional cost to the public purse of transporting Members of Parliament to Edinburgh solely for the purpose of meetings of the Scottish Grand Committee. Such costs may be included, but not separately identified, in Members' routine car allowance claims and rail and air warrant costs relating to weekend visits to their constituencies and homes in Scotland.

The costs to date of transporting Members of Parliament which have been identified as directly attributable to the meeting of the Committee held in Edinburgh on Monday 20 January 1986 amount to £1,350.

There is no additional cost for transporting Ministers as meetings of the Scottish Grand Committee are usually arranged on Mondays and Ministers will invariably be up in Scotland for the weekend: all they do is delay their return to London.

CHURCH COMMISSIONERS

Australian Mining Companies (Investment)

Mr. Frank Field asked the hon. Member for Wokingham, as representing the Church Commissioners, of he will list those companies in which the Church Commissioners invest which operate in Australian mining.

Sir William van Straubenzee: The Commissioners invest in the following companies which operate in Australian mining:

Boral
Broken Hill Proprietary
CSR
Comalco
MIM
Western Mining
Exxon
Newmont Mining
British Petroleum
Costain
Shell Transport and Trading

ENVIRONMENT

Housing Waiting Lists

Mr. Kirkwood asked the Secretary of State for the Environment what assessment he has made of the impact on local authority housing waiting lists of the rehousing of some National Health Service staff as a result of the implementation of his Department's circular HC(85)19

Sir George Young: Circular HC(85)19, issued by DHSS, concerns the rationalisation of the National Health Service's residential accommodation and disposal of empty property. Anyone required to move will be offered suitable alternative accommodation. There should therefore be no impact on local authority waiting lists. I refer to my right hon. Friend the Secretary of State for Social Services' answer to my hon. Friend the Member for Erith and Crayford (Mr. Evennett) on April 25 at column *263*.

Water Authorities

Mr. Deakins asked the Secretary of State for the Environment what statutory and other Government financial controls on the activities of water authorities will cease to apply when such authorities are privatised; and if he will make a statement.

Mr. John Patten: The statutory framework for the privatised water authorities will be set by the legislation which the Government intend to introduce at the earliest opportunity. The Government's intention is to turn the water authorities into water service public limited companies (WSPLCs) which will be subject to the provisions of the Companies Acts. As with other privatised

bodies, the water authorities will not after privatisation be subject to the financial controls which apply to public sector bodies.

Development Corporations (Housing)

Mr. Rooker asked the Secretary of State for the Environment if he will make a statement on the current status of discussions relating to the housing owned by each of the development corporations, indicating the degree of tenant involvement in the discussions.

Mr. John Patten: Housing is currently owned by development corporations in Milton Keynes, Peterborough, Runcorn, Telford and Warrington and by the Commission for the New Towns in Basildon. As my hon. Friend the Member for Surbiton (Mr. Tracey) said in reply to a question from my hon. Friend the Member for The Wrekin (Mr. Hawksley) on 25 March, at column *426*, the Government are prepared to consider not only transfers to the relevant district councils but also other alternatives which corporations and the commission may wish to put forward. It is now for the these bodies to consider what proposals to submit, but my hon. Friend made clear that one important factor to which we would give weight in assessing these is the views of the tenants.

Nuclear Waste

Mr. Austin Mitchell asked the Seceretary of State for the Environment if there are any plans to re-classify nuclear fuel element cladding, currently defined as intermediate level waste in the United Kingdom; and if he will make a statement.

Mr. Waldegrave: No.

Mr. Austin Mitchell asked the Secretary of State for the Environment if he will give a detailed indication of the estimated costs involved in the decommissioning of a nuclear waste dump; and if he will make a statement.

Mr. Waldegrave: There is no intention to decommission a radioactive waste disposal facility.

Pitsford Reservoir and Rutland Water

Dr. David Clark asked the Secretary of State for the Environment whether he is satisfied that the Anglian water authority is in compliance with section 28 of the Wildlife and Countryside Act 1981 in respect of its proposals for extending fishing and recreational activities at Pitsford Reservoir and Rutland water, both sites of special scientific interest notified under the Wildlife and Countryside Acts 1981 to 1985; and if he will make a statement.

Mr Waldegrave: I understand that one of the water authority's activities on Pitsford reservoir is defined as a potentially damaging operation under the terms of the notification as a site of special scientific interest. This and the water authority's other proposals are currently the subject of discussions between the authority and the Nature Conservancy Council.

London Docklands Development Corporation (Poster Campaign)

Mr. Tony Banks asked the Secretary of State for the Environment what is the cost of the London Docklands Development Corporation's current poster campaign depicting Mr. Ken Livingstone.

Sir George Young: LDDC's poster campaign depicting Mr. Ken Livingstone cost £5,475.

London Residuary Body

Mr. Tony Banks asked the Secretary of State for the Environment, pursuant to the answer of 21 April, *Official Report*, column *65*,concerning meetings between his officials and the London Residuary Body, if he will give the date and the agenda for the most recent meeting for which records are available centrally.

Mr. Tracey: The most recent such meeting was held on 23 April to discuss matters relevant to the London Residuary Body's functions under the Local Government Act 1985.

Mr. Tony Banks asked the Secretary of State for the Environment if he will list the payments made by the London Residuary Body, and to which bodies, since 1 April.

Mr. Tracey: Payments, except for those regulated by orders or directions made by my right hon. Friend, are a matter for the London Residuary Body. Appropriate information on payments made by the LRB will be included in its statement of accounts, which will be published in due course. No orders or directions have been made by my right hon. Friend since 1 April.

Mr. Tony Banks asked the Secretary of State for the Environment if he will direct the London Residuary Body under section 65 of the Local Government Act 1985 to place copies of its minutes in the Library.

Mr. Tracey: No. I refer the hon. Member to the answers I gave to him on 11 April at column *210* and on 17 April at column *477*.

Mr. Tony Banks asked the Secretary of State for the Environment what will be the earliest date upon which hon. Members can expect to receive a report from the London Residuary Body on its affairs following the abolition of the Greater London council.

Mr. Tracey: Residuary bodies have been asked to prepare their first annual reports for the part year from their establishment to 31 March 1986. It is too early to be precise about timing, but we would not expect to receive the first annual report of the London Residuary Body before September. My right hon. Friend will thereafter lay the annual reports in both Houses.

Water Rates

Mr. Robin Cook asked the Secretary of State for the Environment if he will publish in the *Official Report* a table showing *(a)* the percentage increase in domestic water rates for each year since 1979 for each English regional water authority and the overall average, *(b)* the cumulative percentage increase since 1979 for each English water authority and the overall average and *(c)* the

average domestic water rates bill per household for each year since 1979 for each English regional water authority and the overall average.

Mr. John Patten: The information requested is shown in the table.

English water authorities average household bills and percentage increases
Combined all services, £ cash

Water authority	1979-80	1980-81	Percentage	1981-82	Percentage	1982-83	Percentage	1983-84	Percentage	1984-85	Percentage	1985-86	Percentage	Change 1979-80 to 1985-86 (percentage)
North West	37·90	46·80	23·5	54·69	16·9	59·86	9·7	63·16	5·5	68·25	8·1	77·57	13·7	104·67
Northumbrian	33·94	41·95	23·6	49·19	17·3	56·86	16·0	64·52	13·5	75·22	16·6	80·38	6·9	136·83
Severn Trent	40·51	48·99	20·9	56·78	15·9	62·44	7·4	64·63	3·5	67·88	5·0	76·16	12·2	88·00
Yorkshire	39·36	49·04	24·6	57·21	16·7	65·30	14·1	68·78	5·3	72·64	5·6	82·30	13·3	109·10
Anglian	48·83	63·01	29·0	75·08	19·2	82·66	11·9	87·80	6·2	93·96	7·0	105·98	12·8	117·04
Thames	38·62	47·82	23·8	54·47	13·9	60·77	13·5	66·74	9·8	73·41	7·6	80·75	10·0	109·09
Southern	43·80	56·60	29·2	67·00	18·4	74·40	11·0	78·36	5·3	82·30	5·0	91·72	11·4	109·41
Wessex	57·22	65·44	14·4	72·87	11·4	78·49	7·5	81·56	3·9	85·59	4·9	95·35	11·4	66·64
South West	54·57	66·72	22·3	75·22	12·7	81·24	8·6	87·96	8·3	93·48	6·3	104·59	11·9	91·66
English averages	41·47	51·37	23·9	59·47	15·8	66·01	11·0	70·92	7·4	75·73	6·8	56	11·7	103·91

Waltham Forest

Dr. Twinn asked the Secretary of State for the Environment whether he has reached a decision on the proposals submitted to his urban housing renewal unit by the London borough of Waltham Forest; and if he will make a statement.

Sir George Young: I am pleased to announce my right hon. Friend's favourable response to two proposals for schemes in Waltham Forest. These schemes, on the Beaumont road and Chingford hall estates, have been worked up by the London borough of Waltham Forest in close consultation with the Department's urban housing renewal unit and Greater London housing division.

On both estates, the council has already opened local management offices and has introduced local repairs teams. These arrangements will be enhanced as part of the agreed schemes. On the Beaumont road estate, the All Saints tower, a 20-storey block of 120 flats, will benefit from the refurbishment of the entrance lobby and the installaton of a video-film entry-system which will be supported by door porters to control access to the block. This will make a positive contribution to security for the residents. I have agreed in principle to a targeted housing investment programme allocation of £176,500 for these works.

I look forward to seeing these proposals being put into effect for the benefit of all the residents of the estate.

Greenwich

Mr. Evennett asked the Secretary of State for the Environment whether he has reached a decision on proposals submitted to his urban housing renewal unit by the London borough of Greenwich; and if he will make a statement.

Sir George Young: I am pleased to announce my right hon. Friend's favourable response to a proposal for a scheme on the Barnfield estate in Greenwich which has been worked up in close consultation with my Department's urban housing renewal unit and Greater London housing division.

The council is proposing to open a local management office on the estate, employing six staff, which will look after the day-to-day management of the estate including repairs and maintenance. Localised management is an essential element in measures designed to uplift an estate both in supporting other improvements which are made and in sustaining the benefits of these improvements.

The council has submitted a bid for resources from the unit's targeted housing investment programme allocation for works to improve security on the estate including the provision of entry-phones and security works to doors and windows. I have agreed in principle to an additional HIP allocation of £1,182,800 to cover these works and the establishment of a local estate office. The council is also undertaking a five-year programme of capital repairs to the 568 dwellings on the estate.

I look forward to seeing these proposals being put into effect for the benefit of all the residents of the estate.

Bolton

Mr. Thurnham asked the Secretary of State for the Environment whether he has reached a decision on any of the proposals submitted to his urban housing renewal unit by the metropolitan borough of Bolton; and if he will make a statement.

Sir George Young: I am pleased to announce my right hon. Friend's favourable response to a scheme in Bolton which the metropolitan borough council has worked up in close consultation with my Depertment's urban housing renewal unit and our north-west regional office.

The estate which will benefit from today's decision is the Oldhams estate. This estate consists of 722 dwellings in a mixture of low-rise flats and houses.

The council is proposing to open a local management office on the estate to be responsible for day-to-day management and general liaison with the tenants, on the lines of the arrangements which my Department's priority estates project team is already developing on another estate in Bolton. I regard the establishment of local management as an essential part of any package of measures to uplift rundown estates.

The council also proposes to dispose of 50 flats on the estate for refurbishment and resale for owner-occupation. We welcome this move to diversify the tenure on the estate and widen the housing choices in the area.

I have agreed to an additional capital allocation of £790,000 from the unit's targeted housing investment programme resources in 1986-87 to enable the council to undertake modernisation and security work on dwellings remaining in its ownership on the estate and to establish the local management office.

I look forward to seeing these proposals being put into effect for the benefit of all the residents of the estate.

Ordnance Survey

Mr. Wolfson asked the Secretary of State for the Environment if he will make a statement about the Ordnance Survey trading accounts.

Mrs. Rumbold: On 24 January 1984, my right hon. Friend, the then Secretary of State for the Environment, said that from 1984-85, Ordnance Survey would publish trading accounts in addition to its normal vote accounts. Unfortunately, National Audit Office examination of the 1984-85 trading accounts has drawn attention to deficiencies, primarily in record keeping, which preclude certification and publication for both 1984-85 and 1985-86. There is no suggestion of any loss or impropriety in these accounts and OS is making every effort to ensure that trading accounts for 1986-87 can be audited and published. The difficulties affecting the trading accounts did not affect the Ordnance Survey appropriation accounts which the Comptroller and Auditor General certified in October 1985.

ATTORNEY-GENERAL

Matrimonial Law

Mr. Heddle asked the Attorney-General whether he has any plans to implement the recommendations of the Booth report on changes in matrimonial law.

The Attorney-General: In November 1985 the Lord Chancellor's Department invited the views of interested persons and bodies on the detailed recommendations made in the Booth report, and, in particular, on those recommendations which would not require primary legislation. The Government hope to announce their decision concerning those recommendations later this year, in the light of the views received.

Director of Public Prosecutions (Staff Transfers)

Mr. John Morris asked the Attorney-General what is his policy as regards requests by officers in the Director of Public Prosecution's Department to seek level transfer to other Civil Service Departments.

The Attorney-General: Although I have statutory responsibility for the superintendence of the director, day-to-day management of his Department is a matter for him as its permanent head. I understand that any requests for transfer are considered on their merits. While the director naturally endeavours to meet the wishes of individual members of staff, agreement to any transfers must depend on whether the Director of Public Prosecutions Department is able to spare the skills of the staff concerned at that time.

Courts (Sittings)

Mr. John Morris asked the Attorney-General whether he will make a statement on the proposed curtailment of sittings of courts in Wales and Chester, whether the same policy prevails elsewhere; and what changes of policy have taken place since the original policy was announced.

The Attorney-General: Following a reappraisal, earlier provisional proposals to cancel sittings by assistant recorders and deputy registrars on the Wales and Chester circuit have been withdrawn. Allowing for additional full-time appointments which have been made, the overall number of sitting days there is expected to be maintained. The Lord Chancellor's general policy throughout England and Wales is to sustain the greatest practicable number of court sitting days to deal with the significant increase in case loads which has taken place and to keep down delays.

FOREIGN AND COMMONWEALTH AFFAIRS

Soviet Nuclear Accident

Mr. Madel asked the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Soviet authorities for permission for an international inspection team of scientists to visit the site of the nuclear power plant disaster in the Union of Soviet Socialist Republics; and if he will make a statement.

Mr. Renton: We have already informed the Soviet authorities that if they require advice on the accident and its consequences United Kingdom experts are ready to provide it.

The setting up of any international team of scientists would most appropriately be a task for the International Atomic Energy Agency. We understand that the Director-General has already offered the agency's assistance. United Kingdom experts could make a useful contributions to such a group.

EC (Budget Abatement)

Mr. Soames asked the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom has received its value added tax abatement in respect of payments into the European Community Budget in 1985.

Mrs. Chalker: The European Community 1986 budget provides for an automatic abatement of the United Kingdom's VAT payments for 1,400 mecu (£900 million) in respect of 1985. As VAT contributions are made monthly and the abatement is made by reducing these contributions in equal monthly amounts, 580 mecu (£375 million) of this abatement has already been made available, and a further 820 mecu will be made available between now and the end of the year. The Commission has also said that it will be proposing as part of a supplementary budget this year an additional correction to our 1985 abatement to cover the difference between the estimate of the amount owing to us, and the actual amount.

SOCIAL SERVICES

Cookers (Suppliers)

Mr. Clelland asked the Secretary of State for Social Services if he will list the names of suppliers of

reconditioned cookers, paid by his Department's offices on behalf of claimants, in the Newcastle area over the past three years, together with the total sums paid to each supplier over the same period.

Mr. Major: I regret this information is not available.

Supplementary Benefit

Mr. Frank Field asked the Secretary of State for Social Services if he will estimate the cost to his Department of issuing a leaflet to every young person sitting general certificate of education or certificate of secondary education examinations explaining the conditions under which they may claim supplementary benefit, in the light of the decision of the tribunal of commissioners R(F)2/85.

Mr. Major: It is not usual to issue leaflets which provide full details of complex conditions of entitlement. However, the basic cost of a leaflet for young people sitting examinations would be some £40,000 plus distribution costs which would be relatively high since there is no mechanism for such a distribution.

Mr. Frank Field asked the Secretary of State for Social Services if he will make a statement as to when a young person who is 16 years old after 1 February but attends school in the current term just to take examinations is entitled to supplementary benefit, following the decision of the tribunal of commissioners R(F)2/85 and circular S51/85.

Mr. Major: Such a decision is a matter for the independent adjudicating authorities.

Mr. Frank Field asked the Secretary of State for Social Services what will be the saving to the social security budget of increasing supplementary benefit by 1·1 per cent. instead of 1·2 per cent. in July 1986 in *(a)* 1986-87 and *(b)* a full year.

Mr. Newton: If the main supplementary benefit scale rates were to be increased by 1·2 per cent. this July instead of by £1·1 per cent., the additional cost of the uprating in 1986-87 would be £7 million, equivalent to £11 million in a full year.

NHS (Planning Staff)

Mr. Kirkwood asked the Secretary of State for Social Services what guidelines his Department gives to National Health Service planning staff to enable them to take account of population trends and local expansion envisaged within local structure plans: and what provision exists to enable planning staff to forecast health care requirements in conjunction with local councils.

Mr. Whitney: The Department has supplied regional health authorities with population projections produced by the Office of Population Censuses and Surveys for each of their districts, covering the period 1981 to 2001, but has issued no guidelines on their use. It is for regional and district health authorities to decide what use to make of these projections and of other data, including local structure plans, in discharging their planning responsibilities. In producing their plans district health authorities work closely with local authorities through joint consultative committees.

Benefits (Claimants)

Mr. Chris Smith asked the Secretary of State for Social Services what is the number of claimants in receipt of *(a)* sickness benefit, *(b)* invalidity benefit and pension, *(c)* industrial disablement benefit, *(d)* non-contributory invalidity pension-housewives non-contributory invalidity pension or severe disablement allowance for the latest available year at *(a)* Bloomsbury, *(b)* Finsbury Park, *(c)* Highgate, *(d)* Hoxton and *(e)* Stoke Newington Department of Health and Social Security area offices.

Mr. Major: Bloomsbury local office deals only with claims for supplementary benefit. The number of claimants in receipt of sickness and invalidity benefit-pension and severe disablement allowance as at 8 April 1986, and in receipt of industrial disablement benefit as at 11 February 1986 (the latest dates for which information is available) at *(a)* Finsbury Park, *(b)* Highgate, *(c)* Hoxton and *(d)* Stoke Newington social security offices is as follows:

	Sickness and invalidity benefits pension	*Severe disablement allowance*	*Industrial disablement benefit*
Finsbury Park	1,867	216	177
Highgate	2,085	359	330
Hoxton	1,495	250	195
Stoke Newington	1,839	168	115

Separate records are not kept of the number of claimants in receipt of sickness and invalidity benefit-pension.

Mr. Chris Smith asked the Secretary of State for Social Services (1) what is the number of claimant couples with children in receipt of *(a)* unemployment benefit only, *(b)* supplementary benefit only and *(c)* unemployment benefit and supplementary benefit for the latest available year at *(a)* Bloomsbury, *(b)* Finsbury Park, *(c)* Highgate, *(d)* Hoxton and *(e)* Stoke Newington Department of Health and Social Security area offices; (2) what is the number of claimants excluding pensioner claimants and claimants with dependent children, in receipt of (a) unemployment benefit only, (b) supplementary benefit only and (c) unemployment benefit and supplementary benefit for the latest available year at Bloomsbury, Finsbury Park, Highgate, Hoxton, and Stoke Newington area offices of his Department.

Mr. Major: I regret that this information is not available centrally, Statistics are not kept routinely so that the information requested could be obtained only by a special exercise which would be disproportionately expensive.

Residential Care

Mr. Meacher asked the Secretary of State for Social Services if he will list for each district health authority, the National Health Service residential accommodation which is empty, and the number of beds unused in each case.

Mr. Hayhoe: I regret that this information is not held centrally.

Mr. Frank Field asked the Secretary of State for Social Services, how many people are currently in nursing homes

and residental care and receiving supplementary benefit; and what number and proportion of these also claim the attendance allowance.

Mr. Newton: In December 1983, the latest available date, there were 26,427 supplementary benefit claimants in residential care and nursing homes. It is estimated that about 11,000 of these people (about 43 per cent.) were in receipt of attendance allowance.

Mr. Meacher asked the Secretary of State for Social Services if he will list the names and areas of all private residential nursing homes into which there has been an inquiry in each year from 1979 to 1986; and what was the outcome in each case.

Mr. Whitney: Responsibility for registering and inspecting these homes rests where it properly belongs with local authorities, and the Registered Homes Act 1984, which came into operation on 1 January 1985, improved and strengthened their powers. No information is held centrally about authorities which instituted inquiries.

Mr. Meacher asked the Secretary of State for Social Services, if he will give the names and areas of all private residential nursing homes which have been subject to a registered homes tribunal hearing for each year from 1979 to 1986; and what was the outcome in each case.

Mr. Whitney: Registered homes tribunals have been constituted only since 1 January 1985 when the Registered Homes Act 1984 was brought into force. Decisions of the tribunals are deposited quarterly in the Library.

Long-term Benefit

Mr. Frank Field asked the Secretary of State for Social Services how many *(a)* claimants and *(b)* dependants are currently drawing long-term national insurance benefits.

Mr. Major: The latest figures available are as follows:

Benefit		*Number in receipt (thousands)*	*Date*
Retirement Pension			
	(i)	9,562	30 September 1985
	(ii)	157	30 September 1985
Widow's Pension			
	(i)	292	30 September 1985
	(ii)	—	
Widowed Mother's Allowance			
	(i)	62	30 September 1985
	(ii)	93	30 September 1985
Widowed Mother's Allowance (Personal)			
	(i)	31	30 September 1985
	(ii)	—	
Invalidity Benefits			
	(i)	849	30 March 1985
	(ii)	391	30 March 1985

Notes:

(i) For retirement pension, widow's pension, widowed mother's allowance (personal), the figure represents numbers in receipt of personal benefit. For invalidity benefit, the figure represents numbers of claimants.

(ii) For retirement pension and widowed mother's allowance, the figure represents numbers of dependants. No dependency additions are paid with widow's pension or WMA(P). For invalidity benefit, the figure represents the number of claimants with dependants rather than the number of dependants themselves.

Maternity Allowance

Mr. Meacher asked the Secretary of State for Social Services how many of the responses to the consultation on statutory maternity allowance supported the proposals for payment of maternity allowance by employers; and how many opposed it.

Mr. Newton: I shall let the hon. Member have a reply as soon as possible.

Asbestos

Mr. McKelvey asked the Secretary of State for Social Services what action has been taken on the Standing Medical Advisory Committee report, "Control of the Cancer Hazard due to Asbestos to the General Population".

Mr. Hayhoe: I shall let the hon. Member have a reply as soon as possible.

Claimants

Mr. Kirkwood asked the Secretary of State for Social Services what is the number of *(a)* single payments and *(b)* urgent needs payments, weekly and one-off, paid to claimants who are (i) under pensionable age and are not required to register for work, (ii) persons under pensionable age required to register for work and (iii) persons over pensionable age; and what is the average rate per 1,000 claimants, the average payment made to claimants, and the number of claimants with dependent children in each of the categories (i), (ii) and (iii) for the Galashiels ILO for the latest year for which figures are available.

Mr. Major: The following table sets out the information available on *(a)* single payments and *(b)* urgent need payments made by Galashiels office during the year ended April 1986 for the categories of claimants specified. Information about payments made to claimants with dependent children is not available.

Galashiels ILO

	Claimants under pensionable age not required to register for work	*Claimants under pensionable age required to register for work*	*Claimants over pensionable age*
(a). Single payments			
Number of awards	2,001	2,581	569

	Claimants under pensionable age not required to register for work	Claimants under pensionable age required to register for work	Claimants over pensionable age
Average rate per 1,000	1,242	1,330	215
Average payment	£88·42	£73·82	£62·19
(b). Urgent needs payments			
Number of awards	80	219	1
Average rate per 1,000	50	113	—

Information is not kept of the amounts of urgent needs payments made.

Single and urgent need payment awards for year ending April 1986 have been set against the counts of live cases in action at 12 February 1986 for the calculation of a rate for 1,000 claimants (these are the latest available figures).

Mr. Kirkwood asked the Secretary of State for Social Services, what is the number of claimants in receipt of *(a)* unemployment benefit only, *(b)* supplementary benefit only and *(c)* unemployment and supplementary benefits at Galashiels ILO for the latest year for which figures are available.

Mr. Major: The number of claimants in receipt of unemployment benefit only from Galashiels unemployment benefit office at the last count on 10 April 1986 was 938. The number of claimants in receipt of either supplementary benefit only or unemployment benefit and supplementary benefit from Galashiels ILO at the last count on 11 February 1986 was 1941. I regret that information on the breakdown between the two is not available.

Mr. Kirkwood asked the Secretary of State for Social Services, what is the number of claimant couples with children in receipt of *(a)* unemployment benefit only, *(b)* supplementary benefit only and *(c)* unemployment and supplementary benefit for the Galashiels ILO for the latest year for which figures are available.

Mr. Major: I regret that this information is not available centrally. Statistics are not kept routinely so that the information requested could be obtained only by a special exercise which would be disproportionately expensive.

Mr. Kirkwood asked the Secretary of State for Social Services, what is the number of claimants in receipt of *(a)* sick benefit, *(b)* invalidity benefit/pension, *(c)* industrial disablement benefit and *(d)* non-contributory invalidity pension, housewives' non-contributory invalidity pension or severe disablement allowance for the latest available year for Galashiels ILO.

Mr. Major: The number of claimants at the Galashiels ILO in receipt of sickness and invalidity benefit/pension and severe disablement allowance as at 8 April 1986, and in receipt of industrial disablement benefit as at 11 February 1986 (the latest dates for which information is available) is as follows:

	Number
Sickness and invalidity benefit/pension	1,195
Severe disablement allowance	464
Industrial disablement benefit	386

Separate records are not kept of the number of claimants in receipt of sickness and invalidity benefit/pension.

Bethlem Royal Hospital

Mr. Simon Hughes asked the Secretary of State for Social Services, what is the size of the waiting list at the addiction research unit of the institute of psychiatry at the Bethlem Royal and Maudsley joint hospital.

Mr. Whitney: I am sorry I cannot give the hon. Member the information he requests. It is not collected centrally. The hon. Member may wish to approach the chairman of the special health authority for the information he seeks.

Mr. Simon Hughes asked the Secretary of State for Social Services whether Her Majesty's Government envisage a role for the Bethlem Royal and Maudsley joint hospital in its plans to tackle drug addiction.

Mr. Whitney: The hospital plays a valuable role in the provision of teaching, research and in the specialist treatment of drug addiction. I trust this will continue.

Mr. Simon Hughes asked the Secretary of State for Social Services whether he will make a statement on the proposals announced by the general manager of the Bethlem Royal hospital and Maudsley hospital health authority, as to the future of the Bethlem Royal hospital, Maudsley hospital and the institute of psychiatry.

Mr. Whitney: We are aware that the Bethlem Royal hospital and Maudsley hospital special health authority is considering proposals for the rationalisation of services, which are designed to contain its costs in the coming year. Its recommendations will be discussed with the Department before any final decisions are made. The institute of psychiatry, part of London university's postgraduate medical federation, is not a direct responsibility of the Department.

Nurses (Accommodation)

Mr. Meacher asked the Secretary of State for Social Services if he has sent a health circular to every district health authority instructing them not to evict any nurse from National Health Service nursing homes.

Mr. Hayhoe: The Department is advising health authorities that the policy of rationalising the residential estate is to be administered so that no one living in such accommodation is made homeless as a result. As my right hon. Friend made clear in his reply to my hon. Friend the Member for Erith and Crayford (Mr. Evennett) on 25 April, at column *263*, no one is to be required to move from his or her present accommodation as part of this policy without being offered a suitable alternative place to live.

Mental Health Act 1959

Mr. Bermingham asked the Secretary of State for Social Services what information he has about regional variations in the use made of section 136 of the Mental Health Act 1959; and if he will make a statement.

Mr. Whitney: The available information for 1983 and 1984 is given in the following table. The information for earlier years was given in the reply by my hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) to the hon. Member on 24 January 1984 at column *550*.

Admissions under Section 136 of the Mental Health Act 1983 to Mental Illness and Mental Handicap Hospitals and Units in England

Regional Health Authority	*Number*	
	1983	*1984*
Northern	101	89
Yorkshire	11	6
Trent	23	22
East Anglian	20	19
North West Thames	555	477
North East Thames	478	571
South East Thames	320	369
South West Thames	290	345
Wessex	10	12
Oxford	2	1
South Western	11	10
West Midlands	12	10
Mersey	10	7
North Western	10	21
Special Health Authority Hospitals and Special Hospitals	—	—
Totals	1,853	1,959

Notes:

1. During 1983 and 1984 there were no reported admissions under Section 136 to mental nursing homes.
2. Patients will have been counted more than once in a given year if re-admitted under Section 136 during that year.

Elderly Persons

Mr. Meacher asked the Secretary of State for Social Services what was *(a)* the number of available places, staff and beds, *(b)* the rates per 1,000 of appropriate population and *(c)* the expenditure per 1,000 of appropriate population in respect of (i) residential places, (ii) day care places, (iii) home helps, (iv) social workers and (v) home meals per week for those aged 65 years and over for each local authority in England, Scotland and Wales for each year from 1979 to 1985 inclusive, giving the national averages for *(a)*, *(b)* and *(c)* in each case.

Mr. Whitney: The information is not held centrally in the form requested and could be obtained only at disproportionate cost.

Mr. Meacher asked the Secretary of State for Social Services what was *(a)* the number of available place, staff and beds, *(b)* the rates per 1,000 of appropriate population and *(c)* the expenditure per 1,000 of appropriate population in respect of (i) geriatric in-patients, (ii) geriatric out-patients (iii) elderly severely mentally infirm in-patients, (iv) elderly severely mentally infirm out-patients, (v) non-psychiatric day-patients, (vi) health visitors, (vii) district nurses and (viii) chiropody for those aged 65 years and over for each district health authority in England, Scotland and Wales for each year from 1979 to 1985 inclusive, giving the national averages for *(a)*, *(b)* and *(c)* in each case.

Mr. Whitney: Information is not available in the form requested and could be obtained only at disproportionate cost.

TRADE AND INDUSTRY

EC (Trade Statistics)

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the value of output of textiles, clothing and footwear, respectively, in each European Economic Community country in terms of pound sterling in 1970 and the latest year for which figures are available, together with imports from and exports to other European Economic Community countries in each case.

Mr. Alan Clark: The information on output for the nearest available years relates to 1973 and 1981. This, together with trade figures for 1970 and 1984, is in the following table.

Intra-European Community Exports*

£ million

Exports by:	*Bel/Lux*	*Denmark*	*France*	*FR Germany*	*Greece*	*Ireland*	*Italy*	*Nether-lands*	*Portugal*	*Spain*	*United Kingdom*
1970											
Textiles†	304	8	233	321	21	190	223	20	16	117	11
Clothing‡	105	5	111	113	16	255	75	12	6	39	3
Footwear‖	6	—	31	16	2	115	8	2	5	6	1
1984											
Textiles†	1,648	123	1,417	2,337	290	207	1,957	912	308	251	672
Clothing‡	495	75	694	1,037	395	106	2,318	444	397	118	516
Footwear‖	27	13	200	126	21	16	1,491	76	104	226	88

* Present Membership throughout.

† Standard International Trade Classification Division 65.

‡ Standard International Trade Classification Division 84.

‖ Standard International Trade Classification Division 85.

Source: OECD Series 'C'.

Intra-European Community Imports*

£ million

Imports by:	*Bel/Lux*	*Denmark*	*France*	*FR Germany*	*Greece*	*Ireland*	*Italy*	*Nether-lands*	*Portugal*	*Spain*	*UK*
1970											
Textiles†	168	67	199	453	16	36	125	247	14	20	109
Clothing‡	86	17	93	284	1	11	35	168	3	5	44
Footwear‖	25	8	24	86	—	2	1	24	—	—	20
1984											
Textiles†	1,010	307	1,815	2,155	208	201	1,160	1,021	136	136	1,805
Clothing‡	814	143	1,075	2,109	43	220	257	944	9	40	787
Footwear‖	234	61	448	846	10	68	43	230	—	8	431

* Present Membership throughout.
† Standard International Trade Classification Division 65.
‡ Standard International Trade Classification Division 84.
‖ Standard International Trade Classification Division 85.
Source: OECD Series 'C'.

Production of Textiles, Footwear and Clothing

£ million (exc VAT)

	Bel/Lux	*Denmark*	*France*	*FR Germany*	*Greece*	*Ireland*	*Italy*	*Nether-lands*	*Portugal*	*Spain*	*UK*
1973											
Textiles*	973	195	2,702	4269	n/a	142	2,726	605	n/a	n/a	3,309
Footwear†	32	23	483	504	n/a	20	482	46	n/a	n/a	400
Clothing‡	322	94	1,238	2,331	n/a	59	974	279	n/a	n/a	1,235
1981											
Textiles*	1,616	349	5,830	7,084	941	298	6,557	731	n/a	n/a	5,009
Footwear†	30	50	1,227	859	54	37	1,411	406	n/a	n/a	758
Clothing‡	517	151	2,635	3,802	199	118	2,537	n/a	n/a	n/a	2,271

* NACE headings 43 and 455.
† NACE headings 451 and 452.
‡ NACE headings 453, 454 and 456.
n/a Not readily available.
Source: Eurostat Structure and Activity of Industry Cronos.

Carpets

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing United Kingdom imports and exports of machine-made carpets and carpet tiles from and to *(a)* other European Economic Community countries and *(b)* the rest of the world each year since 1970, together with the production figures for 1973 and for the latest year for which figures are available in the case of Germany, France, Belgium and Holland.

Mr. Alan Clark: The available information is in the following tables.

United Kingdom trade in machine-made carpets and carpet tiles*
£ million OTS basis

	European community†		*Rest of world*	
	Exports	*Imports*	*Exports*	*Imports*
1970	13	7	26	13
1971	15	9	28	13
1972	18	12	34	16
1973	29	16	49	25
1974	36	19	64	26
1975	42	24	52	25
1976	64	33	80	36
1977	82	41	94	44
1978	81	54	87	59
1979	78	63	81	77
1980	70	73	73	88
1981	58	107	62	73
1982	54	122	65	58
1983	55	142	76	76
1984	58	175	92	81
1985	61	193	112	80

* Standard International Trade Classification Headings 659.2 to 659.6 less 659.63.
† Excluding Spain and Portugal.
Source: United Kingdom Overseas Trade Statistics.

Production of carpets

Million sq metres

	1973	*1982*
United Kingdom*	162·6	126·0
Germany	179·5	137·8
France	41·2	46·5
Belgium†	112·6	213·4
Netherlands	48·7	58·6

* Manufacturers' sales.
† Metric tonnes.
Source: UN Industrial Statistics Yearbook 1982.

EC (Motor Cars)

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the output of motor cars in each European Economic Community country in 1972 and in the latest year for which figures are available, together

with United Kingdom imports from and exports to other European Economic Community countries each year since 1972 and the current year to date.

Mr. Alan Clark: The information is in the following tables.

United Kingdom Trade with European Community in passenger cars†*

Thousands

	Exports	*Imports*
1972	231	332
1973	255	348
1974	179	249
1975	124	280
1976	152	362
1977	152	488
1978	135	574
1979	154	780
1980	138	627
1981	143	592
1982	135	707
1983	108	826
1984	96	764
1985	131	813
1986	25	129

* Present Membership throughout.
† Standard International Trade Classification (R2) heading 781.
‡ January and February.

Production of Passenger Cars*

Thousands

	1972	*1984*
Belgium and Luxembourg	907	865
Denmark	12	—
France	2,993	2,713
Federal Republic of Germany	3,514	3,790
Greece	—	—
Ireland	52	—
Italy	1,732	1,439
Netherlands	108	109
Portugal	76	61
Spain	612	1,177
United Kingdom	1,921	909

* Includes assembly.
Sources:
United Nations Yearbook of Industrial Statistics.
SMMT Motor Industry of Great Britain: World Automotive Statistics.

Oil Prices

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing what effect he estimates the fall in oil prices will have on the earnings of each of the oil-producing countries on the basis of their net exports in 1985 and the current price of oil, together with their imports of manufactures from the United Kingdom, the rest of the European Economic Community, Japan and the United States of America.

Mr. Alan Clark: There is insufficient information available on 1985 trade flows for the majority of oil exporters to provide reasonable estimates of the effect of the fall in oil prices in the manner requested. Information on the exports of manufactures to OPEC countries in 1985 by the United Kingdom and the rest of the European Community is given in the table. Similar information for Japan and the United States of America is not yet available.

Exports of Manufactures to OPEC countries—1985*

$ million

	United Kingdom	*European Community (10) less United Kingdom*
Algeria	131	4,215
Libya	262	1,543
Nigeria	889	1,617
Gabon	25	446
Venezuela	138	1,089
Ecuador	28	183
Iraq	448	2,162
Iran	530	2,440
Saudi Arabia	1,179	5,216
Kuwait	359	1,229
Qatar	128	318
UAE	586	1,313
Indonesia	142	1,264

* SITC categories 5 to 8.
Source: Eurostat—External Trade (monthly statistics)

Trade Statistics

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for the United Kingdom, Germany, Japan, France, Italy, Belgium and Holland *(a)* the balance of trade in manufactures in 1985 and *(b)* the balance of trade in manufactures in the most recent year in which the United States' trade deficit was close to zero.

Mr. Alan Clark: The information is in the table.

Crude Balance of Trade in Manufactures†*

US $ billion

	1973	*1985*
United Kingdom	+3·4	−7·5
Federal Republic of Germany	+28·7	+67·5
Japan	+23·2	+134·3
France	+2·3	+6·1
Italy	+4·9	+23·5
Belgium/Luxembourg	+3·3	+4·9
Netherlands	−1·1	−3·4

* Figures on an overseas trade statistics basis
† Standard International Trade Classification Sections 5 to 8
Sources:
OECD Series 'C'
Eurostate Monthly External Trade Bulletin
UK Overseas Trade Statistics
The Summary Report: Trade of Japan.

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry if he will publish in the *Official Report* a table showing the first three months of 1986 at an annual rate compared with the same three months in 1985 and the year 1970 *(a)* imports and exports of manufactures between the United Kingdom and the European Economic Community and other countries, and *(b)* imports and exports less crude oil between the United Kingdom and the European Economic Community and from other countries; and if he will make a statement about the decline in exports of manufactures in the first quarter of the current year compared with 1985 and the reasons therefor.

Mr. Alan Clark [*pursuant to his reply,* 1 may 1986, c. *454*]: The information is in the table. Annualised figures can be unreliable as a guide to the outturn for the year. In the first quarter of this year United Kingdom exports of manufactures were higher than the quarterly average for any year except 1985.

United Kingdom Trade

£ Billion OTS basis

	*Manufactures**				*Total trade less crude oil†*			
	European Community‡		*Rest of World*		*European Community‡*		*Rest of World*	
	Exports	*Imports*	*Exports*	*Imports*	*Exports*	*Imports*	*Exports*	*Imports*
1970	2·2	1·6	4·6	3·0	2·6	2·6	5·4	5·7
1985‖	21·4	31·3	30·3	29·3	28·7	42·8	36·2	44·5
1986‖	21·2	33·2	27·9	25·6	28·1	41·7	32·9	37·5

* Standard International Trade Classification Sections 5 to 8
† Standard International Trade Classification heading 333
‡ Present Membership throughout
‖ First three months at an annual rate
Source: United Kingdom Overseas Trade Statistics

Manufacturing Industry

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry if he will publish the relative export price of United Kingdom manufactures each year compared with German export prices for manufactures based on 1976=100 together with the change in the nominal exchange rate since the last year for which relative export prices are available.

Mr. Alan Clark: The information is as follows:

Exports of manufactures

	Relative export prices 1976=100*
1976	100
1977	105
1978	107
1979	117
1980	133
1981	145
1982	134
1983	131
1984	138

* Ratio of United Kingdom to Federal Republic of Germany unit value of exports of manufactures in common currency.
Sources: United Nations
Department of Trade and Industry.

Car Imports

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry (1) if he will publish figures in the *Official Report* showing *(a)* the average value of the yen in each of the past five quarters and *(b)* the average value of cars imported from Japan during each such period;

(2) if he will publish a table in the *Official Report* showing *(a)* the average value of the deutschmark in each of the past five quarters and *(b)* the average value of cars imported from West Germany during each such period.

Mr. Alan Clark: The information is as follows:

	Japan		*West Germany*	
	Sterling exchange rate: £1=Yen	*Average value of cars imported £*	*Sterling exchange rate: £1=Deutschemark*	*Average value of cars imported £*
1985	287	3,296	3·63	4,921
	315	3,128	3·88	4,703
	328	2,849	3·92	4,784
	298	3,259	3·71	5,343
1986	270	3,499	3·38	5,722

Source: Sterling Exchange Rates:
1985: Monthly Review of External Trade Statistics April 1986.
1986: Bank of England provisional figures.
Cars: Table III of the United Kingdom Overseas Trade Statistics.

Note:
Cars are defined as Standard International Trade Classification Sub-Group 781.
Imports are valued cif.

Monopolies and Mergers

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry whether, in the course of his review of monopolies and mergers policy, he will consider the question of whether a bidder in a contested situation should be allowed to propose the conditional disposal of subsidiaries of the target company; and if he will make a statement.

Mr. Channon: I shall carefully consider my hon. Friend's suggestion in deciding the scope of a review of competition policy which I hope to announce soon.

European Community

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing inwards and outwards investment with the European Economic Community countries each

year since 1970 for manufacturing and non-manufacturing, excluding oil; and if he will provide similar figures for non-European Economic Community countries.

Mr. Alan Clark: Details of overseas direct investment (excluding oil), inward and outward, manufacturing and non-manufacturing for EC and non-EC countries are given in the table. EC figures exclude Spain and Portugal and include all other members for all years shown.

United Kingdom Direct Investment (Excluding Oil)
Inward

	European Community		*Non-European Community*		*World*	
	Manufacturing £ million	*Non-Manufacturing* £ million	*Manufacturing* £ million	*Non-Manufacturing* £ million	*Manufacturing* £ million	*Non-Manufacturing* £ million
1970	37·5	24·0	231·4	70·3	268·9	94·3
1971	26·1	12·9	313·4	97·9	339·5	110·8
1972	17·1	26·4	209·5	151·8	226·6	178·2
1973	28·8	82·9	423·8	19·1	452·6	273·9
1974	28·3	47·2	439·7	321·6	468·0	368·8
1975	33·2	64·7	289·8	227·6	323·0	292·3
1976	85·6	90·8	504·9	117·5	590·5	208·3
1977	108·7	159·5	798·3	259·5	907·0	419·0
1978	120·7	170·2	802·0	168·2	922·7	338·4
1979	103·6	112·5	945·7	578·2	1,049·3	690·7
1980	−91·1	91·6	1,563·7	976·7	1,472·6	1,068·3
1981	57·5	−48·0	208·5	761·7	266·0	713·7
1982	−50·0	186·5	196·3	740·9	146·3	927·4
1983	174·9	298·4	816·5	824·9	991·4	1,123·3

United Kingdom Direct Investment (Excluding Oil)
Outward

	European Community		*Non-European Community*		*World*	
	Manufacturing £ million	*Non-Manufacturing* £ million	*Manufacturing* £ million	*Non-Manufacturing* £ million	*Manufacturing* £ million	*Non-Manufacturing* £ million
1970	70·7	23·7	234·7	217·1	305·4	240·8
1971	183·4	103·9	201·9	186·3	385·3	290·2
1972	117·3	127·0	234·8	257·6	352·1	384·6
1973	272·8	249·9	562·2	535·9	835·0	785·8
1974	166·7	197·0	658·4	553·5	825·1	750·5
1975	108·2	59·8	569·6	433·7	677·8	493·5
1976	287·0	210·4	944·7	702·7	1,231·7	913·1
1977	322·6	62·6	754·4	745·1	1,077·0	807·7
1978	304·7	280·1	1,215·4	909·5	1,520·1	1,189·6
1979	94·0	134·2	1,302·8	1,503·6	1,396·8	1,637·8
1980	140·4	298·8	1,286·5	1,665·1	1,426·9	1,963·9
1981	412·0	−268·0	2,115·5	2,411·7	2,527·5	2,143·7
1982	121·5	−199·6	1,187·1	1,287·1	1,308·6	1,087·5
1983	259·8	−505·7	1,757·8	1,992·9	2,017·6	1,487·2

Electrical Goods (Competition)

Mr. Corbett asked the Secretary of State for Trade and Industry if he will refer to the Office of Fair Trading the competitive situation in the electrical goods market with a view to an assessment as to whether the best interests of consumers would be served by further concentration of ownership of retail outlets and market share.

Mr. Howard: It is one of the duties of the Director General of Fair Trading to advise my right hon. Friend whether a merger or merger proposal should be referred to the Monopolies and Mergers Commission for further investigation. It is the role of the MMC under the Fair Trading Act 1973 to examine the specific mergers or merger proposals which have been referred to it. The Commission has no locus under a merger reference to examine the competitive situation in a whole sector of the market, unless it considers the question to be relevant in the circumstances of a particular case under investigation.

Toys

Mr. Tony Banks asked the Secretary of State for Trade and Industry if he is satisfied with the current definition of toy in the Toy (Safety) Regulations 1974; if he will extend it to include any article which because of its size or appearance could be mistaken for a child's plaything; and if he will make a statement.

Mr. Howard: I shall reply to the hon. Member as soon as possible.

Libya (Corned Beef)

Mr. Allen Adams asked the Secretary of State for Trade and Industry what information he has as to the country of origin of corned beef being exported from Troon Harbour to Libya.

Mr. Gummer: I have been asked to reply.

There have been no recent exports of corned beef from Troon to Libya.

West Germany

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* his estimate of the effect which the increase of 35 per cent. in the real rate of exchange between sterling and the deutschmark had on United Kingdom imports from the exports to West Germany between the first quarter of 1979 and the third quarter of 1985; what were the nominal rates of exchange in each period; what is the present rate of exchange; and what is his estimate of the difference in the rate of inflation between the United Kingdom and West Germany since the third quarter of 1985.

Mr. Alan Clark [*pursuant to his reply*, 1 May 1986, c. *454-56*]: No. Any such estimate would involve many arbitrary assumptions and would thus be highly speculative.

The nominal exchange rate in the first quarter of 1979 was 3·7401 Dm/£; in the third quarter of 1985 3·9197 Dm/£ and in March 1986 3·3254 Dm/£. Between the third quarter of 1985 and February 1986 the United Kingdom retail price index rose by 1·3 per cent. compared with an increase of 0·3 per cent. in the consumer price index for the German Federal Republic.

TRANSPORT

Marylebone Station

Mr. Pavitt asked the Secretary of State for Transport if, since the original proposal was made by British Rail to close Marylebone station in May 1986, he has been given the financial reasons which seek to justify this closure.

Mr. David Mitchell: British Rail announced on Wednesday that it does not now intend to proceed with the present closure proposal. The question of supporting financial information does not therefore arise.

Railway Closures

Mr. Pavitt asked the Secretary of State for Transport if he will take steps in all future railway closures to ensure that an opportunity is given to the local authorities involved publicly to question the closure proposal.

Mr. Ridley: The statutory closure procedures already allow for local authorities to make objections and for transport users' consultative committees to hear such objections in public.

Trunk Roads

Mr. Sheerman asked the Secretary of State for Transport if he will provide the following information relating to trunk road: *(a)* the total cost of accidents in 1985, *(b)* the total sum allocated to his regional offices specifically for small cost-effective engineering schemes for accident reduction in 1985, *(c)* the proportion of his Department's budget and expenditure on trunk roads allocated to such schemes in 1985, *(d)* the amount specifically allocated to schemes of this type during European Road Safety Year 1986, and this total as a proportion of his Department's trunk road budget for the current year, and *(e)* an estimate of the savings in accidents likely to result from this expenditure on small schemes during 1986.

Mr. Peter Bottomley: Final accident figures for 1985 are not yet available. The total estimated cost of injury accidents on trunk roads (excluding motorways) in England in 1984 was £120 million.

We do not allocate sums specifically for accident reduction schemes. In 1985-86, the Department spent £31 million on small safety and improvement schemes. Most are designed specifically to enhance road safety. In 1986-87, we plan tp spend £35 million on such schemes. Major national schemes also enhance road safety by removing traffic from unsuitable roads and from small towns and villages.

It is not possible to estimate accurately the savings in accidents resulting from road schemes. National road schemes generally achieve an economic return of £1·50 for each £1 spent resulting from accident savings and other benefits such as reduced journey times. Within this, accident savings are estimated to account for about 20p for each £1 spent. In 1985-86, expenditure on national scheme works was £429 million and in 1986-87 we plan to spend £431 million.

Mr. Greg Knight asked the Secretary of State for Transport how soon after the completion of a trunk road contract any outstanding work is required to be completed; and what steps are taken if there is delay in completion of that work.

Mr. Peter Bottomley: The maintenance period normally lasts for 52 weeks from completion of the main works. Under the terms of the contract, the contractor is required to complete all outstanding maintenance work by the end of the maintenance period or as soon as practicable afterwards if the Department agrees to defer — for example, on the grounds of safety or reducing disruption to traffic. If the contractor fails to complete the maintenance work as required, the Department may make other arrangements to carry out the work and recover the cost from the contractor.

Dounreay

Mr. Foulkes asked the Secretary of State for Transport what consideration has been given to the use of Hunterston or other Clyde ports in relation to the transportation of nuclear materials to Dounreay; and if he will make a statement.

Mr. Ridley: Neither my Department nor the Clyde port authority has been approached about or considered the possible use of Hunterston or any other Clyde port for the transport of nuclear materials to or from Dounreay.

Bus Routes (Scotland)

Mr. Michael Forsyth asked the Secretary of State for Transport how many profit-making bus routes have been registered in Scotland; and, of these, how many are new services.

Mr. Ridley: One thousand eight hundred and sixty. Information is not readily available about how many of these are wholly or partly different from existing services.

Driving Licences

Mr. Peter Bruinvels asked the Secretary of State for Transport if, pursuant to the answer of 24 April to the hon. Member for Leicester, East, he will list the practical

considerations which militate against the inclusion in driving licences of further personal details, such as place of birth; and if he will make a statement.

Mr. Michael Spicer [*pursuant to his reply*, 1 May 1986, c. *481*]: It would be impractical to obtain this information from the 30 million existing licence holders.

The public at large is unlikely to accept the need for inclusion of such information.

There would be difficulties in designing a licence which contained these details in a place where they could not be seen through the window envelope (necessary for postal dispatch) or when the licence is in the plastic wallet.

NATIONAL FINANCE

Value Added Tax

Mr. Ashdown asked the Chancellor of the Exchequer if he will give the latest figures available for the total amount of value added tax collected from each trade group together with the total numbers registered in each group; and if he will make a statement.

Mr. Brooke: The total number registered in each trade group are as follows:

Trade Group	*Number registered (as at 31 March 1985)*
Primary Industries	
Agriculture, forestry and fishing	181,600
Mining and quarrying	1,400
Manufacturing Industries	
Food, drink and tobacco	9,700
Coal and petroleum products	200
Chemicals and allied industries	3,600
Metal manufacture	2,700
Mechanical engineering	24,400
Instrument engineering	3,100
Electrical engineering	9,900
Shipbuilding, boatbuilding and marine engineering	2,000
Vehicles	1,400
Metal goods n.e.s.	16,000
Textiles	6,000
Leather, leather goods and fur	1,800
Clothing and footwear	11,200
Bricks, ceramics, glass, cement etc.	2,600
Timber, furniture etc.	11,500
Paper, printing and publishing	22,700
Other manufacturing industries	13,900
Construction	
Construction	230,000
Utilities	
Gas, electricity and water	200
Transport and Communication	
Transport and communication	62,500
Distributive Trades	
Wholesale distribution	80,800
Retail distribution	265,900
Dealers	31,000
Services	
Insurance, banking, finance and business services	78,000
Professional and scientific services	87,000
Miscellaneous	296,600
Public administration and defence	1,200
	1,458,900

I regret that up-to-date information on the tax collected from each trade group cannot be provided. This is a consequence of changes to the accounting procedure for tax due on imported goods which were introduced on 1 November 1984. Until then, any VAT due on imports by registered persons was declared separately on the VAT return with an offsetting input tax claim. Since 1 November, VAT paid on imports is no longer entered on returns. It is, however, still claimed as a deduction, along with other deductible input tax, but is not separately identified. Consequently, any comparisons of trade groups based on the net tax shown on returns would now be seriously distorted.

The latest figures available that break down net tax by trade group are those for 1983-84; they are contained in table 9 on page 40 of the report of the Commissioners of Her Majesty's Customs and Excise for the year ending 31 March 1984. There is a copy in the Library of the House.

Mr. Tim Smith asked the Chancellor of the Exchequer if he will give the latest available statistics for the total number of prosecutions brought by Customs and Excise in respect of the new procedures for value added tax passed in the Finance Act 1985; and if he will estimate the total value of penalties levied as a consequence of these prosecutions.

Mr. Brooke: The Finance Act 1985 introduced provisions to remove the sancton of criminal prosecution for many VAT offences and to replace it by a system of civil penalties. For those provisions which were implemented as from Royal Assent to the Finance Act 1985 there have, therefore, been no subsequent prosecutions. The number of civil penalties imposed up to 24 April 1986 is 2,666 and their total value about £1,316,000. Of these, 2,625 penalties were for belated notification of liability to be registered for VAT under section 15 of the Act. This represents less than 2 per cent. of the total number of new registrations (about 138,000) in the same period.

Mr. Tim Smith asked the Chancellor of the Exchequer (1) if any extra Customs and Excise staff have been deployed to investigation work as a result of the implementation of the Keith committee proposals for value added tax; and if he will make a statement;

(2) if he will give the number of businesses registered for value added tax at the latest convenient dates within the following turnover bands: £0, £1-£19,500, £19,500-£49,500, £50,000-£99,000, £100,000-£499,000, £500,000-£1,999,000 and £2,000,000-plus; and if he will make a statement.

Mr. Brooke: I shall let my hon. Friend have a reply as soon as possible.

Income Tax

Mr. Deakins asked the Chancellor of the Exchequer what increase in the standard rate of income tax would be needed in the standard regions of England south of a line from Bristol to the Wash to balance a 1p reduction for taxpayers in the rest of the United Kingdom.

Mr. Moore: In round terms, one penny.

Mr. Frank Field asked the Chancellor of the Exchequer what is the percentage share of tax paid by the top 1, 2, 3, 4 and 5 per cent. of income earners for each year since 1978-79.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Civil Servants (Ethnic Origin)

Mr. Stephen Ross asked the Chancellor of the Exchequer what benefits he expects to derive from the survey on the ethnic origin of civil servants.

Mr. Luce: I have been asked to reply.

The information should help the Government to identify any areas where ethnic minorities may be under-represented in the Civil Service and to determine whether any under-representation requires more detailed investigation.

EMPLOYMENT

Fishing Industry

Mr. Austin Mitchell asked the Paymaster General what is his estimate of the number of fishermen made redundant in each of the years 1976 to 1984, the average earnings of trawlermen in each of those years, the number of employed trawlermen in each year and the amount paid into the redundancy fund in each of these years on behalf of employed fishermen.

Mr. Lang: I regret that the information requested is not available: the various statistics referred to do not distinguish sufficiently between specific occupational groups. The hon. Member may wish to contact my Department to establish whether any more broadly based information relevant to his area of interest is available.

News International (Wapping)

Mr. Deakins asked the Paymaster General if he is satisfied that all foreign nationals working at the Wapping plant of News International have work permits; and if he will make a statement.

Mr. Lang: My Department does not have information as to how many foreign nationals are working at the plant. In the last 12 months one work permit has been issued for employment with the News International Group. Applications in respect of six other foreign nationals are at present under consideration.

Labour Statistics

Mr. Austin Mitchell asked the Paymaster General whether he will publish in the *Official Report*, a table showing such information as is available to him for the Group of Five countries relating to the latest figure for employment in the production industries compared with 1973 and 1979.

Mr. Lang: The available information is given in the following table:

Total employment in production and construction industries

Thousand

	1973	*1979*	*1985 Q4**
United Kingdom	10,493	9,722	7,776
France	8,238	7,717	†6,779
Germany	12,554	11,313	‡10,262
United States of America	28,225	30,918	29,948
Japan	19,570	19,140	20,365

Source: OECD "Labour Force Statistics 1963-1983" and "Quarterly Labour Force Statistics", supplemented for United Kingdom by national sources.

* Seasonally adjusted.

† Figure relates to 1984 Q4.

‡ Figure relates to 1985 Q3.

Mr. Austin Mitchell asked the Paymaster General whether he will publish in the *Official Report* a table showing the numbers employed in 1970, May 1979 and at the latest available date in man-made fibres, cotton, wool, hosiery, carpets, finishing trades, clothing, footwear, motor cars, heavy commercial vehicles, shipbuilding, coal, iron and steel, chemicals than other pharmaceuticals, aircraft and mechanical engineering; and if he will give such figures as are available for Germany and Japan.

Mr. Lang: Estimates of employees in employment by industry are not available on a comparable basis for dates prior to June 1971. Reliable estimates for each subdivision of industry are not available on a comparatable basis for dates prior to September 1981. The available information for the industries specified is given in the following table.

Some information for Germany and Japan, though at a more aggregated level, is published in the Organisation for Economic Co-operation and Development's "Labour Force Statistics 1963-1983," a copy of which is available in the Library, on pages 236 to 243 and 108 to 115, respectively.

Employees in employment: Great Britain

	Class or Group of the 1980 SIC	*June 1971*	*June 1979**	*December 1985*
Production of man-made fibres	26	38,400	28,700	14,200
Cotton and silk industries	432	..	..	38,900
Woollen and worsted industry	431	..	..	41,200
Hosiery and other knitted goods	436	..	..	81,800
Carpets and other textile floor coverings	438	..	..	15,800
Textile finishing	437	..	..	26,800
Clothing, hats and gloves and fur goods	453, 456	..	..	193,400
Footwear	451	..	..	47,600
Manufacture of motor vehicles and parts thereof†	35	503,100	461,800	281,000
Shipbuilding and repairing	361	..	..	87,200
Coal extraction and manufacture of solid fuels	11	359,500	298,500	196,700
Iron and steel industry	221	..	..	93,100
Chemical industry	25	..	..	246,000
Chemical industry other than pharmaceutical products	257			

	Class or Group of the 1980 SIC	June 1971	June 1979*	December 1985
Aerospace equipment manufacturing and repairing	364	..	..	155,400
Mechanical engineering	32	1,125,200	1,025,200	788,900

* Estimates are not available for May.
† The Department's employment statistics are analysed according to the 1980 standard industrial classification, which does not separately identify the manufacture of motor cars and heavy commercial vehicles.

Wages Councils (Leicester)

Mr. Janner asked the Paymaster General how many establishments in Leicester are covered by wages councils orders; how many establishments in Leicester were visited in the last five years for which records are available by officers of the Wages Inspectorate; and what were the results of those visits.

Mr. Trippier: The information requested is not available for areas smaller than wages inspectorate divisions.

In the midlands (east) division in January 1985 there were 29,946 establishments on the wages inspectorate's register.

The results of wages inspections by visit in the last five years are shown in the table. The figures are not representative of the extent to which employers comply with wages council legislation as the wages inspectorate tends to concentrate its visits on establishments more likely to be underpaying.

Midlands (East) division of the Wages Inspectorate

	1981	1982	1983	1984	1985
Establishments where pay was checked by visit	1,299	1,829	2,018	1,496	1,747
Establishments found to be underpaying one or more workers	430	535	573	532	623
Workers whose pay was checked by visit	8,544	10,759	9,995	8,472	10,602
Workers found to be underpaid	841	1,132	1,284	1,157	1,496
Arrears assessed	£142,417	£184,673	£167,449	£160,400	£127,127

Job Creation

Mr. Frank Field asked the Paymaster General if he will list for each region the latest figures of additional jobs created since June 1979 for *(a)* employees who are full-time *(b)* employees who are part-time and *(c)* self-employed.

Mr. Lang: Information about job gains and job losses is not available from the Department's statistics, but an indication of the net changes can be seen by comparing levels of employment at different dates.

The following tables give the comparisons between levels of employment in each region in June 1979 and the latest date in 1985 for which figures are available. Estimates of the numbers of part-time male employees in employment are not separately available for these dates.

Net changes between June 1979 and December 1985 in numbers of employees in employment

Region	Net change	
	Males and full-time females	Part-time females
South East	−295,000	222,000
East Anglia	−10,000	26,000
South West	−141,000	82,000
West Midlands	−278,000	−4,000
East Midlands	−154,000	39,000
Yorkshire and Humberside	−279,000	25,000
North West	−338,000	72,000
North	−223,000	21,000
Wales	−146,000	18,000
Scotland	−232,000	79,000

Net changes between June 1979 and June 1985 in numbers of self employed

Region	Net change
South East	252,000
East Anglia	34,000
South West	106,000
West Midlands	44,000
East Midlands	41,000
Yorkshire and Humberside	89,000
North West	53,000
North	28,000
Wales	22,000
Scotland	32,000

SCOTLAND

Examinations

Mr. Frank Field asked the Secretary of State for Scotland how many young people in Scotland took *(a)* general certificate of education O levels, *(b)* certificate of secondary education examinations and *(c)* both sets of examinations in 1985; and of these groups what is his best estimate of the number who did not return to school in the September term.

Mr. Allan Stewart: Information in the form requested is not available centrally. In Scotland, the overwhelming majority of young people seeking certificated awards are presented for Scottish certificate of education (SCE) ordinary grade examinations. In 1984, the latest year for which information is available, 69,514 pupils in their fourth year of secondary education were presented for SCE ordinary grade examinations, of whom an estimated 23,300 did not return to school in August 1984.

School Leavers

Mr. Frank Field asked the Secretary of State for Scotland how many young people in Scotland at *(a)* the minimum school leaving age, *(b)* one year above and *(c)* two years above minimum school leaving age left school at 1985; and of these groups what is his best estimate of the number who *(a)* were eligible to leave at the end of the Easter term and *(b)* did leave at the end of the Easter term.

Mr. Allan Stewart: Information is not readily available in the form requested, since in Scotland there is a Christmas but no Easter leaving date. The table contains some relevant information, for session 1984-85, on Scottish school leavers.

Pupils leaving on attaining the minimum school leaving age	*Pupils leaving after attaining the minimum school leaving age*				
	Year of secondary education				
	Third or fourth	*Fifth*		*Sixth*	
		1st term	*2nd-3rd term*	*1st term*	*2nd-3rd term*
39,056	3,379	2,440	18,624	1,862	17,558

The table excludes 2,900 school leavers from independent or special schools.

Scottish Grand Committee

Mrs. McCurley asked the Secretary of State for Scotland how many Scottish Office staff are transported from London solely for the purpose of Scottish Grand Committee meetings in Edinburgh; and if he will estimate the cost of this.

Mr. Rifkind: None. No additional cost is therefore incurred; indeed, as Scottish Office staff from Edinburgh do not have to travel to London, travel and subsistence costs that would otherwise arise are avoided.

Mrs. McCurley asked the Secretary of State for Scotland what is the additional cost of holding each individual session of the Scottish Grand Committee in Edinburgh, including heating, lighting, staffing, policing and security, and miscellaneous expenditure.

Mr. Rifkind: The additional costs involved are very small as the staffing, policing and security requirements are met by deploying personnel from other duties. Costs of around £70 are incurred on additional security, cleaning and lighting.

Roadworks, Caithness

Mr. Maclennan asked the Secretary of State for Scotland what is the current proposed starting date for the construction of the new Dunbeath bridge on the A9 in Caithness; and if he will make a statement.

Mr. Ancram: Construction of the Dunbeath scheme is planned to start at the end of the current financial year. However, this depends on resolving the outstanding objections to the draft road orders and any objections to the draft compulsory purchase order which will be published this summer.

Planning Appeals

Dr. Godman asked the Secretary of State for Scotland how many planning appeals have been made to his office during each of the past five years.

Mr. Ancram: The number of planning appeals received in each of the past five years is as follows:

	Number
1981	549
1982	500
1983	533
1984	568
1985	606

Transport Infrastructure

Dr. Godman asked the Secretary of State for Scotland what further proposals he has for improving the transport infrastructure in Scotland in general and Inverclyde in particular.

Mr. Ancram: My right hon. and learned Friend has made provision in 1986-87 of £77 million for new construction and improvements in the trunk road network, and £18 million for structural repair work. He has provided allocations of £159 million for local authority capital expenditure on roads and transport, The Scottish Transport Group plans capital expenditure in the year of £22 million. Substantial provision has also been made for revenue expenditure on roads and for subsidy to public transport services.

The details are set out in the "Scottish Commentary on Public Expenditure," a copy of which was sent to the hon. Member. If the hon. Member has in mind a particular issue concerning Inverclyde, he may care to write to me.

Probation Orders

Dr. Godman asked the Secretary of State for Scotland for the latest year for which figures are available, what is the percentage of persons aged *(a)* over 21 years and *(b)* under 21 years who successfully completed probation orders without breach or conviction for a further offence.

Mr. John MacKay: The information requested is not available centrally and could be obtained only at disproportionate cost.

Community Service Orders

Dr. Godman asked the Secretary of State for Scotland if he will state, for the latest year for which figures are available, the percentage of persons aged (a) over 21 years and *(b)* under 21 years who successfully completed community service orders without breach or conviction for a further offence.

Mr. John MacKay: The information is set out in the table.

Community service orders terminated in 1984: Percentage of persons completing sentence without breach or further conviction and with specified number of hours completed

	Per Cent.
Offender aged under 21	76
Offender aged 21 and over	81

Prisoners (Homeless Discharge Grant)

Dr. Godman asked the Secretary of State for Scotland, for the latest year for which figures are available, what was the percentage of prisoners discharged from prison establishments in Scotland who *(a)* qualified for the homeless discharge grant and *(b)* were of no fixed address.

Mr. John MacKay: This information is not held centrally and could be provide only at disproportionate cost.

Parole

Dr. Godman asked the Secretary of State for Scotland, (1) for the latest year for which figures are available, what was the percentage of persons successfully completing a period of parole licence without breach or conviction for a further offence; (2) how many of those prisoners, granted parole in 1982, 1983, 1984 and 1985, were subsequently recalled to prison.

Mr. John MacKay: Information is not available in the form requested. Persons who were reported for breach of parole or life licence conditions and persons issued with a recall order were not necessarily released on parole or life licence in the same year.

Figures for the number of persons released on parole or life licence reported for breaches of licence conditions and issued with recall orders are given in the annual reports of the Parole Board for Scotland (copies of which are available in the Library). The relevant figures for 1982, 1983 and 1984 are as follows:

	1982	*1983*	*1984*
Number of persons released on parole licence or on life licence	290	378	260
Number of cases of breach of parole or life licence conditions or reported to the Parole Board for Scotland	84	55	57
Number of recall orders issued to persons previously released on parole or life licence	27	28	35

Note: Figures for 1985 are not yet available.

Petty Offenders

Dr. Godman asked the Secretary of State for Scotland what steps he is taking or plans to take to divert petty offenders, including the mentally ill and alcoholics from custody.

Mr. John MacKay: The Scottish Home and Health Department is monitoring 13 schemes now operating in various sheriff court areas throughout Scotland whereby individuals charged with offences, mainly of a minor nature, who are considered to be likely to benefit from social work help are referred to social work departments as an alternative to prosecution. A further scheme is operating in Glasgow to allow diversion in similar circumstances of individuals who may benefit from psychiatric care. Also relevant are the powers contained in the Criminal Justice (Scotland) Act 1980 which enable a policeman, instead of arresting a drunken person suspected of an offence, to take him to a "designated place" for the care of drunken persons. Another important development is the recruitment of fines officers (so far in four sheriff court areas), one of whose principal objectives is to reduce the number of offenders being imprisoned for defaulting on the payment of fines. Finally, a number of alternative sentences available to the courts, and the judges, in sentencing, will have regard to both the nature and circumstances of the offence and the offender in determining whether a custodial sentence is appropriate.

Prison Service

Dr. Godman asked the Secretary of State for Scotland what increase in real terms in expenditure on the prison service is expected between the financial years 1986-87 and 1988-89.

Mr. John MacKay: The Government's expenditure plans are expressed in cash terms. Present plans are for gross expenditure on the prisons service in Scotland to increase from £69·45 million in 1986-87 to £75·45 million in 1988-89. Using the GDP deflator, this represents an increase of 2 per cent. in real terms. Planned provision for the prison service for the forward years will be reviewed in the course of the 1986 public expenditure survey.

Prisoners (Statistics)

Dr. Godman asked the Secretary of State for Scotland what is the number of prisoners detained in prisons and detention centres in Scotland according to the latest available information.

Mr. John MacKay: The number of prisoners held in penal establishments in Scotland on the night of 22 April 1986 was 5,621, of whom 4,275 were in prisons, 894 in young offenders institutions, 170 in detention centres and 282 in a remand institution.

HOME DEPARTMENT

Plastic Bullets

Mr. Dubs asked the Secretary of State for the Home Department whether the chief constable of a police force which does not deploy plastic bullets may, under the arrangements for mutual support, request their use by police called in from other forces under the mutual aid arrangements.

Mr. Giles Shaw: Yes; section 14 of the Police Act 1964 would enable requests for such assistance to be met.

Mr. Dubs asked the Secretary of State for the Home Department whether plastic bullets and riot guns were on operational service with police during the 1984-85 miners' strike.

Mr. Giles Shaw: No.

Mr. Dubs asked the Secretary of State for the Home Department how many officers in the Metropolitan police

were trained in the use of plastic bullets during 1981, 1982, 1983, 1984 and 1985; and where in London Metropolitan police training in the use of plastic bullets is carried out.

Mr. Giles Shaw: I understand from the Commissioner that about 80 officers a year received initial or refresher training in the use of plastic baton rounds between 1981 and 1984. In 1985, about 120 officers received training. Training takes place in the public order training centre at Hounslow and other Metropolitan police establishments.

Mr. Dubs asked the Secretary of State for the Home Department what information he has as to which police forces in England and Wales conduct training sessions in the use of plastic bullets.

Mr. Giles Shaw: This information is not collected centrally. Equipment of this kind is to be used only by police officers who have been trained in its use and know its characteristics. I listed the forces which hold plastic baton rounds in reply to a question by the hon. Member for Islington, North (Mr. Corbyn) on 19 November at columns *140-41*.

Police Vehicles (Accidents)

Mr. John Fraser asked the Secretary of State for the Home Department how many people in London in each of the last three years have been killed or injured as a result of accidents with police vehicles or in the course of police pursuit by a vehicle.

Mr. Hurd: The number of people killed as a result of road accidents with police vehicles, or in the course of pursuit by a police vehicle, in the Metropolitan police and the City of London police force areas is as follows:

	1983	*1984*	*1985*
Metropolitan Police in the course of police pursuit	2	5	3
City of London Police in the course of police pursuit	0	0	0
Metropolitan Police in other circumstances	1	0	4
City of London Police in other circumstances	0	0	0
Total	3	5	7

The information requested about the number of people injured is not available. The following figures relate to the number of accidents invoiving Metropolitan police* and City of London police vehicles where injury occurred.

	1983	*1984*	*1985*
Metropolitan Police in the course of police pursuit	9	9	10
City of London Police in the course of police pursuit	0	0	0
Metropolitan Police in other circumstances	90	90	120
City of London Police in other circumstances	44	42	67
Total	143	141	197

* The figures for the Metropolitan police relating to injuries prior to October 1985 include only those resulting from accidents where the police driver was regarded as blameworthy.

The victims to which these figures relate include police officers as well as other members of the public.

Prison Service (Ethnic Origin Survey)

Mr. Stephen Ross asked the Secretary of State for the Home Department what as been the amount of the charge on the prison service budget of the total cost of the survey on the ethnic origin of civil servants.

Mr. Mellor: It is not possible to identify separately the costs incurred in the prison service in participating in the surveys of the ethnic origins of civil servants.

Prisoners

Mr. Bermingham asked the Secretary of State for the Home Department what is the number of prisoners detained in her Majesty's prisons and detention centres according to the latest available information.

Mr. Mellor: On 25 April 1986 there were 35,475 persons held in prisons and 1,253 persons held in detention centres in England and Wales.

Prison Officers

Mr. Kilroy-Silk asked the secretary of State for the Home Department what categories of job are performed by the 3,000 custodial officers working in the prison department.

Mr. Mellor: There is no group of staff so designated within the prison department.

Mr. Kilroy-Silk asked the Secretary of State for the Home Department how many weeks a prison officer's official training lasts.

Mr. Mellor: Initial training normally lasts for 14 weeks and consists of a three-week attachment to an establishment; a nine-week residential course; and two weeks induction at the establishment to which the officer is posted.

Prisoners (Visits)

Mr. Kilroy-Silk asked the Secretary of State for the Home Department under what circumstances relatives who visit prisoners under the assisted visits scheme are entitled to subsistence payments in addition to fares.

Mr. Mellor: When a relative is entitled to assistance with a visit to a prisoner, subsistence payments are made in the following circumstances. If the relative will be away from home for five hours or more, a payment may be made to cover the cost of meals at amounts specified by the Supplementary Benefit Requirement Regulations. If the return journey to the prison and back cannot be completed in one day, or if the relative is being assisted to make more than one visit and an overnight stay is required, payment may be made for bed and breakfast accommodation.

Opium Poppies

Mr. Deakins asked the Secretary of State for the Home Department if he will introduce legislation to ban the planting of opium poppy crops in the United Kingdom; and if he will make a statement.

Mr. Mellor: We shall decide on any necessary action in the light of the report which is being prepared jointly by officials of this Department and the Ministry of Agriculture, Fisheries and Food.

Members' Correspondence

Mr. Sean Hughes asked the Secretary of State for the Home Department what is the average length of time taken by his Department to answer correspondence received from hon. Members.

Mr. Hurd: I refer the hon. Member to the reply given to a question from the hon. Member for Gower (Mr. Wardell) on 18 March at column *104*.

Airports

Mr. Sheerman asked the Secretary of State for the Home Department if he will give details of the non-statutory procedures and criteria for airports applying for port-of-entry status.

Mr. Waddington: It is open to the management of any airport to apply for the designation of that airport as a port of entry under the Immigration Act 1971. The airport will be considered for designation when it has been demonstrated that scheduled services carrying substantial numbers of passengers subject to immigration control arrive at the airport. An airport may also be considered for designation if it is a main diversion airport for international flights. An airport will not be designated as a port of entry unless the accommodation and facilities are adequate for the efficient operation of the immigration control.

Weapons (Shops Register)

Mr. Tony Banks asked the Secretary of State for the Home Department if the Metropolitan police maintains a register of shops or dealers selling crossbows, airguns, catapults and martial arts devices; and if he will make a statement.

Mr. Giles Shaw: I understand from the Commissioner of Police of the Metropolis that in accordance with the Firearms Act 1968 he keeps a register of firearms dealers, but this register is not required to extend, nor does it extend, to shops or dealers dealing in articles which do not require a certificate under the Act.

Emergency Services Personnel (Uniform)

Sir Eldon Griffiths asked the Secretary of State for the Home Department (1) what progress he has made in standardising the use of head gear by emergency services so that the diced cap bands worn by ambulancemen, the fire service and the police are distinguishable from one another in all conditions of light;

(2) if he will issue advice to the royal parks constabulary, the British Legion car park attendants and private security firms about the confusion that arises when their diced cap bands appear indistinguishable in poor light from those worn by police officers.

Mr. Hurd: My Department is discussing this matter with the local authority associations and police representative bodies.

Leeds-Bradford Airport

Mr. Madden asked the Secretary of State for the Home Department what information he has as to the number of passenger terminal movements at Leeds-Bradford airport in 1985 and as to the percentage change in that number since 1984; and what equivalent information he has in relation to the nine other airports designated as ports of entry.

Mr. Waddington: In 1985 the total of passenger arrivals on international flights at Leeds-Bradford airport was 104,951 which represented a 30 per cent. increase over 1984. Of these passengers 101,830 were British citizens or European Community nationals and 3,121 were other foreign and Commonwealth nationals, increases of 29 and 66 per cent. respectively over 1984.

Leeds-Bradford airport is not designated as a port of entry under the Immigration Act 1971. There are 22 airports so designated, but it is not possible in the time available to obtain the relevant information without disproportionate costs.

Mr. Madden asked the Secretary of State for the Home Department if he will now designate Leeds-Bradford airport as a port of entry; and if he will make a statement.

Mr. Waddington: We have no plans to designate Leeds-Bradford airport as a port of entry under the Immigration Act 1971.

Boys (Remand)

Mr. Alex Carlile asked the Secretary of State for the Home Department whether any boys under the age of 15 years have been remanded into adult prison establishments in England and Wales since 31 March 1981.

Mr. Mellor [*pursuant to his reply*, 18 April 1986, c. *512*]: Boys aged 14 may not be lawfully remanded to a prison department establishment. If a prison department establishment identifies a boy received on remand as being under age, their normal procedure is to notify the court so that arrangements can be made for him to be transferred to the care of the local authority. The information available centrally, which is approximate and cannot be comprehensively checked, relates to initial receptions on remand and shows four such receptions of those aged under 15 in 1983, one in 1984, and one in 1985 into adult prisons (including adult prisons with remand units/wings for prisoners aged under 21 and remand centres taking remand prisoners of all ages). Corresponding figures for earlier years could be provided only at disproportionate cost. All such reports are now taken up with the establishment concerned.

Heathrow Airport (Immigration Officers)

Mr. Madden asked the Secretary of State for the Home Department how many interpreters are available to assist immigration officers at Heathrow air terminal; how many interpreters were on duty on 12, 13 and 14 April; how many passengers arriving at Heathrow on those days were detained awaiting to be interviewed; what was the shortest and longest period of detention; how many passengers detained were accommodated in hotels and at what cost; and if he will make a statement.

Mr. Waddington [*pursuant to his reply*, 21 April 1986, c. 15]: Eight full-time interpreters and a pool of about 200 hourly paid interpreters are available to assist with the examination of passengers at the four Heathrow terminals. The eight full-time interpreters are stationed at terminal 3 but attend the other terminals as required.

On 12, 13 and 14 April there were five, five and seven full-time interpreters available, respectively. Hourly paid interpreters were used as follows:

	April 12	*April 13*	*April 14*
Terminal 1	—	—	—
Terminal 2	2	3	3
Terminal 3	3	3	—
Terminal 4	2	1	2

On the days in question the number of passengers detained at the port pending further examination was:

	April 12	*April 13*	*April 4*	*Total*
Terminal 1	14	17	18	49
Terminal 2	27	62	30	119
Terminal 3	63	57	25	145
Terminal 4	22	8	19	49
Total	126	144	92	362

Without an examination of the files of all the passengers who were detained during the period 12 to 14 April at the four terminals it would not be possible to give the shortest and longest periods of detention.

The time spent in detention at the port awaiting further interview can vary between a few minutes, for example while a telephone call is made and several hours if an interpreter in a little used language has to be contacted and then has to travel to the airport.

No passengers have been detained in hotels on the days in question or, indeed, at any other time. The number of passengers accommodated in hotels, having been given temporary admission, was:

	Number
12 April	30
13 April	38
14 April	26

The cost of this accommodation was £46·65p per person per night. This sum maybe recoverable from the airline when the outcome of the passenger's case is determined.

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OFFICIAL REPORT

SIXTH SERIES **VOLUME 96**

SESSION 1985-86

21st April—2nd May 1986

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